

**ALASKA STATE LEGISLATURE
HOUSE RESOURCES STANDING COMMITTEE**

April 27, 2018

1:03 p.m.

MEMBERS PRESENT

Representative Andy Josephson, Co-Chair
Representative Geran Tarr, Co-Chair
Representative John Lincoln, Vice-Chair
Representative Justin Parish
Representative Chris Birch
Representative DeLena Johnson
Representative David Talerico
Representative Mike Chenault (alternate)

MEMBERS ABSENT

Representative Harriet Drummond
Representative George Rauscher
Representative Chris Tuck (alternate)

OTHER LEGISLATORS PRESENT

Representative Colleen Sullivan-Leonard
Representative David Eastman

Senator Mike Shower

COMMITTEE CALENDAR

PRESENTATION(S): ALASKA DEPARTMENT OF FISH & GAME

- HEARD

PREVIOUS COMMITTEE ACTION

No previous action to record

WITNESS REGISTER

TOM BROOKOVER, Director
Division of Sport Fish
Alaska Department of Fish & Game
Anchorage, Alaska

POSITION STATEMENT: Co-presented information related to fishing runs and fishing opportunities in the Matanuska-Susitna Valley.

SCOTT KELLEY, Director
Division of Commercial Fisheries
Alaska Department of Fish & Game
Juneau, Alaska

POSITION STATEMENT: Co-presented information related to fishing runs and fishing opportunities in the Matanuska-Susitna Valley.

ACTION NARRATIVE

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CO-CHAIR GERAN TARR called the House Resources Standing Committee meeting to order at 1:03 p.m. Representatives Tarr, Birch, Talerico, Johnson, Lincoln, and Josephson were present at the call to order. Representatives Parish and Chenault (alternate) arrived as the meeting was in progress. Also, present were Representatives Sullivan-Leonard and Eastman, and Senator Shower.

PRESENTATION(S): ALASKA DEPARTMENT OF FISH & GAME ON MAT-SU FISHING RUNS AND OPPORTUNITIES

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CO-CHAIR TARR announced that the only order of business would be a presentation by the Alaska Department of Fish & Game (ADF&G) on Matanuska-Susitna (Mat-Su) fishing runs and fishing opportunities.

REPRESENTATIVE JOHNSON said the presentation is very important to the Matanuska-Susitna area due to [fishing] closures of some creeks in the Susitna River drainage. Further, the commissioner of ADF&G announced a change in king salmon fisheries management in the Deshka River region due to anticipated small runs. She said her constituents want to hear about ADF&G's science-based approach. Representative Johnson paraphrased from a constituent's letter as follows:

I would like to thank you, Representative Johnson, for your continued service and dedication to maintaining and improving Mat-Su fisheries. I am taking a government class this year for school and was thus thinking about legislature. Being an avid fisherman, I also spend much time thinking about where and when

to go fishing with my family. This year the king salmon fisheries were greatly restricted. Also, last year the silver salmon fishery was very poor in the main season. One thing I feel that was hindering our salmon fisheries greatly is the drift fisheries in the central district conservation corridor. I recognize that setnet fisheries, although they do harvest large number of fish, are easily managed for specific drainages with minimal side-catch. Thus, my idea for managing commercial fisheries for maximum opportunity would be to mandate that commercial drift fisheries should not be allowed in the conservation corridor until three of these four streams of the salmon weirs, Little Susitna River, Deshka River, Jim Creek, and Fish Creek, have met at least part of their escapement goal, probably when one quarter through one half, and were projected by the Palmer Department of Fish and Game to achieve escapement.

I wonder whether you would consider sponsoring a bill to this effect.

