ALASKA BOARD OF FISHERIES
UPPER COOK INLET FINFISH
FEBRUARY 23–MARCH 8, 2017

PROPOSAL 71 – 5 AAC 57.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Kenai River Drainage Area. Align size restrictions for Dolly Varden and rainbow trout bag limit in the flowing waters of the Kenai River Drainage Area, as follows:

5 AAC 57.120(a)(5) and (6) are amended to read:

(5) Arctic char/Dolly Varden may be taken from

(A) January 1 – December 31, in all flowing waters from the mouth of the Kenai River upstream to Skilak Lake, and the waters of Skilak Lake, **upstream to Kenai Lake, including the flowing waters of the Kenai Lake drainage** [EXCEPT THE WATERS WITHIN A ONE-HALF MILE RADIUS OF THE KENAI RIVER INLET]; bag and possession limit of one fish less than **16** [18] inches in length; Arctic char/Dolly Varden **16** [18] inches or greater in length may not be retained; Arctic char/Dolly Varden caught that are **16** [18] inches or greater in length must be released immediately;

...

(C) **repealed / /2017** [JUNE 11 – MAY 1, IN ALL FLOWING WATERS FROM THE WATERS OF SKILAK LAKE WITHIN A ONE-HALF MILE RADIUS OF THE KENAI RIVER INLET, UPSTREAM TO KENAI LAKE, INCLUDING THE FLOWING WATERS OF THE KENAI LAKE DRAINAGE; BAG AND POSSESSION LIMIT OF ONE FISH LESS THAN 16 INCHES IN LENGTH; ARCTIC CHAR/DOLLY VARDEN 16 INCHES OR GREATER IN LENGTH MAY NOT BE RETAINED; ARCTIC CHAR/DOLLY VARDEN CAUGHT THAT ARE 16 INCHES OR GREATER IN LENGTH MUST BE RELEASED IMMEDIATELY];

(6) rainbow/steelhead trout

…

(B) may be taken from January 1 – December 31, in all flowing waters from the mouth of the Kenai River upstream to **Skilak Lake, and the waters of Skilak Lake, upstream to Kenai Lake, including the flowing waters of the Kenai Lake drainage** [AN ADF&G REGULATORY MARKER LOCATED APPROXIMATELY ONE MILE UPSTREAM FROM THE MOUTH OF THE LOWER KILLEY RIVER, AND FROM JUNE 11 – MAY 1 IN THAT PORTION OF THE KENAI RIVER FROM AN ADF&G REGULATORY MARKER LOCATED APPROXIMATELY ONE MILE UPSTREAM FROM THE MOUTH OF THE LOWER KILLEY RIVER UPSTREAM TO SKILAK LAKE AND THE WATERS OF SKILAK LAKE, EXCEPT THE WATER WITHIN A ONE-HALF MILE RADIUS OF THE KENAI RIVER INLET]; bag and possession limit of one fish less than **16** [18] inches in length; rainbow/steelhead trout **16** [18] inches or greater in length may not be retained; rainbow/steelhead trout caught that are **16** [18] inches or greater in length must be released immediately;

(C) **repealed / /2017** [MAY BE TAKEN FROM JUNE 11 - MAY 1, IN ALL FLOWING WATERS UPSTREAM OF SKILAK LAKE, AND THE WATERS OF SKILAK LAKE WITHIN A ONE-HALF MILE RADIUS OF THE KENAI RIVER

INLET; BAG AND POSSESSION LIMIT OF ONE FISH LESS THAN 16 INCHES IN LENGTH; RAINBOW/STEELHEAD TROUT 16 INCHES OR GREATER IN LENGTH MAY NOT BE RETAINED; RAINBOW/STEELHEAD TROUT CAUGHT THAT ARE 16 INCHES OR GREATER IN LENGTH MUST BE RELEASED IMMEDIATELY];

What is the issue you would like the board to address and why? The size (total length) of the one fish Dolly Varden bag limit Kenai River anglers may retain differs by river section. This would create the same size restriction for all areas of the Kenai River Drainage Area. Aligning regulations for consistency will improve public communication, decrease regulatory complexity and increase public understanding of the sport fishing regulations in the Kenai River Drainage Area.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F16-134)

