

PROPOSAL 206 - 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan. Create an area upstream of the Kenai River personal use fishery where recording and fin clip requirements are waived for fish that have not been off loaded, as follows:

From the downstream edge of the Warren Ames bridge upstream 300 yards to the department markers located on shore you are not required to record fish on your permit and you are not required to clip the tail fins unless fish are unloaded from your vessel.

What is the issue you would like the board to address and why? I would like to talk about the Warren Ames Bridge area during dipnetting season on the Kenai River. Current regulations state that the downstream edge of the bridge is the current boundary for the legal dipnetting area both from shore and boat. Any boater driving upriver that passes under the bridge with personal use caught fish without marking his personal use permit or clipping tail fins is in violation and could be ticketed. I am proposing a 300 hundred yard buffer exception to this area upstream of the bridge that would allow you to retain fish that have not been marked on your permit and the tail fins have not been clipped as long as no fish are removed from the vessel.

The Warren Ames Bridge area is a high use zone with the adjacent State Park Day Use Parking Area on the south side of the river off Bridge Access Road. Often times the parking lot is completely full and hundreds of people starting on the downstream side of the bridge line the shoreline during dipnetting season. Many boaters also use this area for a variety of important reasons picking up/dropping off passengers, using the bathrooms in the parking lot, unloading fish, getting needed supplies (gas, extra supplies, lunch, dealing with equipment breakdowns), and lastly many boaters use this area as a rest area in between tides or when fishing is slow. Due to the presence of shore based dipnetters it is impossible for boaters to pull into shore within the legal dipnetting zone within reasonable distance to the parking lot area without causing a major conflict between the 2 user groups. Most boaters choose to come to shore on the upstream side of the bridge where there are no shore based dipnetters in doing so they avoid conflicts and it is much more safer for everybody in the area.

However the problem is everytime you dirve under the bridge to be legal you need to have all your fish marked and permit marked even if you are just going to be there for a few minutes to use the bathroom or pick something or someone up. A boater may use this area several times a day with no intent of offloading fish and/or being done fishing for the day. I have witnessed Law Enforcement deal with this issue many times and it puts the Officer in a position of to use discretion or not: should he follow the letter of law and cite individuals or does he believe there was no intent to break the law and let the boater go with a verbal warning. We all know that the resource and fishery is stressed to the max with public access and use concerns; with safety the number one goal. By allow a buffer zone upsteam of the bridge for boaters to access without marking their permits and fish, unless fish are offloaded from the vessel, will reduce conflict, make the river safer, make it less burdensome for participants in the boat based fishery, and make it easier for law enforcement officers to enforce the true intent of the law and not cite those that never intended to break the law by just picking someone up or using the bathroom.

PROPOSED BY: Jon Madison (EF-F16-009)