Signed,
Paul Werda, avid fisherman

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TOM BROOKOVER, Director, Division of Sport Fish, ADF&G, reminded the committee since approximately 2007, production for king salmon has been down in Southeast Alaska, Kodiak, Cook Inlet, and Western Alaska fisheries. Although the presentation would focus on northern Cook Inlet, the [poor production] situation is not exclusive to northern Cook Inlet or the Matanuska Valley. He directed attention to a document provided in the committee packet identified by a map of the Susitna River drainage including Knik Arm and the Matanuska River. Not shown on the map, but included in the northern Cook Inlet, were the Little Susitna River and west Cook Inlet streams. He explained Game Management Units 1-6 are the management units ADF&G uses to manage the sport fishery, including all of streams that are assigned escapement goals, and others (slide 1). Slide 2 entitled, "Table X. History of achieving Chinook salmon escapement goals in NCI, 2006-2017," indicated escapement totals for Knik Arm, eastside Susitna, westside Susitna and west Cook Inlet waterways; shaded areas denoted where and when escapement goals were missed. For example, the Little Susitna River (weir) has a goal of 2,100 to 4,300 fish; however, there was not a weir

at that location until 2017. He pointed out in 2017 only two monitored locations achieved the escapement goal: Little Susitna River and Little Willow Creek. Recent performance has been poor and there are seven stocks of concern in northern Cook Inlet including Willow Creek, Sheep Creek, Goose Creek, Alexander Creek, Lewis River, Theodore River, and Chuitna River, none of which have achieved escapement goals. Slide 3 entitled, "Table A - Salmon abundance and distribution studies ...," indicated from 2013 through 2017, the division studied the Susitna River and developed drainage-wide estimates of king salmon. When compared to the previous table, the abundance estimates ranged from 90,500 in 2014 to 137,000 in 2015, and down to 63,000 in 2017. He advised this is the first time the division has been able to estimate abundance for the drainage as a whole and is indicative of the range in the production of king salmon in the river drainage.

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MR. BROOKOVER continued to slide 4 which was a memorandum from Nick DeCovich, a research biologist with the Division of Sport Fish, ADF&G, in Palmer. The memorandum includes a forecast for the 2018 Deshka River Chinook run of 12,782 fish, which is below the escapement goal of 13,000 to 28,000 fish. Therefore, the entire Deshka run would be insufficient to achieve its goal even with no fishing mortality. He directed attention to page 3 of the memorandum: Table 1. - Forecast Chinook salmon abundance For older fish, the division uses multiple models to predict the number of fish returning in each age class; for example, age 1.3 in the [sibling relationship model] forecast predicts 1,300 to 1,400 fish, but the [Andrew S. Ricker's Population Model] predicts a return of over 14,000; due to the conflicting information, the division chose to use the sibling forecast of 1,264 because of the lower error factor.

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CO-CHAIR TARR asked for a description of the forecast methodologies used by the division.

MR. BROOKOVER further explained the moving average is simply an average of data by each age group for the past five years; the sibling model projects for a certain age group from the returns of the previous years of that age group; the [Andrew S. Ricker's Population Model] takes past spawning escapements and compares all of the spawning escapements by age classes in the following years, and he gave an example. Mr. Brookover returned attention

to page 5 of the memorandum: Table 3. - Accuracy of the Deshka River Chinook ... and pointed out the relative difference between the forecast and the actual run can deviate up to 52 percent; in general, the forecast overestimates the run, thus the division must consider the factors of uncertainty and error in its outlook.

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REPRESENTATIVE JOHNSON inquired as to the cause of the 52 percent relative difference which occurred in 2008.

MR. BROOKOVER was unsure.

REPRESENTATIVE JOHNSON noted additional high relative differences occurred in 2007 and 2009.

REPRESENTATIVE PARISH asked if the area around Lemesurier Island [near Gustavus] was open to king salmon fishing.

MR. BROOKOVER said he would provide information in that regard.

CO-CHAIR TARR returned attention to page 5 of the memorandum and pointed out the percentages of over forecasts are higher than those of under forecasts.

MR. BROOKOVER agreed and said lower run goals are more affected.

CO-CHAIR TARR asked whether Northern pike predation is a factor in the evaluation of Chinook salmon runs.

MR. BROOKOVER said yes. He returned attention to slide 2 and pointed out the goal range for Alexander Creek is from 2,100 to 6,000 fish. Escapements in Alexander Creek were larger prior to 2006, and pike suppression efforts began in the creek around 2010; in fact, indications were strong that pike were the primary reason for salmon decline in the Alexander Creek drainage. The division also nets pike out of the Deshka River in some years and elsewhere; pike suppression is a regional program performing ongoing work on the Kenai Peninsula and in the Mat-Su Valley.