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PROPOSAL 72 – 5 AAC 57.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Kenai River Drainage Area. Amend general provisions for lakes and ponds of the Kenai River drainage to restore winter ice fisheries for landlocked coho salmon less than 16 inches in length, as follows:

5 AAC 57.120(a)(4) is amended to read:

(4) salmon, other than king salmon,

(A) 16 inches or greater in length, as follows:

…

(ii) coho salmon may be taken in the Lower Section only from July 1 – November 30 and in the Middle **Section** [AND UPPER SECTIONS] only from July 1 – October 31; a person after taking and retaining a bag limit of coho salmon 16 inches or greater in length from the Kenai River may continue to sport fish only from the Soldotna Bridge upstream to the ADF&G regulatory markers at the outlet of Skilak Lake;

…

(B) less than 16 inches in length [MAY BE TAKEN FROM JANUARY 1 – DECEMBER 31]; bag and possession limit of 10 fish**, may be taken as follows:**

(i) sockeye, pink, and chum salmon may be taken from January 1 – December 31;

(ii) coho salmon may be taken in the Lower Section only from July 1 – November 30 and in the Middle Section only from July 1 – October 31, except that coho salmon may be taken in lakes and ponds, excluding Skilak Lake, from January 1 – December 31;

What is the issue you would like the board to address and why? Select lakes in the lower and middle section of the Kenai River Drainage Area can become temporarily landlocked from year to year between high water events. Under these circumstances the typical life history of coho salmon is interrupted to the extent that the fish do not migrate to sea and remain to become resident freshwater

fish. Historically, coho salmon fishing season was open year round and the public harvested these fish during the winter while fishing through the ice. Changes to coho salmon fishing seasons for the Kenai River precluded the harvest of coho salmon less than 16 inches during the winter in these select lakes. Changing the regulation will allow harvest of landlocked coho salmon during the winter.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F16-141)
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PROPOSAL 73 – 5 AAC 56.122. Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area. Align the Swanson River rainbow trout spawning closure with the proposed Kenai River drainage rainbow trout spawning closure start date, as follows:

5 AAC 56.122(a)(11)(B) is amended to read:

(11) Swanson River drainage:

…

(B) flowing waters, from **June 11 – April 30** [JUNE 15 – APRIL 14], are open to sport fishing, except for king salmon;

What is the issue you would like the board to address and why? The Alaska Department of Fish and Game submitted this suite of proposals to provide the board an opportunity to review Kenai River sport fishing regulations and consider changes to simplify and align regulations. Nearly all existing regulations for dates to trigger general or special provisions to sport fish regulations are at the first, last or middle day of a month. The purpose is to create regulations: 1) with consistent dates that encompass biological concerns and 2) that are easily understood by the public. Regulations have been adopted in the Kenai River Drainage over the years for various fisheries based on biological as well as social issues. In many cases dates to implement or discontinue regulations for one fishery, do not align with regulations for another fishery in the same area. Over time this creates regulations that are disjointed, overly complex, and not implicit to the public. These proposals identify regulations that, taken as a whole, would align dates and waters to simplify regulations without impacting fishery management objectives. Aligning regulations for consistency will improve public communication, decrease regulatory complexity and increase public understanding of the sport fishing regulations in the Kenai River Drainage Area.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F16-146)
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PROPOSAL 74 – 5 AAC 57.121. Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area. Align the Kenai River king salmon sanctuaries start date, and boat closures with the proposed rainbow trout spawning closure start date, as follows:

5 AAC 57.121(3) is amended to read:

(3) a person may not sport fish from a boat

…

(B) from **May 1 – July 31** [JANUARY 1 – JULY 31], in the following waters:

…

(C) from **May 1** [MAY 15] until the end of the king salmon season, or July 31, whichever is later, in the following waters:

…

(D) from **May 1 – July 31** [JANUARY 1 – JULY 31], in that portion of the Kenai River from an ADF&G regulatory marker located approximately three-quarters of a mile downstream from the mouth of the Lower Killey River, upstream to an ADF&G regulatory marker located approximately one mile upstream from the mouth of the Lower Killey River;

