

SUBJECT: A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY URGING THE ALASKA BOARD OF FISHERIES TO APPROVE AGENDA CHANGE REQUESTS ACR 2 AND ACR 3 WHICH WERE PREVIOUSLY SUBMITTED AND DESIGNATE THE SUSITNA RIVER DRAINAGE CHINOOK SALMON AND THE LITTLE SUSITNA RIVER COHO SALMON BOTH AS A STOCK OF YIELD CONCERN AND ADOPT REGULATORY ACTION PLANS TO REBUILD THE YIELD FOR BOTH STOCKS.

AGENDA OF: October 1, 2024

Assembly Action: Approved under the consent agenda 10/01/24 - BJH

AGENDA ACTION REQUESTED: Present to the Assembly for consideration.

Route To	Signatures
Originator	<p style="text-align: right;">9 / 1 8 / 2 0 2 4</p> <p>X N S f o r A s s y m b l e G a m b l e</p> <p>S i g n e d b y : N i c h o l a s S p i r o p o u l o s</p>
Borough Attorney	<p style="text-align: right;">9 / 1 8 / 2 0 2 4</p> <p>X N i c h o l a s S p i r o p o u l o s</p> <p>S i g n e d b y : N i c h o l a s S p i r o p o u l o s</p>
Borough Manager	<p style="text-align: right;">9 / 1 8 / 2 0 2 4</p> <p>X M i c h a e l B r o w n</p> <p>S i g n e d b y : M i k e B r o w n</p>
Borough Clerk	<p>X</p>

ATTACHMENT (S): Resolution Serial No. 24-107 (3 pp)
 MSB FWC Request Form (6 pp)
 MSB Alaska Delegation Request Form (7 pp)

SUMMARY STATEMENT: This resolution is sponsored by Assemblymember Gamble to support the Agenda Change Request forms submitted by the Matanuska-Susitna Borough Fish & Wildlife Commission (ACR 2) and the Matanuska-Susitna Borough Alaska Delegation, comprised of the House and Senate Members of the Alaska Legislature (ACR 3).

The resolution not only supports the request that the Alaska Board of Fisheries take up the issues, but also that Alaska Board of Fisheries to designate the Susitna River drainage Chinook Salmon and the Little Susitna River Coho Salmon both as a Stock of Yield Concern and adopt regulatory action plans to rebuild the yield for both stocks.

RECOMMENDATION OF ADMINISTRATION: Respectfully request approval.

AGENDA CHANGE REQUEST FORM
ALASKA BOARD OF FISHERIES

The Board of Fisheries (board) reviews each state managed fishery under its authority once every three years in what is referred to as the board's "three-year cycle". Each year the board takes up regulatory subjects from a consistent set of regions and species, repeating every three years. Regulatory subjects in the current meeting cycle are referred to as "in-cycle" subjects.

The board recognizes there are times when "out-of-cycle" subjects require more immediate attention and created the "agenda change request" (ACR) process to allow consideration of these subjects. The board solicits ACRs 60 days prior to its fall work session. Accepted ACRs are scheduled at a subsequent meeting during the current meeting cycle. More information on the board's long-term meeting cycle is [here](#).

For the 2024/2025 meeting cycle, the following regulatory regions, species and uses are "in-cycle":

- Prince William Sound and Upper Copper/Upper Susitna finfish and shellfish (except shrimp).
- Southeast Alaska finfish and shellfish.
- Statewide shellfish and PWS shrimp.

The deadline for ACRs is August 30, 2024. ACRs received regarding "in-cycle" subjects will not be accepted as they are effectively proposals that missed the April 2024 deadline.

The board accept requests to change its schedule under certain guidelines set forth in 5 AAC 39.999. The board will accept ACRs only:

- 1) for a fishery conservation purpose or reason; or
- 2) to correct an error in regulation; or
- 3) to correct an effect on a fishery that was unforeseen when a regulation was adopted.

The board will not accept an ACR that is predominantly allocative in nature in the absence of new compelling information, as determined by the board [5 AAC 39.999 (a) (2)].

Please answer all questions to the best of your ability.

1) CITE THE REGULATION THAT WILL BE CHANGED IF THIS ACR IS HEARD.
If possible, enter the series of letters and numbers that identify the regulation to be changed. If it will be a new section, enter "5 AAC NEW".