CO-CHAIR TARR surmised all salmon species are susceptible to pike predation.

MR. BROOKOVER said correct. The impact of pike predation on certain species depends on habitat and lake conditions; for

example, lake sockeye smolt must cross shallows to exit a lake and at that point become susceptible to pike. In further response to Co-Chair Tarr, he agreed there are many sources of mortality in fish; furthermore, in general, data shows there is good freshwater production, which indicates there is fluctuating and poor marine survival. For example, monitoring in Southeast Alaska shows marine survival is down to 1 percent from 2 percent to 3 percent.

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REPRESENTATIVE PARISH clarified the location of Lemesurier Island and said because that area is "the entrance to Southeast Alaska for a lot ... of salmon stock," restated his question about the status of king salmon retention in the area.

MR. BROOKOVER said he would provide the requested information. He closed, noting that salmon stock poor escapement performance, unmet goals, and the Deshka River forecast led the division to issue severe fishing restrictions: the sport fishery in the Susitna drainage is closed to king salmon; catch and release with single hooks and no bait is allowed in the Deshka and Yentna drainages; the Little Susitna is open to king salmon four days per week, also with single hooks and no bait, and an annual limit of two; all of the west Cook Inlet streams are closed by regulation. However, the subsistence fishery at Tyonek is unaffected.

CO-CHAIR TARR asked whether this was the first closure announced before the season began.

MR. BROOKOVER answered he was unsure.

REPRESENTATIVE JOHNSON noted the forecast is just under the escapement goals and asked if or when the division would reevaluate its closure decision during the summer.

MR. BROOKOVER advised the division will monitor indicators during the season by using fish wheels to generate drainage-wide estimates, to determine catch rates, and to determine age composition, particularly for 1.2 and 1.3 age classes. Further, the division will monitor the Deshka River fishery for catch and release fishing, will post daily weir counts, and intends to gather data from the Tyonek subsistence fishery. Evaluating this information will allow the division to restore some fishing opportunities when possible.

REPRESENTATIVE JOHNSON asked whether the division seeks specific data on which to base its decision.

MR. BROOKOVER said one of the key indicators will be from the Deshka weir daily counts which will be contrasted with historical data. The 25 percent point of the run occurs around June 8 to 10; if the counts are "well above what we've seen in past years or what we'd expect to see, given the forecast, we could take action to liberalize fisheries ... but a, with, with decisions of this type, with king salmon typically, we'll, we'll have a lot of staff engaged in, you know, producing those numbers and discussions about what they mean."

REPRESENTATIVE EASTMAN asked what additional restrictions will be imposed on commercial fisheries.

MR. BROOKOVER deferred to Mr. Kelley.

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SCOTT KELLEY, Director, Division of Commercial Fisheries, ADF&G, informed the committee the set gillnet fishery in the [Northern District of Upper Cook Inlet] at the mouth of the aforementioned rivers will be closed for the entire season for the stated reasons; this closure will affect four fishing periods.

REPRESENTATIVE EASTMAN asked whether there would be other restrictions on commercial fishing imposed this year.

MR. KELLEY said no. He explained the drift gillnet fishery starts later in the season, and the eastside set net fishery is managed for Kenai and Kasilof salmon stocks.

REPRESENTATIVE SULLIVAN-LEONARD expressed her concern about small tourism businesses in the district that are dependent on salmon fishing and thus are greatly affected by early fishing closures. She suggested the division should make its determination based on the actual initial runs to protect small businesses in the area.

MR. BROOKOVER acknowledged the aforementioned issue garners a great deal of discussion when decisions are made. He remarked:

... a different situation then we have this year [is] where we do have a projection for Deshka that's ... let say it's this year's projection, just under goal. And maybe even recognizing that that the Deshka

forecast tends to over forecast, and we have a lot of uncertainty, maybe we would have allowed the season to start, perhaps with restrictions, but start with some harvest opportunities. I could see us making that decision, in a case where, for the past several years we've achieved that goal, and, and don't have any other indications that, you know, strong indications that that forecast may be right or, or possibly over forecasting. Now that's a very different circumstance than what we had this year. This year we've had declining runs, and we're missing goals and we're missing them repeatedly and the [Board of Fisheries has] designated seven of the stocks in northern Cook Inlet as stocks of concern. ... So, when we took a broader-based picture of the Susitna, it was pretty dire, and when we look out even further across the state, at what's happening now in Southeast, in Kodiak, and Western Alaska, it's not good. ... We recognize the importance of the businesses and the, and the economic value in the Valley. At the same time, we're charged with managing for conserving these stocks, we want these stocks to be maintained for the benefit of those businesses in the future

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CO-CHAIR TARR asked whether there is impact aid or disaster relief for businesses affected by closures.

