

**HOUSE BILL NO. 472**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE STOLTZE

Introduced: 2/13/06

Referred: House Special Committee on Fisheries, Resources, Finance

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the policy for management of sustainable salmon fisheries."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 \* **Section 1.** AS 16.05 is amended by adding a new section to read:

4 **Sec. 16.05.247. Policy for the management of sustainable salmon fisheries.**

5 (a) The legislature recognizes that

6 (1) while, in the aggregate, Alaska's salmon fisheries are healthy and  
7 sustainable largely because of abundant pristine habitat and the application of sound,  
8 precautionary, conservation management practices, there is a need for a  
9 comprehensive policy for the regulation and management of sustainable salmon  
10 fisheries;

11 (2) in formulating fishery management plans designed to achieve  
12 maximum or optimum salmon production, the Board of Fisheries and the department  
13 must consider factors including environmental change, habitat loss or degradation,  
14 data uncertainty, limited funding for research and management programs, existing  
15 harvest patterns, and new fisheries or expanding fisheries;

1 (3) to effectively ensure sustained yield and habitat protection for wild  
2 salmon stocks, fishery management plans and programs require specific guiding  
3 principles and criteria, and the framework for their application contained in this  
4 policy.

5 (b) The goal of the policy set out in this section is to ensure conservation of  
6 salmon and salmon's required marine and aquatic habitats, protection of customary  
7 and traditional subsistence uses and other uses, and the sustained economic health of  
8 Alaska's fishing communities.

9 (c) The Board of Fisheries and the department shall base management of  
10 salmon fisheries on the following principles and criteria:

11 (1) wild salmon stocks and the salmon habitats shall be managed to  
12 maintain levels of resource productivity that ensure sustained yields as follows:

13 (A) salmon spawning, rearing, and migratory habitats should be  
14 protected as follows:

15 (i) salmon habitats should not be perturbed beyond  
16 natural boundaries of variation;

17 (ii) scientific assessments of possible adverse ecological  
18 effects of proposed habitat alterations and the impacts of the alterations  
19 on salmon populations should be conducted before approval of a  
20 proposal;

21 (iii) adverse environmental impacts on wild salmon  
22 stocks and the salmon habitats should be assessed;

23 (iv) all essential salmon habitat in marine, estuarine,  
24 and freshwater ecosystems and access of salmon to these habitats  
25 should be protected; essential habitats include spawning and incubation  
26 areas, freshwater rearing areas, estuarine and nearshore rearing areas,  
27 offshore rearing areas, and migratory pathways; and

28 (v) salmon habitat in fresh water should be protected on  
29 a watershed basis, including appropriate management of riparian zones,  
30 water quality, and water quantity;

31 (B) salmon stocks should be protected within spawning,

1 incubating, rearing, and migratory habitats;

2 (C) degraded salmon productivity resulting from habitat loss  
3 should be assessed, considered, and controlled by affected user groups,  
4 regulatory agencies, and boards when making conservation and allocation  
5 decisions;

6 (D) effects and interactions of introduced salmon stocks, which  
7 include a salmon stock undergoing continued enhancement or a salmon stock  
8 that is left to sustain itself without additional manipulation, or enhanced  
9 salmon stocks, which include an introduced stock where wild salmon stock has  
10 not occurred before or a wild salmon stock undergoing manipulation, on wild  
11 salmon stocks should be assessed; wild salmon stocks and fisheries on those  
12 stocks should be protected from the adverse effects of artificial propagation  
13 and enhancement efforts;

14 (E) degraded salmon spawning, incubating, rearing, and  
15 migratory habitats should be restored to natural levels of productivity where  
16 known and desirable;

17 (F) ongoing monitoring should be conducted to determine the  
18 current status of habitat and the effectiveness of restoration activities; and

19 (G) depleted salmon stocks should be allowed to recover or,  
20 where appropriate, should be actively restored; diversity should be maintained  
21 to the maximum extent possible at the genetic, population, species, and  
22 ecosystem levels;