Alaska Administrative Code Number: 5 AAC NEW

2) WHAT IS THE PROBLEM YOU WOULD LIKE THE BOARD TO ADDRESS? STATE IN DETAIL THE NATURE OF THE CURRENT PROBLEM. Address only one issue. State the problem clearly and concisely. The board will reject multiple or confusing issues.

Designate Susitna River drainage Chinook Salmon as a Stock of Yield Concern and adopt a regulatory Action Plan to rebuild the yield from this salmon stock.

According to a fact sheet published by the Alaska Department of Fish and Game (ADF&G) in 2008:
"The Susitna River king salmon run is the fourth largest in the state, behind the Yukon, Kuskokwim

and Nushagak Rivers. Between 100,000 - 200,000 king salmon return every year to the Susitna River drainage . . . about twice the number bound for the Kenai River.”

According to ADF&G sport fishery harvest estimates for the 5-year period from 2000 - 2004: an average of 25,448 king salmon were harvested from the Susitna River sport fishery on an annual basis. But according to ADF&G sport fishery harvest estimates for the most recent 5-year period from 2018 - 2023: Susitna River drainage sport fishery Chinook salmon harvest has fallen to an average of 171 fish per year — this demonstrates a more than 99% decline in yield from this fishery — and should easily fit the 5AAC 39.222 Policy for the Management of Sustainable Salmon Fisheries (SSFP) definition of a Stock of Yield Concern. ***“A stock of yield concern is a concern arising from the chronic inability, despite the use of specific management measures, to maintain specific yields, or harvestable surpluses, above a stock's escapement needs; a yield concern is less severe than a management concern.”*** Note: in 5 out of the past 7 years (2018 - 2024) there has been NO opportunity to harvest Chinook salmon from the Susitna River sport fishery.

It appeared, perhaps by oversight, ADF&G failed to bring forward this Stock of Yield Concern designation for Susitna River drainage Chinook salmon during the 2023 - 2024 Upper Cook Inlet meeting cycle. The Mat-Su Borough Fish and Wildlife Commission attempted to bring this issue forward at the Upper Cook Inlet Board of Fisheries Meeting on pages 19 and 20 of its 2024 publication, It Takes Fish To Make Fish. However, without ADF&G bringing this 99% reduction in sport harvest forward as an issue that could/should warrant a Stock of Yield Concern designation in the department's Stock Status Report, there was no proposal submitted to serve as a vehicle to address this issue — and for those reasons this ACR has been submitted for board consideration/action now.

3) WHAT SOLUTION DO YOU PREFER? Or, if the board adopted your solution, what would the new or amended regulation say?

Susitna River drainage Chinook salmon— Stock of Yield Concern. An Action Plan should then be developed, through the public process, providing reasonable opportunity to consider various management options, and following SSFP guidelines to rebuild the depleted Susitna River drainage Chinook salmon stocks.

4) STATE IN DETAIL HOW THIS ACR MEETS THE CRITERIA STATED BELOW. If one or more of the three criteria set forth below is not applicable, state that it is not.

a) for a fishery conservation purpose or reason:

The Susitna River Chinook salmon stock is the largest king salmon stock in Upper Cook Inlet and is clearly dealing with sustainability issues. If there was a drainage-wide Chinook salmon escapement goal the entire Susitna River drainage chinook salmon stock would likely already be listed as a Stock of Concern — similar to the larger Yukon River and Nushagak River Chinook salmon stocks.

Another aspect of this issue that could and should be addressed within a regulatory action plan for Susitna River Chinook salmon on a drainage-wide basis is the declining age/size/length fecundity of the Susitna River drainage chinook salmon spawning escapement. As the age, length, and size of the spawning escapement population has declined since 2007, it is not logical to expect a spawning

population made up of smaller less fecund fish to provide the same level of smolt production as had been previously provided by significantly older and larger king salmon escapement with a higher percentage of females in the spawning population.

Bottomline, even with no sport harvest allowed in 2023 and 2024, not a single Chinook salmon spawning escapement goal was attained anywhere in the Susitna River drainage. Unsustainability of Susitna River drainage Chinook salmon is a rapidly accelerating problem that may fit a drainage-wide Stock of Management Concern designation by the next Upper Cook Inlet Board of Fisheries meeting, and therefore should be dealt with — sooner rather than later.