…

What is the issue you would like the board to address and why? The Alaska Department of Fish and Game submitted this suite of proposals to provide the board an opportunity to review Kenai River sport fishing regulations and consider changes to simplify and align regulations. Nearly all existing regulations that have dates which trigger general or special provisions to sport fish regulations reference the first, last or middle day of a month. The purpose is to create regulations 1) with consistent dates that encompass biological concerns, and 2) that are easily understood by the public. Regulations have been adopted in the Kenai River Drainage Area over the years for various fisheries based on biological as well as social issues. In many cases dates that start or discontinue regulations for one fishery do not align with regulations for another fishery in the same area. Over time this created regulations that are disjointed, overly complex, and not easily understood by the public. These proposals identify regulations that, taken as a whole, would align dates and waters to simplify regulations without impacting fishery management objectives. Aligning regulations for consistency will improve public communication, decrease regulatory complexity and increase public understanding of the sport fishing regulations in the Kenai River Drainage Area.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F16-135)

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PROPOSAL 75 - 5 AAC 57.121. Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area. Align dates anglers are prohibited from fishing from boats with rainbow trout closure, as follows:

Change 5 AAC 57.121 (3) (A) and 5 AAC 57.121 (3) (D) as follows:

5 AAC 57.121 (3) a person may not sport fish from a boat

(B) from **May 2** [JANUARY 1] - July 31, in the following waters:

(D) from **May 2** [JANUARY 1] - July 31, in that portion of the Kenai River from an ADF&G regulatory marker located approximately three-quarters of a mile downstream from the mouth of the Lower Killey River, upstream to an ADF&G regulatory marker located approximately one mile upstream from the mouth of the Lower Killey River:

What is the issue you would like the board to address and why? The current regulations for three sections of the Kenai River currently restrict sport fishing from a boat from January 1-July 31. There does not appear to be any biological reason for these restrictions because sport fishing from shore for rainbow trout is allowed and king salmon are not present in the Kenai River until May. Changes to these regulations would not change the biological protections for king salmon or spawning rainbow trout. Aligning the proposed closure dates to be consistent with the rainbow trout closure dates, which are currently May 2 - July 31, would provide the same protections to spawning rainbow trout while simplifying the regulations.

PROPOSED BY: Mike Buntjer (EF-F16-051)

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PROPOSAL 76 – 5 AAC 57.121. Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area. Align the Kenai River tributary fishing closure start dates with the proposed king salmon sanctuaries and rainbow trout spawning closure start dates, and align all Kenai River tributary closures so they have similar closure periods, as follows:

5 AAC 57.121(2) is amended to read:

(2) the following waters of the Kenai River **drainage** are closed to sport fishing, as follows:

(A) from **May 1 – July 31** [APRIL 15 – AUGUST 15], Slikok Creek**, Funny River, and Killey River**;

(B) from **May 1 – June 10, all remaining** [JANUARY 1 – DECEMBER 31, THE] flowing waters of **the Lower Kenai Section, including Beaver Creek,** Soldotna Creek**, and in the Moose River upstream of the upper edge of the Sterling Highway Bridge** [UPSTREAM OF ADF&G MARKERS LOCATED APPROXIMATELY 100 FEET UPSTREAM FROM ITS CONFLUENCE WITH THE KENAI RIVER];

(C) **repealed / /2017** [FROM MAY 2 – JUNE 10, THE FLOWING WATERS OF SOLDOTNA CREEK DOWNSTREAM FROM AN ADF&G REGULATORY MARKER LOCATED APPROXIMATELY 100 FEET UPSTREAM FROM ITS CONFLUENCE WITH THE KENAI RIVER];

(D) from **May 1 – July 31** [JANUARY 1 – JULY 31], that portion of the Kenai River from an ADF&G regulatory marker located approximately one mile downstream from the mouth of the Funny River, upstream to an ADF&G regulatory marker located approximately 200 yards upstream from the mouth of the Funny River, is closed to the taking of king salmon;

(E) **repealed / /2017** [FROM JUNE 11 – AUGUST 14, THE FUNNY RIVER FROM THE KENAI RIVER UPSTREAM TO THE FUNNY RIVER ROAD BRIDGE;