23 (2) salmon fisheries shall be managed to allow escapement within  
24 ranges necessary to conserve and sustain potential salmon production and maintain  
25 normal ecosystem functioning as follows:

26 (A) salmon spawning escapement should be assessed both  
27 temporally and geographically; escapement monitoring programs should be  
28 appropriate to the scale, intensity, and importance of each salmon stock use;

29 (B) salmon escapement goals, whether sustainable escapement  
30 goals, biological escapement goals, optimal escapement goals, or inriver run  
31 goals, should be established in a manner consistent with sustained yield;

1 (C) salmon escapement goal ranges should allow for  
2 uncertainty associated with measurement techniques, observed variability in  
3 the salmon stock measured, changes in climatic and oceanographic conditions,  
4 and varying abundance within related populations of the salmon stock  
5 measured;

6 (D) salmon escapement should be managed in a manner to  
7 maintain genetic and phenotypic characteristics of the stock by ensuring  
8 appropriate geographic and temporal distribution of spawners as well as  
9 consideration of size range, sex ratio, and other population attributes;

10 (E) impacts of fishing, including incidental mortality and other  
11 human-induced mortality, should be assessed and considered in harvest  
12 management decisions;

13 (F) salmon escapement and harvest management decisions  
14 should be made in a manner that protects nontarget salmon stocks or species;

15 (G) the role of salmon in ecosystem functioning should be  
16 evaluated and considered in harvest management decisions and setting of  
17 salmon escapement goals;

18 (H) salmon abundance trends should be monitored and  
19 considered in harvest management decisions; and

20 (I) quality of escapement may be determined not only by  
21 numbers of spawners but also by factors such as sex ratio, age composition,  
22 temporal entry into the system, and spatial distribution within the salmon  
23 spawning habitat;

24 (3) effective management systems should be established and applied to  
25 regulate human activities that affect salmon as follows:

26 (A) salmon management objectives should be appropriate to  
27 the scale and intensity of various uses and the biological capacities of target  
28 salmon stocks;

29 (B) management objectives should be established in harvest  
30 management plans, strategies, guiding principles, and policies, such as for  
31 mixed stock fishery harvests, fish disease, genetics, and hatchery production,

1 that are subject to periodic review;

2 (C) when wild salmon stocks are fully allocated, new fisheries  
3 or expanding fisheries should be restricted, unless otherwise provided for by  
4 management plans or by application of the board's allocation criteria;

5 (D) management agencies should have clear authority in  
6 regulation to

7 (i) control all sources of fishing mortality on salmon;

8 (ii) protect salmon habitats and control nonfishing  
9 sources of mortality;

10 (E) management programs should be effective in

11 (i) controlling human-induced sources of fishing  
12 mortality and should incorporate procedures to ensure effective  
13 monitoring, compliance, control, and enforcement;

14 (ii) protecting salmon habitats and controlling collateral  
15 mortality and should incorporate procedures to ensure effective  
16 monitoring, compliance, control, and enforcement;

17 (F) fisheries management implementation and outcomes should  
18 be consistent with regulations, regulations should be consistent with statutes,  
19 and regulations should effectively carry out the policy set out in this section;

20 (G) the Board of Fisheries shall recommend to the  
21 commissioner the development of effective joint research, assessment, and  
22 management arrangements with appropriate management agencies and bodies  
23 for salmon stocks that cross state, federal, or international jurisdictional  
24 boundaries; the board shall recommend the coordination of appropriate  
25 procedures for effective monitoring, compliance, control, and enforcement  
26 with those of other agencies, states, or nations;

27 (H) the Board of Fisheries shall work, within the limits of its  
28 authority, to ensure that

29 (i) management activities are accomplished in a timely  
30 and responsive manner to implement objectives, based on the best  
31 available scientific information;

1 (ii) effective mechanisms for the collection and  
2 dissemination of information and data necessary to carry out  
3 management activities are developed, maintained, and utilized;

4 (iii) management programs and decision-making  
5 procedures are able to clearly distinguish, and effectively deal with,  
6 biological and allocation issues;