The National Marine Fisheries Service is reviewing the stock status of Gulf of Alaska Chinook salmon to determine if all or some of those Chinook salmon stocks should be listed as threatened or endangered under the Endangered Species Act (ESA).

ADF&G currently has the authority to deal with salmon sustainability issues in Alaska — including the codified SSFP to guide management of Stocks of Concern. Since specific portions of the Susitna River drainage Chinook salmon stock have already been designated as Stocks of Management Concern, but the yield issue is drainage-wide and clearly fitting the SSFP criteria, it would be beneficial to show the State of Alaska is dealing with both issues of sustainability for Susitna River Chinook salmon — rather than giving any appearance of needing federal management or oversight for sustainability.

As stated in the ADF&G website publication, [Gulf of Alaska Chinook Salmon: Endangered Species Act Status Review Key Points](#) — federal management/oversight of Chinook Salmon under the Endangered Species Act could have much more severe consequences for multiple Alaska user groups:

“A threatened or endangered ESA-listing transfers the management of the listed units and their critical habitats from the State to the federal government. An ESA-listing, in essence, means that NMFS believes state management is insufficient to protect the stocks from going extinct.

ESA listing of Chinook salmon will significantly harm subsistence, commercial, and recreational fisheries, causing cultural and economic harm. The listing of an Environmentally Significant Unit (ESU) will move management of that ESU from state control to federal control with restrictions that could span from fishery reductions to no-harvest at all. Any fishery with incidental catch of that Chinook ESU would also be impacted.

Listing means that ‘critical habitat’ for Chinook salmon will be designated, which could encompass a broad swath of freshwater and marine areas. Along with ESA-required consultations and permits, this will add regulatory hurdles for any activities that may affect salmon. Development in watersheds designated as critical habitat would be greatly restricted and require considerable regulatory review.”

b) to correct an error in regulation: N/A

**c) to correct an effect on a fishery that was unforeseen when a regulation was adopted:
N/A**

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

Susitna River Chinook salmon declines in spawning fecundity and spawning escapement numbers may likely accelerate — requiring more severe future harvest and mortality restrictions before the stock can be rebuilt.

Federal decision makers may decide the State of Alaska is inadequately addressing Gulf of Alaska Chinook salmon sustainability issues and step in with federal oversight or management by declaring stock(s) threatened or endangered.

6) STATE WHY YOUR ACR IS NOT PREDOMINANTLY ALLOCATIVE.

This ACR seeks to follow SSFP guidelines and provide a reasonable and open public process for addressing the Susitna River drainage chinook salmon lack of yield issue. Developing local solutions to an instate issue would likely have more agreeable outcomes, on a quicker timeline, than the federal process.

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

N/A

8) STATE YOUR INVOLVEMENT IN THE FISHERY THAT IS THE SUBJECT OF THIS ACR (e.g., commercial fisherman, subsistence user, sport angler, etc.)

The Mat-Su Borough Fish and Wildlife Commission is an advisory group to state and federal agencies and the borough assembly concerning issues affecting fish and wildlife populations, habitat, and resource users in the best interests of the Borough and its residents.

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

To our recollection, the issue of Stock of Yield Concern for Susitna River Chinook salmon has been considered before — perhaps two, three, or more cycles ago, when drainage-wide yield had not fallen off to such a dramatic level.

Submitted by:

NAME Matanuska-Susitna Borough Fish & Wildlife Commission (Maija DiSalvo)

Individual or Group

350 E Dahlia Ave

Address

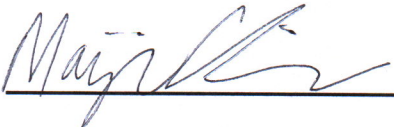
Palmer, AK

City, State

99645

Zip

Phone	907-861-7865	maiya.disalvo@matsugov.us
	Work Phone	Email

SIGNATURE:  DATE: 8/23/24

Note: Addresses and telephone numbers will not be published.

Mail, fax, or upload this completed form to:
Alaska Board of Fisheries
P.O. Box 115526
Juneau, AK 99811-5526
Fax: 907-465-6094

Upload file online: <https://arcg.is/1Ty0mv2>



MATANUSKA-SUSITNA DELEGATION

33RD ALASKA STATE LEGISLATURE

August 29, 2024

Board of Fisheries
P.O. Box 115526
Juneau, AK 99811-5526

Submitted Via Online Upload
As Required

AGENDA CHANGE REQUEST FORM

ALASKA BOARD OF FISHERIES

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Please answer all questions to the best of your ability.