MR. BROOKOVER advised the division was contacted by residents in the [Mat-Su] Valley regarding the economic costs of the decision; however, he said he was unaware of "any steps to render aid."

REPRESENTATIVE TALERICO [directed attention to Table 2.- Estimated number of Deshka River Chinook ... , page 4 of the memorandum] and noted in 2008, the run was less than 10,000; in 2009, the run was 12,722; in 2010, the run was over 22,000. He asked what management measures were taken by the division at that time to increase the return.

MR. BROOKOVER was unsure what exactly was done in 2009. The division began taking more severe restrictions in about 2011 and 2013, and he expressed his belief the division took emergency order action during the season in 2009.

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SENATOR SHOWER surmised ADF&G has great concern about salmon stocks and questioned why the division would not consider a broader approach to its restrictions on commercial fisheries. He asked:

... why would we not shut down broader sections further south, [sections] that the fish have to get through for the returns?

MR. BROOKOVER responded the harvest of northern Cook Inlet king salmon is focused in the northern district by "inriver" fisheries and commercial fisheries. The sport harvest in the [Mat-Su] Valley streams has declined from 30,000 fish to 3,000 in the last 20 years, due to poor performance and to restrictions placed on the fishery. In contrast, the northern district set net harvest is about 2,000 to 2,500 fish; also, the central and lower Cook Inlet commercial fisheries and marine sport fisheries in Anchor Point and Kachemak Bay also catch king salmon. However, genetics studies show a low number of Susitna fish in the aforementioned fisheries.

SENATOR SHOWER remarked:

... if our concern is to increase the stocks for later use for not only commercial, but sports fishing and the economic impact, we might consider broader restrictions than just the northern tier because clearly, anything that's taken out, especially in the commercial nets, could easily be coming to the north side as well as all the way up and down the inlets and other places

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CO-CHAIR TARR asked whether the department has sufficient resources to find answers to this problem.

MR. BROOKOVER acknowledged the less information the department has the more conservative fisheries management will be, and better information will provide more precise levels of harvest. [In 2013], ADF&G developed the [Chinook Salmon Stock Assessment and Research Plan, 2013,] that was funded for two years at \$7.5 million each year, and which enabled the department to study 12 indicator stocks. He described the work that was funded - some of which related to the Susitna River - and other studies; however, the money was spent and in fact, some projects have

been abandoned, such as the Nushakgak River capture to estimate drainage-wide escapement of king salmon so that data could be compared to sonar counts in the Nushakgak River. Also, after capital funds were exhausted, the division reallocated funds to the Susitna mainstem portion of the work, but the Yentna portion remains unfunded. He concluded the division has enough money to manage the stocks, but not everything possible is being done to "do a better job of providing harvest opportunity."

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REPRESENTATIVE BIRCH recalled last year the [Board of Fisheries (BOF), ADF&G], extended commercial fishing operations for an extra week in August. He surmised BOF determined the extension was "a sustainable proposal and it would not adversely affect the coho run in, in the Kenai." Representative Birch continued:

Very shortly thereafter, there was a proposal to increase the bag limit for sports fish from two to three, and that, in turn, was being unsustainable. ... How do you make that judgement call between a sustainable fishery, ... how does it change that fast over a day?

MR. KELLEY provided a detailed description of possible reasons for the aforementioned decision. He concluded:

... the department presents the data such as it is, and the board makes determinations, and I wouldn't, I wouldn't be the one to second-guess what the Board of Fisheries did.

REPRESENTATIVE BIRCH restated his concern.