7 (I) the Board of Fisheries shall recommend to the  
8 commissioner and legislature that adequate staff and budget for research,  
9 management, and enforcement activities be available to fully implement  
10 sustainable salmon fisheries principles;

11 (J) proposals for salmon fisheries development or expansion  
12 and artificial propagation and enhancement should include assessments  
13 required for sustainable management of existing salmon fisheries and wild  
14 salmon stocks;

15 (K) plans and proposals for development or expansion of  
16 salmon fisheries and enhancement programs should effectively document  
17 resource assessments, potential impacts, and other information needed to  
18 ensure sustainable management of wild salmon stocks;

19 (L) the Board of Fisheries shall work with the commissioner  
20 and other agencies to develop effective processes for controlling excess fishing  
21 capacity;

22 (M) procedures should be implemented to regularly evaluate  
23 the effectiveness of fishery management and habitat protection actions in  
24 sustaining salmon populations, fisheries, and habitat, and to resolve associated  
25 problems or deficiencies;

26 (N) conservation and management decisions for salmon  
27 fisheries should take into account the best available information on biological,  
28 environmental, economic, social, and resource use factors;

29 (O) research and data collection should be undertaken to  
30 improve scientific and technical knowledge of salmon fisheries, including  
31 ecosystem interactions, status of salmon populations, and the condition of

1 salmon habitats;

2 (P) the best available scientific information on the status of  
3 salmon populations and the condition of salmon habitats should be routinely  
4 updated and subject to peer review;

5 (4) public support and involvement for sustained use and protection of  
6 salmon resources should be sought and encouraged as follows:

7 (A) effective mechanisms for dispute resolution should be  
8 developed and used;

9 (B) pertinent information and decisions should be effectively  
10 disseminated to all interested parties in a timely manner;

11 (C) the regulatory management and allocation decisions of the  
12 Board of Fisheries shall be made in an open process with public involvement;

13 (D) an understanding of the proportion of mortality inflicted on  
14 each salmon stock by each user group, should be promoted, and the burden of  
15 conservation should be allocated across user groups in a manner consistent  
16 with applicable state and federal statutes, including AS 16.05.251(e) and  
17 16.05.258; without a regulatory management plan that otherwise allocates or  
18 restricts harvests or when it is necessary to restrict fisheries on salmon stocks  
19 where there are known conservation problems, the burden of conservation shall  
20 be shared among all fisheries in close proportion to each fisheries' respective  
21 use, consistent with state and federal law; without a salmon fishery  
22 management plan, the burden of conservation shall be generally applied to  
23 users in close proportion to the users' respective harvest of the salmon stock;

24 (E) the board shall work with the commissioner and other  
25 agencies as necessary to ensure that adequately funded public information and  
26 education programs provide timely materials on salmon conservation,  
27 including habitat requirements, threats to salmon habitat, the value of salmon  
28 and habitat to the public and ecosystem, natural variability and population  
29 dynamics, the status of salmon stocks and fisheries, and the regulatory process;

30 (5) in the face of uncertainty, salmon stocks, fisheries, artificial  
31 propagation, and essential habitats shall be managed conservatively as follows:

1 (A) a precautionary approach, involving the application of  
2 prudent foresight that takes into account the uncertainties in salmon fisheries  
3 and habitat management, the biological, social, cultural, and economic risks,  
4 and the need to take action with incomplete knowledge, should be applied to  
5 the regulation and control of harvest and other human-induced sources of  
6 salmon mortality; a precautionary approach requires

7 (i) consideration of the needs of future generations and  
8 avoidance of potentially irreversible changes;

9 (ii) prior identification of undesirable outcomes and of  
10 measures that will avoid undesirable outcomes or correct them  
11 promptly;

12 (iii) initiation of any necessary corrective measure  
13 without delay and prompt achievement of the measure's purpose, on a  
14 time scale not exceeding five years, which is approximately the  
15 generation time of most salmon species;

16 (iv) that where the effect of resource use is uncertain,  
17 but likely presents a measurable risk to sustained yield, priority should  
18 be given to conserving the productive capacity of the resource;

19 (v) appropriate placement of the burden of proof, of  
20 adherence to the requirements of this subparagraph, on those plans or  
21 ongoing activities that pose a risk or hazard to salmon habitat or  
22 production;

23 (B) a precautionary approach should be applied to the  
24 regulation of activities that affect essential salmon habitat.