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

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Alaska Administrative Code Number 5 AAC: NEW A regulatory Action Plan to be adopted

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2) WHAT IS THE PROBLEM YOU WOULD LIKE THE BOARD TO ADDRESS? STATE IN DETAIL THE NATURE OF THE CURRENT PROBLEM. Address only one issue. State the problem clearly and concisely. The board will reject multiple or confusing issues.

Designate Little Susitna River coho salmon — a Stock of Yield Concern and adopt a regulatory action plan to rebuild the yield from this important salmon stock, as measured by sport coho salmon harvest within the Little Susitna River.

Little Susitna River supports runs of all 5 species of Pacific salmon native to Alaska . For many years Alaska Department of Fish and Game (ADF&G) Management Reports for the Northern Cook Inlet Management Area described the Little Susitna River sport coho salmon fishery as follows:

“It has been a consistent second to the Kenai River, which supports the largest freshwater coho salmon harvest in Alaska.”

For the 5-year period from 2000 - 2004 ADF&G sport harvest estimates for Little Susitna River ranged from 13,672 to 20,357 coho salmon harvested per year with an average annual harvest of 17,137 coho salmon. For the most recent 5-year period with survey data (2019 - 2023) harvest estimates ranged from a preliminary 2023 estimate of 1,095 — 3,560 coho salmon per year with an average annual harvest of 2,499 coho.

For the most recent 5-year period Little Susitna River sport coho salmon harvest has declined by over 85% compared to the 2000 - 2004 5-year period. In addition ADF&G issued 5 in-season emergency order Little Susitna River sport coho salmon restrictions and 2 emergency order Little Susitna River sport coho salmon fishing closures during this same 5-year period. Note: this is an escalating problem as both season-ending closures came during the past two season (2023 and 2024) and the 2024 closure occurred 4 days earlier in the season compared to the 2023 closure. Little Susitna River estimated sport coho salmon harvest declined in 2022 compared to the 2021 harvest, in 2023 compared to the 2022 harvest, and (based on both earlier restriction and closure dates) will likely show another significant decline for 2024 compared to 2023. **Note:** the preliminary harvest estimate of 1,095 coho salmon for 2023 was already the lowest sport Little Susitna River coho salmon harvest estimate on record since 1977! The finalized 2023 Little Susitna River harvest estimate should be available from ADF&G before this request is considered.

3) WHAT SOLUTION DO YOU PREFER? Or, if the board adopted your solution, what would the new or amended regulation say?

Little Susitna River coho salmon— Stock of Yield Concern. A regulatory action plan would then be developed, through the public process, providing reasonable opportunity to consider and adopt various management options, following SSFP guidelines.

4) STATE IN DETAIL HOW THIS ACR MEETS THE CRITERIA STATED BELOW. If one or more of the three criteria set forth below is not applicable, state that it is not.

a) for a fishery conservation purpose or reason:

Each level of Stock of Concern designation listed in the SSFP, along with an associated regulatory Action Plan, provides a means to address unsustainable fishery issues, that if not dealt with, often proceed to become larger conservation problems.

Little Susitna River has been one of the most productive coho salmon producers in Upper Cook Inlet. Little Susitna River has more stable water temperatures and more consistent, and earlier coho run timing that correlates well with other Knik Arm streams. The Department, therefore, uses Little Susitna River coho salmon weir passage figures as a proxy for what may be occurring throughout Knik Arm or may be about to occur in those systems with later run timing. Recent declines in coho salmon yield are not isolated to Little Susitna River, but also occurring throughout Knik Arm, in the Deshka River and related Susitna River drainage, and likely throughout all of Upper Cook Inlet.

Upper Cook Inlet coho salmon stocks, for some reason, experienced a large down in abundance that can be observed in both overall harvests and measured coho salmon spawning escapements during both 2023 and 2024. Measured coho escapement at Little Susitna River (3,726 partial count in 2023) and (878 with a season projection of 2,154 coho after the weir was overtopped by high water for 2024) show an alarming downward trend below the ADF&G establish Little Susitna River SEG coho salmon spawning escapement goal of 9,100 - 17,700 fish.