(F) **repealed / /2017** [FROM MAY 2 – JUNE 10, THE FLOWING WATERS OF MOOSE RIVER UPSTREAM OF THE UPPER EDGE OF THE STERLING HIGHWAY BRIDGE];

(G) from **May 1 – July 31** [JANUARY 1 – JULY 31], that portion of the Kenai River from an ADF&G regulatory marker located approximately three-quarters of a mile downstream from the mouth of the Lower Killey River, upstream to an ADF&G regulatory

marker located approximately one mile upstream from the mouth of the Lower Killey River, is closed to the taking of king salmon;

…

(J) from **May 1 – July 31** [JANUARY 1 – JULY 31], the waters in that portion of the Kenai River from an ADF&G regulatory marker located approximately 300 yards downstream from the mouth of Slikok Creek, upstream to an ADF&G regulatory marker located approximately 300 yards upstream from the mouth of Slikok Creek, is closed to the taking of king salmon;

(K) from **May 1 – June 10** [MAY 2 – JUNE 10], in that portion of the Kenai River from an ADF&G regulatory marker located approximately one mile upstream from the mouth of the Lower Killey River upstream to an ADF&G regulatory marker located at the outlet of Skilak Lake;

…

(M) all tributaries to the Lower Section of the Kenai River, except a section of the Moose River from its mouth upstream to the upstream edge of the Sterling Highway Bridge, are closed to sport fishing for salmon;

What is the issue you would like the board to address and why? The Alaska Department of Fish and Game submitted this suite of proposals to provide the board an opportunity to review Kenai River sport fishing regulations and consider changes to simplify and align regulations. Nearly all existing regulations that have dates which trigger general or special provisions to sport fish regulations reference the first, last or middle day of a month. The purpose is to create regulations 1) with consistent dates that encompass biological concerns, and 2) that are easily understood by the public. Regulations have been adopted in the Kenai River Drainage Area over the years for various fisheries based on biological as well as social issues. In many cases dates that start or discontinue regulations for one fishery do not align with regulations for another fishery in the same area. Over time this created regulations that are disjointed, overly complex, and not easily understood by the public. These proposals identify regulations that, taken as a whole, would align dates and waters to simplify regulations without impacting fishery management objectives. Aligning regulations for consistency will improve public communication, decrease regulatory complexity and increase public understanding of the sport fishing regulations in the Kenai River Drainage Area.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F16-136)

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PROPOSAL 77 – 5 AAC 57.122. Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Middle Section of the Kenai River Drainage Area. Align the Kenai River tributary fishing closure start dates with the proposed king salmon sanctuaries and rainbow trout spawning closure start dates, and align all Kenai River tributary closures so they have similar fishing seasons, such that anglers are prohibited from fishing for salmon, as follows:

5 AAC 57.122(1) is amended to read:

(1) the following waters of the Middle Section of Kenai River drainage are **closed to sport fishing,** [OPEN TO SPORT FISHING, ONLY] as follows:

(A) from **May 1 – June 10** [JUNE 11 – MAY 1], the Kenai River from the waters of Skilak Lake within a one-half mile radius of the Kenai River inlet, upstream to the downstream edge of the Sterling Highway Bridge at the outlet of Kenai Lake;

(B) from **May 1 – June 10 and from September 15 – October 31, the flowing waters of** [JUNE 11 – SEPTEMBER 14, AND FROM NOVEMBER 1 – MAY 1,] Cooper Creek;

(C) **repealed / /2017** [FROM JUNE 11 – MAY 1, FLOWING WATERS OF THE RUSSIAN RIVER DRAINAGE UPSTREAM OF A POINT APPROXIMATELY 100 YARDS FROM ITS CONFLUENCE WITH THE KENAI RIVER, EXCLUDING UPPER RUSSIAN (GOAT) CREEK];