25 (d) The principles and criteria for sustainable salmon fisheries shall be applied  
26 by the department and the Board of Fisheries using the best available information, as  
27 follows:

28 (1) at regular meetings of the board, the department shall, to the extent  
29 practicable, provide the board with reports on the status of salmon stocks and salmon  
30 fisheries under consideration for regulatory changes, which should include

31 (A) a stock-by-stock assessment of the extent to which the

1 management of salmon stocks and fisheries is consistent with the principles  
2 and criteria contained in the policy under this section;

3 (B) descriptions of habitat status and any habitat concerns;

4 (C) identification of healthy salmon stocks and sustainable  
5 salmon fisheries;

6 (D) identification of any existing salmon escapement goals, or  
7 management actions needed to achieve these goals, that may have allocative  
8 consequences such as the

9 (i) identification of a new fishery or expanding fishery;

10 (ii) identification of any salmon stocks, or populations  
11 within stocks, that present a concern related to yield, management, or  
12 conservation; and

13 (iii) description of management and research options to  
14 address salmon stock or habitat concerns;

15 (2) in response to the department's salmon stock status reports, reports  
16 from other resource agencies, and public input, the board shall review the management  
17 plan, or consider developing a management plan, for each affected salmon fishery or  
18 stock; management plans shall be based on the principles and criteria contained in this  
19 policy and shall

20 (A) contain goals and measurable and implementable  
21 objectives that are reviewed on a regular basis and utilize the best available  
22 scientific information;

23 (B) minimize the adverse effects on salmon habitat caused by  
24 fishing;

25 (C) protect, restore, and promote the long-term health and  
26 sustainability of the salmon fishery and habitat;

27 (D) prevent overfishing; and

28 (E) provide conservation and management measures that are  
29 necessary and appropriate to promote maximum or optimum sustained yield of  
30 the fishery resource;

31 (3) in the course of review of the salmon stock status reports and

1 management plans described in (1) and (2) of this subsection, the board, in  
2 consultation with the department, shall determine if any new fisheries or expanding  
3 fisheries, stock yield concerns, stock management concerns, or stock conservation  
4 concerns exist; if so, the board shall, as appropriate, amend or develop salmon fishery  
5 management plans to address these concerns; the extent of regulatory action, if any,  
6 should be commensurate with the level of concerns and range from milder to stronger  
7 as concerns range from new and expanding salmon fisheries through yield concerns,  
8 management concerns, and conservation concerns;

9 (4) in association with the appropriate management plan, the  
10 department and the board shall, as appropriate, collaborate in the development and  
11 periodic review of an action plan for any new or expanding salmon fisheries, or stocks  
12 of concern; action plans should contain goals, measurable and implementable  
13 objectives, and provisions, including

14 (A) measures required to restore and protect salmon habitat,  
15 including necessary coordination with other agencies and organizations;

16 (B) identification of salmon stock or population rebuilding  
17 goals and objectives;

18 (C) fishery management actions needed to achieve rebuilding  
19 goals and objectives, in proportion to each fishery's use of, and hazards posed  
20 to, a salmon stock;

21 (D) descriptions of new or expanding salmon fisheries,  
22 management concern, yield concern, or conservation concern; and

23 (E) performance measures appropriate for monitoring and  
24 gauging the effectiveness of the action plan that are derived from the principles  
25 and criteria contained in this policy;

26 (5) each action plan must include a research plan as necessary to  
27 provide information to address concerns; the needs and priorities of the research plan  
28 must be evaluated periodically, based on the effectiveness of the monitoring described  
29 in (4) of this subsection;

30 (6) where actions needed to regulate human activities that affect  
31 salmon and salmon habitat that are outside the authority of the department or the

1 board, the department or board shall correspond with the relevant authority, including  
2 the governor, relevant boards and commissions, commissioners, and chairs of  
3 appropriate legislative committees, to describe the issue and recommend appropriate  
4 action.