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MR. KELLEY directed attention to a document included in the committee packet entitled, "Upper Cook Inlet Salmon Escapement Summary (2017)." Turning to the topic of sockeye salmon, he informed the committee the division monitors sockeye salmon in the Kenai and Kasilof [rivers] and maintains three weirs in the Susitna and Yentna drainages at Judd Lake, Larson Lake, and Chelatna Lake. Weir and sonar monitoring indicated in 2017, escapement goals were met (slide 1). Slide 2 listed the Commercial Harvest Summary (2017), and he pointed out overall sockeye salmon harvests are less than historical averages; for example, the drift gillnet fishery harvest for sockeye was

881,000, which was less than the 2007-2016 average of 1,700,000. Slide 3 was a map of the central and northern districts. Slide 4 was a map of drift areas 1 and 2; slide 5 was a map of drift gillnet corridors. Slide 6 illustrated graphs of the sockeye salmon escapement data collected by weir technology at Chelatna, Judd, and Larson lakes. He explained - unlike king salmon in 2017 - sockeye salmon numbers were within escapement goal ranges for the aforementioned three stocks. Slide 7 entitled, "Central District Drift Gillnet Management Plan," was an excerpt from the management plan indicating the division's timeline for certain activities. Slides 8 and 9 illustrated work areas in the drift fishery during July and August, 2017. Slide 10 entitled, "Sea Surface Temperature Anomaly," pictured the area known as "the blob" in the Pacific Ocean. Mr. Kelley remarked:

One of the questions ... [heard commonly and at the meeting today] is "Why are we having these periods of reduced productivity?", and, you know, as a scientist it's hard for me to say, "It's all because of the blob." That wouldn't be true, but the blob ... did affect productivity for salmon species and other species and we're dealing with that. ... And this picture happened to be taken in, in May of 2015, ... [when] juvenile salmon that entered the Gulf of Alaska began their adult rearing time in marine waters were encountered immediately by [the blob, and the blob] is a very challenging bit of ocean on a very large geographic scale and it certainly has impacts on salmon production throughout the state, [in] Southeast Alaska, through Cook Inlet, and outward to Kodiak

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REPRESENTATIVE PARISH returned attention to slide 10 and asked for clarification of the illustrated abnormal temperatures.

MR. KELLEY explained the zero point on the colored scale is the average temperature, and the darkest red color is plus three degrees. In further response to Representative Parish, he estimated the exact period of time [the temperatures were recorded] was about 15 years.

REPRESENTATIVE JOHNSON has heard new technology is now tracking fish in the marine environment and asked whether the division has data on where Mat-Su fish go during their time in the ocean.

MR. KELLEY advised ADF&G does not deploy marine telemetry tags but does perform wild stock tagging for Chinook salmon in Southeast Alaska and in other fisheries. Another method ADF&G uses to determine where stocks go is through genetic stock identification; by sampling various salmon species throughout the Gulf of Alaska and the Bering Sea, ADF&G uses stock separation and composition estimates of given stocks based on genetic stock composition identification data.

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CO-CHAIR TARR asked for clarification of the drift areas and conservation corridors illustrated on slides 4 and 5.

MR. KELLEY said upper Cook Inlet fisheries are managed by a variety of management plans adopted by BOF and based primarily on run times and location. The two main tools for fishery management are: time - when gear is allowed in the water; area - where the gear can be deployed. Therefore, depending upon what stocks are of concern for allocation or conservation, the division determines where the stocks are at a given point in time. The maps depict the "pattern" of area; for example, early in the season the drift gillnet fishery is open district-wide, however, as fish - such as Mat-Su fish - are passing through certain areas, management plans specify that only corridors are open for fishing. Corridors can also be expanded at certain times, as shown on slide 5.

CO-CHAIR TARR surmised fishing is limited by corridors and the season; for example, fishing is available in the Kenai section or in the expanded Kenai corridor later in the [season].

MR. KELLEY said, "In general, that's correct." He further explained another management tool is the size [of the fishery]. The Kenai River produces the largest sockeye run thus, especially for the gillnet fishery, management plans are based on Kenai River sockeye abundance; for example, 1.6 million fish and above allows for more district-wide openings.

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REPRESENTATIVE PARISH returned attention to the document identified by a map of the Susitna River drainage and said Table X [slide 2] indicated for the last two years there are no counts for [five] streams. He concluded the likelihood of a stream not being monitored has tripled in the past ten years.