(D) **repealed / /2017** [FROM JULY 15 – MAY 1, THE RUSSIAN RIVER SANCTUARY, INCLUDING WATERS UPSTREAM FROM ADF&G REGULATORY MARKERS LOCATED JUST DOWNSTREAM OF THE FERRY CROSSING ON THE KENAI RIVER TO ADF&G REGULATORY MARKERS LOCATED APPROXIMATELY 300 YARDS UPSTREAM OF THE PUBLIC BOAT LAUNCH AT SPORTSMANS LANDING (INCLUDING THE WATERS AROUND THE UPSTREAM END OF THE ISLAND NEAR THE RUSSIAN RIVER MOUTH) AND THE RUSSIAN RIVER FROM ITS MOUTH UPSTREAM 100 YARDS TO ADF&G REGULATORY MARKERS IS OPEN TO SPORT FISHING, EXCEPT SOCKEYE SALMON MAY BE TAKEN ONLY FROM JULY 15 – AUGUST 20];

(E) **repealed / /2017** [FROM JUNE 11 – AUGUST 20, THE WATERS OF THE KENAI RIVER NEAR THE CONFLUENCE OF THE RUSSIAN RIVER, FROM THE POWERLINE CROSSING ON THE KENAI RIVER UPSTREAM TO THE FERRY CROSSING, ARE OPEN TO SPORT FISHING FOR SOCKEYE SALMON];

(F) **repealed / /2017** [FROM JUNE 11 – AUGUST 20, THE WATERS OF THE RUSSIAN RIVER FROM ITS MOUTH UPSTREAM TO AN ADF&G REGULATORY MARKER LOCATED APPROXIMATELY 600 YARDS DOWNSTREAM FORM THE FALLS ARE OPEN SPORT FISHING FOR SOCKEYE SALMON];

(G) from **May 1 – June 10** [JUNE 11 – JULY 31], and from **August 1 – August 31** [SEPTEMBER 1 – MAY 1], the Upper Russian (Goat) Creek upstream from an ADF&G regulatory marker located approximately 300 yards from its confluence with Upper Russian Lake;

(H) from **May 1 – June 10, the flowing waters of** [JUNE 11 – MAY 1] Jean Lake Creek**, Juneau Creek, the Russian River upstream of a point approximately 100 yards from its confluence with the Kenai River, excluding Upper Russian (Goat) Creek,** and Hidden Lake Creek;

(I) **repealed / /2017** [FROM JULY 1-SEPTEMBER 30, THE WATERS OF THE RUSSIAN RIVER FROM ITS MOUTH UPSTREAM TO AN ADF&G REGULATORY MARKER LOCATED APPROXIMATELY 600 YARDS DOWNSTREAM FORM THE FALLS ARE OPEN SPORT FISHING FOR COHO SALMON];

5 AAC 57.122(5) is amended to read:

(5) **all tributaries to the Middle Section of the Kenai River, except a section of** the Russian River drainage **downstream** [UPSTREAM] of an ADF&G regulatory marker located approximately 600 yards downstream from the falls **are** [IS] closed to sport fishing for salmon;

5 AAC 57.122 is amended by adding a new paragraph to read:

(10) the following waters of the Middle Section of Kenai River drainage are open to sport fishing, only as follows:

(A) from July 15 – April 30, the Russian River Sanctuary, including waters upstream from ADF&G regulatory markers located just downstream of the ferry crossing on the Kenai River to ADF&G regulatory markers located approximately 300 yards upstream of the public boat launch at Sportsman's Landing (including the waters around the upstream end of the island near the Russian River mouth) and the Russian River from its mouth upstream 100 yards to ADF&G regulatory markers is open to sport fishing, except sockeye salmon may be taken only from July 15 – August 20;

(B) from June 11 – August 20, the waters of the Kenai River near the confluence of the Russian River, from the powerline crossing on the Kenai River upstream to the Ferry Crossing, are open to sport fishing for sockeye salmon;

(C) from June 11 – August 20, the waters of the Russian River from its mouth upstream to an ADF&G regulatory marker located approximately 600 yards downstream from the falls are open to sport fishing for sockeye salmon;

(D) from July 1 – September 30, the waters of the Russian River from its mouth upstream to an ADF&G regulatory marker located approximately 600 yards downstream from the falls are open to sport fishing for coho salmon.