5 (e) Nothing in the policy set out in this section is intended to expand, reduce,  
6 or be inconsistent with the statutory regulatory authority of the Board of Fisheries, the  
7 department, or other state agencies with regulatory authority that effects the fishery  
8 resources of the state.

9 (f) In the implementation of the policy described in this section,

10 (1) "biological escapement goal" means

11 (A) the primary management objective for the escapement,  
12 unless an optimal escapement or inriver run goal has been adopted;

13 (B) a goal that is developed from the best available biological  
14 information and is scientifically defensible based on available biological  
15 information;

16 (C) a goal that is determined by the department and expressed  
17 as a range based on factors such as salmon stock productivity and data  
18 uncertainty; the department shall seek to maintain evenly distributed salmon  
19 escapements within the bounds of a biological escapement goal;

20 (2) "inriver run goal" means a goal composed of the sustainable  
21 escapement goal, biological escapement goal, or optimal escapement goal, plus  
22 specific allocations to inriver fisheries, that is set in regulation by the Board of  
23 Fisheries;

24 (3) achieving "maximum sustained yield" occurs when a level of  
25 escapement is maintained annually within a specific range, regardless of annual run  
26 strength; the achievement of maximum sustained yield requires a high degree of  
27 management precision and scientific information regarding the relationship between  
28 salmon escapement and subsequent return; the concept of maximum sustained yield  
29 should be interpreted in a broad ecosystem context to take into account species  
30 interactions, environmental changes, an array of ecosystem goods and services, and  
31 scientific uncertainty;

1 (4) "optimal escapement goal" means a goal that is sustainable, may be  
2 expressed as a range, the lower bound of which is above the level of sustained  
3 escapement threshold, and is adopted as a regulation by the Board of Fisheries; the  
4 department shall seek to maintain evenly distributed escapements within the bounds of  
5 the optimal escapement goal;

6 (5) "sustainable escapement goal" means

7 (A) the primary management objective for the escapement,  
8 unless an optimal escapement or inriver run goal has been adopted by the  
9 board, and is developed from the best available biological information;

10 (B) a goal that is determined by the department that seeks to  
11 maintain escapements within the bounds of the sustainable escapement goal,  
12 and that is stated as a range that takes into account data uncertainty;

13 (6) "sustained escapement threshold" means a threshold that

14 (A) can be estimated based on lower ranges of historical  
15 escapement levels, for which the salmon stock has consistently demonstrated  
16 the ability to sustain itself;

17 (B) is lower than the lower bound of the biological escapement  
18 goal and lower than the lower bound of the sustainable escapement goal; and

19 (C) is established by the department in consultation with the  
20 Board of Fisheries, as needed, for salmon stocks of management or  
21 conservation concern.

22 (g) In this section,

23 (1) "allocation" means the granting of specific harvest privileges,  
24 usually by regulation, among or between various user groups; "allocation" includes  
25 quotas, time periods, area restrictions, percentage sharing of stocks, and other  
26 management measures providing or limiting harvest opportunity;

27 (2) "allocation criteria" means the factors set out in AS 16.05.251(e)  
28 considered by the board as appropriate to a particular allocation decision;

29 (3) "biological escapement goal" means the escapement that provides  
30 the greatest potential for maximum sustained yield;

31 (4) "burden of conservation" means the restrictions imposed by the

1 Board of Fisheries or the department on various users to achieve escapement, rebuild,  
2 or in some other way conserve a specific salmon stock or group of stocks;

3 (5) "chronic inability" means the continuing or anticipated inability to  
4 meet escapement thresholds over a four- to five-year period, which is approximately  
5 the generation time of most salmon species;

