

PROPOSAL 84 – 5 AAC 21.330. Gear. and 5 AAC 21.350. Closed waters. Clarify closed waters around the Kenai and Kasilof Rivers, as follows:

5 AAC 21.330. Gear.

5 AAC 21.330(b)(3)(C) is amended to read:

(3) Central District: set gillnets may be used only in the following waters:

...

(C) waters along the east coast in the Central District

(i) within one mile of the mean high tide mark from the northern boundary of the district to the northern ADF&G regulatory marker at the mouth of the Kenai River at 60° 34.24' N. lat., 151° 18.99' W. long. then offshore on a bearing of 235° to a point one mile from the mean high tide mark **at 60° 33.68' N. lat., 151° 20.65' W. long.**;

(ii) from the latitude of the southern ADF&G regulatory marker at the mouth of the Kenai River at 60° 30.49' N. lat., 151° 16.80' W. long. **offshore approximately one and one-half miles to a point at 60° 30.49' N. lat., 151° 19.84' W. long.** to the latitude of the northern ADF&G regulatory marker at the mouth of the Kasilof River at 60° 24.23' N. lat., 151° 17.66' W. long. **offshore approximately one and one-half miles to a point at 60° 24.23' N. lat., 151° 20.68' W. long.** and only within one and one-half miles of the mean high tide mark;

(iii) from the southern ADF&G regulatory marker at the mouth of the Kasilof River at 60° 22.56' N. lat., 151° 20.98' W. long. **offshore approximately one and one-half miles to a point at 60° 23.97' N. lat., 151° 22.02' W. long.** to the latitude of the ADF&G regulatory marker at the northern limit of the closed area at the mouth of the Ninilchik River at 60° 04.02' N. lat., 151° 38.90' W. long. **offshore approximately one and one-half miles to a point at 60° 04.02' N. lat., 151° 42.00' W. long.** and only within one and one-half miles of the mean high tide mark;

5 AAC 21.350. Closed waters.

5 AAC 21.350(b)(3) and (4) are amended to read:

(b) Central District

...

(3) Kenai River: waters enclosed by a line from the southern ADF&G regulatory marker at the mouth of the Kenai River at 60° 30.49' N. lat., 151° 16.80' W. long. to **a point approximately one and one-half miles offshore at 60° 30.49' N. lat., 151° 19.86' W. long. to a point at 60° 30.99' N. lat., 151° 19.69' W. long. to the Coast Guard channel marker 1 KE located at 60° 31.30' N. lat., 151° 20.50' W. long. to a point at 60° 33.31' N. lat., 151° 19.78' W. long. to a point approximately one mile offshore at 60° 33.66' N. lat., 151° 20.66' W. long.** to the northern ADF&G regulatory marker at the mouth of the Kenai River at 60° 34.24' N. lat., 151° 18.99' W. long.; [AND, IN THE AREA BETWEEN A LINE BEARING 235° FROM THE NORTHERN ADF&G REGULATORY MARKER AND THE KENAI RIVER MOUTH, THOSE WATERS WITHIN ONE MILE OF THE MEAN HIGH TIDE MARK AND, IN THE AREA BETWEEN THE SOUTHERN ADF&G REGULATORY MARKER AND THE KENAI RIVER MOUTH, THOSE WATERS WITHIN ONE AND ONE-HALF MILES OF THE MEAN HIGH TIDE MARK];

(4) Kasilof River: **waters enclosed by a line** from the southern ADF&G regulatory marker located at 60° 22.56' N. lat., 151° 20.98' W. long. to **a point approximately one and one-half miles offshore at 60° 23.97' N. lat., 151° 22.02' W. long. to a point approximately one and one-half miles offshore at 60° 24.23' N. lat., 151° 20.68' W. long. to** [THE LATITUDE OF] the northern ADF&G regulatory marker located at 60° 24.23' N. lat., 151° 17.66' W. long. [AND WITHIN ONE STATUTE MILE OF THE RIVER TERMINUS];

What is the issue you would like the board to address and why? The current closed waters descriptions for the Kenai and Kasilof rivers are vague and difficult to interpret by fishermen, Alaska Department of Fish and Game personnel, and enforcement officers. This can lead to unintentional violations by fishermen and difficulty in enforcing and prosecuting closed waters violations. The purpose of this proposal is to simplify the description of closed waters around the mouths of the Kenai and Kasilof rivers in order to make this area more enforceable and to aid fishermen in their efforts to comply with these regulations. This will result in no significant change to the current closed areas around the river mouths.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F16-149)