Deshka River measured coho salmon escapements echo this same downward trend at an even more extreme level (1,817 partial but most of the season count in 2023) and (a count of 642 projected by ADF&G to a final escapement of 1,375 coho in 2024). The Deshka River SEG coho salmon spawning escapement goal is 10,200 — 24,100 fish. If an uptick does not occur soon, or if more conservative management actions are not made, Little Susitna River and Northern Cook Inlet coho salmon populations and future coho salmon production could quickly become similar to the lost king salmon production now throughout all of Upper Cook Inlet.

With drastic declines in Northern and Upper Cook Inlet coho salmon yields and in coho salmon spawning escapements throughout Northern Cook Inlet, ADF&G and the Board of Fisheries should designate at least one specific coho salmon stock to help monitor and consider management changes that would better ensure sustainability for the extremely import coho salmon resource for Northern Cook Inlet user groups. Little Susitna River coho salmon for the reasons listed above may be the best stock to designate as a Stock of Yield Concern, although this ACR is open to consideration of additional or other Northern coho stocks being so designated, if the department, users, or the board have better options or additions that should be included.

<p>2) to correct an error in regulation:</p> <p>N / A</p>
<p>3) to correct an effect on a fishery that was unforeseen when a regulation was adopted:</p> <p>N / A</p>
<p>5) WHAT WILL HAPPEN IF THIS PROBLEM IS NOT SOLVED PRIOR TO THE REGULAR CYCLE?</p> <p>85% of the yield from the sport fishery has already been lost. Sustainability and future lost yields need to be considered.</p> <p>If the drastically declined coho salmon spawning escapements continue, for only two additional seasons, Little Susitna River coho salmon and Deshka River coho salmon (ADF&G's indicator coho stock for the entire Susitna River drainage) may both qualify as Stocks of Management Concern before the next Upper Cook Inlet Board of Fisheries Meeting. This is an issue to start addressing before we get to that state.</p>
<p>6) STATE WHY YOUR ACR IS NOT PREDOMINANTLY ALLOCATIVE.</p> <p>This ACR seeks to follow SSFP guidelines and should provide a reasonable public process providing input from all user groups for addressing the declining inriver yield and corresponding decline in spawning escapement numbers of Little Susitna River coho salmon. This is an action identified in 5AAC 39.222 Policy for the Management of Sustainable Salmon Fisheries (SSFP) to deal with a Stock of Yield Concern, and should have been initiated by the Alaska Department of Fish and Game (ADF&G) during the 2023 - 2024 Upper Cook Inlet Board of Fisheries cycle as stated,</p> <p>(1) <i>at regular meetings of the board, the department will, to the extent practicable, provide the board with reports on the status of salmon stocks and salmon fisheries under consideration for regulatory changes, which should include</i></p> <p>(ii) <i>identification of any salmon stocks, or populations within stocks, that present a concern related to yield, management, or conservation; and</i></p> <p>(iii) <i>description of management and research options to address salmon stock or habitat concerns;</i></p> <p>Board members should consider that Not Addressing this problem for an entire board cycle (since ADF&G avoided mentioning it and its severity in the Stock Status Report) may have significantly</p>

more allocative implications than considering the problem, one year later than the regular cycle identified in the SSFP.

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

N/A. See answer to question 6.

8) STATE YOUR INVOLVEMENT IN THE FISHERY THAT IS THE SUBJECT OF THIS ACR (e.g., commercial fisherman, subsistence user, sport angler, etc.)

As legislators representing residents of the Mat-Su Valley / Northern Cook Inlet / State of Alaska we have an obligation to help maintain the sustainability of Little Susitna River coho salmon fisheries and the economic, social, recreational, and food security benefits they provide for many resource users of the Upper Cook Inlet Region.

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

To the best of our knowledge this issue has never been brought before the board, either as an ACR or as a proposal.

Submitted by: Alaska State Legislature/Mat-Su Delegation

Thank you for your consideration.



Sen. David Wilson, Co-Chair



Rep. George Rauscher, Co-Chair



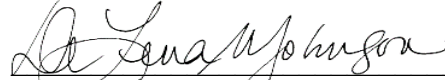
Sen. Shelley Hughes



Sen. Mike Shower



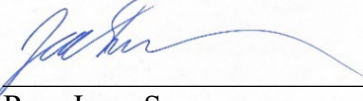
Rep. Cathy Tilton



Rep. DeLena Johnson



Rep. Kevin McCabe



Rep. Jesse Sumner