6 (6) "conservation concern" means a concern that is more severe than a  
7 management concern arising from a chronic inability, despite the use of specific  
8 management measures, to maintain escapements for a stock above a sustained  
9 escapement threshold;

10 (7) "depleted salmon stock" means a salmon stock for which there is a  
11 conservation concern;

12 (8) "diversity," in a biological context, means the range of variation  
13 exhibited within any level of organization, such as among genotypes within a salmon  
14 population, among populations within a salmon stock, among salmon stocks within a  
15 species, among salmon species within a community, or among communities within an  
16 ecosystem;

17 (9) "enhanced salmon stock" means a stock of salmon that is  
18 undergoing specific manipulation, such as hatchery augmentation or lake fertilization,  
19 to enhance its productivity above the level that would naturally occur; "enhanced  
20 salmon stock" does not include a salmon stock undergoing rehabilitation that is  
21 intended to restore a salmon stock's productivity to a higher natural level;

22 (10) "escapement" means the annual estimated size of the spawning  
23 salmon stock;

24 (11) "expanding fishery" means a salmon fishery in which effective  
25 harvesting effort has recently increased significantly beyond historical levels, and in  
26 which the increase has not resulted from natural fluctuations in salmon abundance;

27 (12) "expected yields" means levels at or near the lower range of  
28 recent historic harvests if those levels are considered sustainable;

29 (13) "genetic" means those characteristics of an individual or group of  
30 salmon that are expressed genetically, such as allele frequencies or other genetic  
31 markers;

1                   (14) "habitat concern" means the degradation of salmon habitat that  
2 results in, or can be anticipated to result in, impacts leading to yield, management, or  
3 conservation concerns;

4                   (15) "harvestable surplus" means the number of salmon from a stock's  
5 annual run that, except for pink salmon, is composed of several age classes of mature  
6 fish from the stock, is derived from the spawning of a number of previous brood years,  
7 is surplus to escapement needs, and can reasonably be made available for harvest;

8                   (16) "healthy salmon stock" means a stock of salmon that has annual  
9 runs typically of a size to meet escapement goals and a potential harvestable surplus to  
10 support optimum or maximum sustained yield;

11                   (17) "incidental harvest" means the harvest of fish, or other species,  
12 that is captured in addition to the target species of a fishery;

13                   (18) "incidental mortality" means the mortality imposed on a salmon  
14 stock outside of directed fishing, and mortality caused by incidental harvests,  
15 interaction with fishing gear, habitat degradation, and other human-related activities;

16                   (19) "inriver run goal" means a specific management objective for  
17 salmon stocks that are subject to harvest upstream of the point where escapement is  
18 estimated;

19                   (20) "introduced salmon stock" means a stock of salmon that has been  
20 introduced to an area, or portion of an area, where that stock had not previously  
21 occurred;

22                   (21) "management concern" means a concern arising from a chronic  
23 inability, despite use of specific management measures, to maintain escapements for a  
24 salmon stock within the bounds of the sustainable escapement goal, biological  
25 escapement goal, optimal escapement goal, or other specified management objectives  
26 for the fishery; a management concern is not as severe as a conservation concern;

27                   (22) "maximum sustained yield" means the greatest average annual  
28 yield from a salmon stock;

29                   (23) "mixed stock fishery" means a fishery that harvests fish from a  
30 mixture of stocks;

31                   (24) "new fishery" means a fishery that new units of effort or

1 expansion of existing effort toward new species, areas, or time periods results in  
2 harvest patterns substantially different from those in previous years, and the difference  
3 is not exclusively the result of natural fluctuations in fish abundance;

4 (25) "optimal escapement goal" means a specific management  
5 objective for salmon escapement that considers biological and allocative factors and  
6 may differ from the sustainable escapement goal or biological escapement goal;

