

ACR 13

Establish a statewide Chinook salmon retention and disposition reporting standard for commercial salmon fisheries (5 AAC 39.130).

CITE THE REGULATION THAT WILL BE CHANGED IF THIS ACR IS HEARD.

5 AAC 39.130. Reports required of fishermen, processors, buyers, exporters and operators of certain commercial fishing vessels; transporting requirements.

Nushagak: 5 AAC 06.391(g) currently prohibits personal use retention in the Nushagak District.

Kodiak: 5 AAC 18.395 currently mandates release of chinook salmon in the seine fishery under certain conditions.

Southeast: 5 AAC 33.392 currently mandates release of chinook salmon in the seine fishery under certain conditions.

Troll: 5 AAC 29.140 currently mandates release of chinook salmon in the troll fishery under certain conditions.

WHAT IS THE PROBLEM YOU WOULD LIKE THE BOARD TO ADDRESS? STATE IN DETAIL THE NATURE OF THE CURRENT PROBLEM.

Chinook salmon all over Alaska are in varying stages of critical loss. This is a crisis we all share for both abundance and average size. This loss has occurred in recent years, with real concern over the loss of big genetics. We need uniform ways to measure and mitigate loss.

The state manages Chinook salmon toward escapement goals using removal data. However, it has no consistent standard governing what happens to a Chinook salmon caught in a commercial salmon fishery.

Across Alaska, a Chinook salmon taken incidentally may be discarded, retained and sold, or retained for personal use, with reporting and retention practices varying by area, fishery, and permit holder. Discarded fish generate no record at all. The department has acknowledged the gap. In explaining the January 2026 Nushagak District requirement, the commissioner said that the department needs hard numbers on the removal rate to calculate total returns.

Chinook salmon often pass through multiple commercial fisheries before reaching natal streams. The 2026 Yukon Chinook salmon run marked yet another year of catastrophic returns. Federal waters of the Kuskokwim mainstem and its spawning tributaries closed to Chinook salmon harvest by all users and all gear types for most of the 2026 season. Subsistence users have absorbed complete closure while the state cannot say with confidence how many Chinook salmon its commercial fisheries remove.

The board has begun to address this, but only in one district and only in a form that attempts to solve the accounting problem while creating additional issues. Under the Nushagak District rule adopted in January 2026(5 AAC 06.391(g)), all king salmon caught under a drift or set gillnet permit in the Nushagak District must be retained and may not be released, but retained king salmon

may not be kept for personal use. They must be sold or donated, and consumption aboard the vessel is prohibited. Before that action, Nushagak commercial fishermen could keep king salmon for personal use provided they reported them on the fish ticket at delivery.

The prohibition produces no additional data. A Chinook salmon recorded on a fish ticket as retained for personal use is counted exactly as precisely as one recorded as sold. What the prohibition does produce is resistance. The rule took effect July 12, 2026, after the Nushagak king run was largely over, so it delivered almost no accounting benefit in its first year. It did draw immediate objection from Alaska Native fishermen whose families have fished the Nushagak for generations.

What Alaska lacks, and what this request provides, is a single Chinook salmon accounting standard applicable across the commercial salmon fisheries, built so the fishermen subject to it can easily comply.

WHAT SOLUTION DO YOU PREFER?

Adopt one standard: Chinook salmon taken in the commercial salmon fisheries of Alaska's commercial fisheries must be retained, and every retained fish must be recorded on the fish ticket with its disposition.

Draft language for 5 AAC 39.130:

(x) In the commercial salmon fisheries of Alaska, a Chinook salmon caught may not be discarded and must be retained. At the time of delivery, the CFEC permit holder shall record on the fish ticket the number of Chinook salmon taken and the disposition of each as (1) sold, (2) donated to a nonprofit food bank, tribal or village entity, or charitable organization providing food distribution services, or (3) retained for personal use. Chinook salmon retained for personal use or donated must be recorded on the fish ticket at the time of delivery whether or not those fish are sold to a buyer.