Representative Parish asked if instability in funding has affected ADF&G's ability to perform its mission.

MR. BROOKOVER answered that Table X escapement counts for the Susitna and west Cook Inlet drainages are conducted mostly by aerial survey, thus are not constrained by the budget; in fact, no-count situations are primarily a function of weather, water, and other natural conditions. However, as a result of depleted capital funds - for the Susitna drainage as a whole - in 2018, the division will use sportfish funds for the mainstem Susitna mark-recapture work on the Susitna and the Yentna [rivers], because there is not enough money to conduct the inriver work that was begun in 2013.

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REPRESENTATIVE BIRCH questioned how ADFG determines the priority of one fishery above that of another.

MR. BROOKOVER advised commercial and sport fisheries are fundamentally different; a sport fishery is managed for stability, and to do so the division does not intensively manage a sport fishery by emergency orders but follows management plans created by BOF. For example, due to the variability in coho returns, the division relies on existing seasons and bag limits, and makes adjustments in response to data provided by monitoring; in northern Cook Inlet monitoring is provided by weirs on the Dëshka, the Little Susitna, Jim Creek, and Fish Creek, and by aerial surveys. The division will adjust restrictions if seasonal counts are lower or higher than the goals for those systems. Commercial fisheries are managed more intensively through management plans crafted by BOF.

MR. KELLEY agreed with Mr. Brookover and stressed ADF&G is bound by management plans adopted by BOF. In the aforementioned case, the drift fishery is specifically managed to pass upper Cook Inlet and Susitna River salmon stocks at certain times through the previously identified corridors. Although there are no mandatory closures after August 1, typically in August the drift net fishery would have district-wide periods [of closures]. At that time, coho escapement counts were lagging thus management action was taken; working together, [the Division of Sport Fish and the Division of Commercial Fisheries] decided to take action and on August 7, 10, and 14, the drift fishery was restricted to drift area 1 (shown on the document entitled, "Upper Cook Inlet Salmon Escapement Summary (2017), slide 4).

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CO-CHAIR TARR returned attention to the [document entitled, "Upper Cook Inlet Salmon Escapement Summary (2017)], slide 7, and read as follows:

[States that the department] shall manage [the drift gillnet fishery] to minimize the harvest of Northern District and Kenai River coho salmon to provide sport and [guided] sport fishermen a reasonable opportunity to harvest these stocks.

CO-CHAIR TARR surmised the division follows the management plan for time periods and areas eligible for fishing. She asked for clarification of an "option for a third period."

MR. KELLEY stated regulatory periods for the drift gillnet fishery are Mondays and Thursdays; an additional third period refers to a fishing period open during a given week, in addition to the Monday or Thursday regular periods. In further response to Co-Chair Tarr, he said "AP Section" represents Anchor Point Section.

CO-CHAIR TARR concluded the July 16-31 timeframe [shown on slide 7], is "a very fluid, or dynamic kind of management regime where it's all as, as escapement goals are being met, [and] that's how you're ... in real time, making those decisions."

MR. KELLEY stated the tiered Kenai sockeye run is evaluated twice per year, first in pre-season. For example, [on April 27, 2018] the division expects the Kenai sockeye run to be 2.5 million fish, which would be within the middle tier level of 2.3 million to 4.6 million fish. The Kenai run will be evaluated from test data for sockeye salmon abundance in-season around July 19, 20, or 21, and the size of the run will determine which tier management restrictions are applicable.

CO-CHAIR TARR questioned whether there are no mandatory area restrictions to regular periods from August 1 through 15 because the division expects its goals to have been met.

MR. KELLEY said either the goals have been met or there are no concerns. He stressed the division makes the most informed decision it can based upon in-season data; in fact, the division is not bound by the tiers, but during the season monitors the Kenai River sockeye salmon escapement counts by sonar. In 2017, the in-season sonar counts were lagging, and the division closed

the drift fishery and the eastside setnet fisheries; as the counts increased, fishing was opened on July 29, 2017.

CO-TARR noted during the week of July 9 there was a third period.

MR. KELLEY said correct.

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ADJOURNMENT

There being no further business before the committee, the House Resources Standing Committee meeting was adjourned at 2:30 p.m.