7 (26) "optimum sustained yield" means an average annual yield from a  
8 salmon stock considered to be optimal in achieving a specific management objective  
9 other than maximum yield, such as achievement of a consistent level of sustained  
10 yield, protection of a less abundant or less productive salmon stock or species,  
11 enhancement of catch for each unit of effort in a sport fishery, facilitation of a  
12 nonconsumptive use, facilitation of a subsistence use, or achievement of a specific  
13 allocation;

14 (27) "overfishing" means a level of fishing on a salmon stock that  
15 results in a conservation or management concern;

16 (28) "phenotypic characteristics" means those characteristics of an  
17 individual or group of salmon that are expressed physically, such as body size and  
18 length at age;

19 (29) "rehabilitation" means efforts applied to a salmon stock to restore  
20 it to an otherwise natural level of productivity; "rehabilitation" does not include an  
21 enhancement, which is intended to augment production above otherwise natural levels;

22 (30) "return" means the total number of salmon in a stock from a  
23 single brood spawning year surviving to adulthood;

24 (31) "run" means the total number of salmon in a stock surviving to  
25 adulthood and returning to the vicinity of the natal stream in any calendar year,  
26 composed of both the harvest of adult salmon plus the escapement;

27 (32) "salmon" means the five wild anadromous semelparous Pacific  
28 salmon species, except steelhead and cutthroat trout, native to Alaska, composed of  
29 chinook or king salmon, sockeye or red salmon, coho or silver salmon, pink or  
30 humpback salmon, and chum or dog salmon;

31 (33) "salmon population" means a locally interbreeding group of

1 salmon that is distinguished by a distinct combination of genetic, phenotypic, life  
2 history, and habitat characteristics, that is composed of an entire stock or a component  
3 portion of a stock, and that is the smallest uniquely identifiable spawning aggregation  
4 of genetically similar salmon used for monitoring purposes;

5 (34) "salmon stock" means a locally interbreeding group of salmon  
6 that is distinguished by a distinct combination of genetic, phenotypic, life history, and  
7 habitat characteristics, or an aggregation of two or more interbreeding groups that  
8 occur within the same geographic area and are managed as a unit;

9 (35) "stock of concern" means a stock of salmon for which there is a  
10 yield, management, or conservation concern;

11 (36) "sustainable escapement goal" means a level of escapement,  
12 indicated by an index or an escapement estimate, that is known to provide for  
13 sustained yield over a five- to 10-year period, used in situations where a biological  
14 escapement goal cannot be estimated because of the absence of a stock specific catch  
15 estimate;

16 (37) "sustainable salmon fishery" means a salmon fishery that persists  
17 and obtains yields on a continuing basis and that is characterized by fishing activities  
18 and habitat alteration, if any, that do not cause or lead to undesirable changes in  
19 biological productivity, biological diversity, or ecosystem structure and function from  
20 one human generation to the next;

21 (38) "sustained escapement threshold" means a threshold level of  
22 escapement, below which the ability of the salmon stock to sustain itself is  
23 jeopardized;

24 (39) "sustained yield" means an average annual yield that results from  
25 a level of salmon escapement that can be maintained on a continuing basis; a wide  
26 range of average annual yield levels is sustainable; a wide range of annual escapement  
27 levels can produce sustained yields;

28 (40) "target species" or "target salmon stocks" means the main, or  
29 several major, salmon species of interest toward which a fishery directs its harvest;

30 (41) "wild salmon stock"

31 (A) means a stock of salmon that originates in a specific

1 location under natural conditions, including an enhanced or rehabilitated stock  
2 if its productivity is augmented by supplemental means, such as lake  
3 fertilization or rehabilitative stocking;

4 (B) does not include an introduced salmon stock unless an  
5 introduced salmon stock is self-sustaining for a long period of time;

6 (42) "yield" means the number or weight of salmon harvested in a  
7 particular year or season from a stock;

8 (43) "yield concern" means a concern arising from a chronic inability,  
9 despite the use of specific management measures, to maintain expected yields, or  
10 harvestable surpluses, above a stock's escapement needs; a yield concern is less severe  
11 than a management concern, which is less severe than a conservation concern.