What is the issue you would like the board to address and why? The Alaska Department of Fish and Game submitted this suite of proposals to provide the board an opportunity to review Kenai River sport fishing regulations and consider changes to simplify and align regulations. Nearly all existing regulations that have dates which trigger general or special provisions to sport fish regulations reference the first, last or middle day of a month. The purpose is to create regulations 1) with consistent dates that encompass biological concerns, and 2) that are easily understood by the public. Regulations have been adopted in the Kenai River Drainage Area over the years for various fisheries based on biological as well as social issues. In many cases dates that start or discontinue regulations for one fishery do not align with regulations for another fishery in the same area. Over time this created regulations that are disjointed, overly complex, and not easily understood by the public. These proposals identify regulations that, taken as a whole, would align dates and waters to simplify regulations without impacting fishery management objectives. Aligning regulations for consistency will improve public communication, decrease regulatory complexity and increase public understanding of the sport fishing regulations in the Kenai River Drainage Area.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F16-137)

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PROPOSAL 78 – 5 AAC 57.123. Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Upper Section of the Kenai River Drainage Area. Align the closure start date for all the tributaries of the Upper Section of the Kenai River Drainage Area with the start dates proposed for the king salmon sanctuaries and the start dates proposed for the rainbow trout spawning closure. In addition, create the same fishing season in all the tributaries of the Upper Section of the Kenai River Drainage area, as follows:

5 AAC 57.123 is amended to read:

(1) Kenai Lake from the Sterling Highway Bridge at the outlet, upstream to ADF&G regulatory markers located approximately one-quarter mile upstream, is open to sport fishing only from **June 11 – April 30** [JUNE 11 – MAY 1];

…

(3) **repealed / /2017** [IN ALL FLOWING WATERS OF THE KENAI LAKE DRAINAGE, THE BAG AND POSSESSION LIMIT FOR RAINBOW/STEELHEAD TROUT IS ONE FISH LESS THAN 16 INCHES IN LENGTH; RAINBOW/STEELHEAD TROUT 16 INCHES OR GREATER IN LENGTH MAY NOT BE RETAINED; RAINBOW/STEELHEAD TROUT CAUGHT THAT ARE 16 INCHES OR GREATER IN LENGTH MUST BE RELEASED IMMEDIATELY AND RETURNED TO THE WATER UNHARMED];

…

(9) the following waters of the Upper Section of the Kenai River drainage are closed to sport fishing, as follows:

(A) from May 1 – June 10, all flowing waters of the Upper Section of the Kenai River drainage;

(B) from May 1 – June 10 and from September 15 – October 31, the Quartz Creek drainage upstream of the Sterling Highway Bridge, including Devils Creek, Johns Creek, Jerome Creek, Summit Creek, and Slate Creek, and the South Fork of the Snow River.

Note: Paragraphs (6) – (8) are repealed by this proposal.

[(6) CRESCENT CREEK DRAINAGE, AS FOLLOWS:

(A) OPEN TO SPORT FISHING FROM JUNE 11 – MAY 1;

(B) IN FLOWING WATERS, ONLY ONE UNBAITED, SINGLE-HOOK, ARTIFICIAL LURE MAY BE USED;

(C) IN CRESCENT LAKE, FROM JUNE 11 – MAY 1, THE BAG AND POSSESSION LIMIT FOR RAINBOW/STEELHEAD TROUT IS TWO FISH, OF WHICH ONLY ONE MAY BE 20 INCHES OR GREATER IN LENGTH;

(D) FROM JUNE 11 – MAY 1, THE CRESCENT CREEK DRAINAGE, EXCEPT CRESCENT LAKE, IS OPEN TO SPORT FISHING FOR RAINBOW/STEELHEAD TROUT; THE BAG AND POSSESSION LIMIT FOR RAINBOW/STEELHEAD TROUT IS ONE FISH LESS THAN 16 INCHES IN LENGTH; RAINBOW/STEELHEAD TROUT 16 INCHES OR GREATER IN LENGTH MAY NOT BE RETAINED; RAINBOW/STEELHEAD TROUT CAUGHT THAT ARE 16 INCHES OR GREATER IN LENGTH MUST BE RELEASED IMMEDIATELY, AND RETURNED TO THE WATER UNHARMED;

(E) THE BAG AND POSSESSION LIMIT FOR ARCTIC GRAYLING IS TWO FISH, WITH NO SIZE LIMIT;