STATE IN DETAIL HOW THIS ACR MEETS THE CRITERIA STATED BELOW.

for a fishery conservation purpose or reason:

Escapement-based management depends on accurate removal estimates. Where Chinook salmon removals go unrecorded, escapement goals are assessed against an unknown denominator, and the department cannot calculate exploitation rates for stocks under multi-year closure. This request supplies the missing data without closing, shortening, or restricting any fishery.

Compliance is itself a conservation variable. A retention rule that fishermen experience as confiscation of a customary practice invites the same nonreporting behavior the department identified as the original problem. A standard that requires personal use to be documented rather than surrendered produces better data than one that does not.

The request also strengthens the state's position as the National Marine Fisheries Service continues its Gulf of Alaska Chinook Salmon Endangered Species Act status review. A state that cannot account for Chinook salmon mortality it authorizes is poorly placed to argue that federal oversight is unnecessary.

to correct an error in regulation:

Regulation relating to Chinook salmon retention throughout the state is inconsistent, which can lead to confusion and noncompliance therefrom.

to correct an effect on a fishery that was unforeseen when a regulation was adopted:

When the board adopted the Nushagak District retention requirement in January 2026, it did not anticipate that prohibiting personal use, rather than requiring documentation, would place long-standing Alaska Native harvesters in the position of surrendering a customary practice for a decrease in data quality. Adopting a single standard across the covered fisheries resolves both issues.

WHAT WILL HAPPEN IF THIS PROBLEM IS NOT SOLVED PRIOR TO THE REGULAR CYCLE?

The accounting gap will persist across Alaska commercial salmon fisheries while users absorb continued closures. In Bristol Bay, the personal use prohibition remains in force through the 2027 and 2028 seasons, generating compliance resistance that will make Chinook salmon accounting harder to extend in other regions. The Area M Chinook salmon provisions the board adopted in February 2026, including Proposal 141 tying post-June closures to Chinook salmon catch thresholds, were disapproved on May 20, 2026, and are not in effect, leaving Area M Chinook salmon accounting unaddressed. Bristol Bay and the Alaska Peninsula do not return to the board until the 2028/2029 cycle.

STATE WHY YOUR ACR IS NOT PREDOMINANTLY ALLOCATIVE.

This request changes accounting and disposition rules. It does not change any season, area, gear specification, fishing period, guideline harvest level, escapement goal, or allocation percentage, and it does not transfer fish between user groups.

The Chinook salmon it addresses have already been caught and, under the proposed standard, will already have been retained and counted before any disposition question arises. Recording a fish as retained for personal use rather than sold does not allocate it to a new user. It restores the disposition option that existed in the Nushagak District before January 2026 and that exists elsewhere in Alaska today, with the reporting requirement that was previously missing now attached.

IF THIS REQUEST IS ALLOCATIVE, STATE THE NEW INFORMATION THAT COMPELS THE BOARD TO CONSIDER AN ALLOCATIVE PROPOSAL OUTSIDE OF THE REGULAR CYCLE.

Not allocative.

STATE YOUR INVOLVEMENT IN THE FISHERY THAT IS THE SUBJECT OF THIS ACR.

The Bering Sea Fishermen's Association has worked to support healthy fisheries in western Alaska since 1979 and represents commercial and subsistence fishermen across the Bering Sea, Arctic-Yukon-Kuskokwim and Bristol Bay regions.

STATE WHETHER THIS ACR HAS BEEN CONSIDERED BEFORE, EITHER AS A PROPOSAL OR AS AN ACR, AND IF SO, DURING WHICH BOARD OF FISHERIES

At its January 2026 Bristol Bay Finfish meeting, the board adopted a Chinook salmon retention and disposition requirement applicable to the Nushagak District only, which prohibits personal use retention. The board has not considered a single Chinook salmon retention and disposition standard applicable across the commercial salmon fisheries of Alaska.

SUBMITTED BY: Bering Sea Fishermen's Association