(7) QUARTZ CREEK DRAINAGE, EXCLUDING CRESCENT CREEK, AS FOLLOWS:

(A) ONLY ONE UNBAITED, SINGLE-HOOK, ARTIFICIAL LURE MAY BE USED;

(B) CLOSED TO SPORT FISHING FOR SALMON;

(C) OPEN TO SPORT FISHING FOR FINFISH OTHER THAN SALMON, FROM ITS MOUTH TO THE UPSTREAM SIDE OF THE STERLING HIGHWAY BRIDGE, FROM JUNE 11 – MAY 1;

(D) FROM JUNE 11 – SEPTEMBER 14, AND FROM NOVEMBER 1 – MAY 1, UPSTREAM OF THE STERLING HIGHWAY BRIDGE, INCLUDING DEVILS CREEK, JOHNS CREEK, JEROME CREEK, SUMMIT CREEK, AND SLATE CREEK, IS OPEN TO SPORT FISHING FOR FINFISH OTHER THAN SALMON;

(E) THE BAG AND POSSESSION LIMIT FOR ARCTIC CHAR/DOLLY VARDEN IS ONE FISH LESS THAN 16 INCHES IN LENGTH; ARCTIC CHAR/DOLLY VARDEN 16 INCHES OR GREATER IN LENGTH MAY NOT BE RETAINED; ARCTIC CHAR/DOLLY VARDEN CAUGHT THAT ARE 16 INCHES OR GREATER IN LENGTH MUST BE RELEASED IMMEDIATELY AND RETURNED TO THE WATER UNHARMED;

(F) THE BAG AND POSSESSION LIMIT FOR RAINBOW/STEELHEAD TROUT IS ONE FISH LESS THAN 16 INCHES IN LENGTH; RAINBOW/STEELHEAD TROUT 16 INCHES OR GREATER IN LENGTH MAY NOT BE RETAINED; RAINBOW/STEELHEAD TROUT CAUGHT THAT ARE 16 INCHES OR GREATER IN LENGTH MUST BE RELEASED IMMEDIATELY AND RETURNED TO THE WATER UNHARMED;

(8) SNOW RIVER DRAINAGE, AS FOLLOWS:

(A) ONLY ONE UNBAITED, SINGLE-HOOK, ARTIFICIAL LURE MAY BE USED;

(B) CLOSED TO SPORT FISHING FOR SALMON;

(C) THE SOUTH FORK OF THE SNOW RIVER IS OPEN TO SPORT FISHING FOR FINFISH OTHER THAN SALMON FROM JUNE 11 – SEPTEMBER 14, AND FROM NOVEMBER 1 – MAY 1;

(D) THE REMAINDER OF THE SNOW RIVER DRAINAGE, NOT SPECIFIED IN (C) OF THIS PARAGRAPH, IS OPEN TO SPORT FISHING FOR FINFISH OTHER THAN SALMON FROM JUNE 11 – MAY 1;

(E) THE BAG AND POSSESSION LIMIT FOR ARCTIC CHAR/DOLLY VARDEN IS ONE FISH LESS THAN 16 INCHES IN LENGTH; ARCTIC CHAR/DOLLY VARDEN 16 INCHES OR GREATER IN LENGTH MAY NOT BE RETAINED; ARCTIC CHAR/DOLLY VARDEN CAUGHT THAT ARE 16 INCHES OR GREATER IN LENGTH MUST BE RELEASED IMMEDIATELY AND RETURNED TO THE WATER UNHARMED;

(F) THE BAG AND POSSESSION LIMIT FOR RAINBOW/STEELHEAD TROUT IS ONE FISH LESS THAN 16 INCHES IN LENGTH; RAINBOW/STEELHEAD TROUT 16 INCHES OR GREATER IN LENGTH MAY NOT BE RETAINED; RAINBOW/STEELHEAD TROUT CAUGHT THAT ARE 16 INCHES OR GREATER

IN LENGTH MUST BE RELEASED IMMEDIATELY AND RETURNED TO THE WATER UNHARMED.]

What is the issue you would like the board to address and why? The Alaska Department of Fish and Game submitted this suite of proposals to provide the board an opportunity to review Kenai River sport fishing regulations and consider changes to simplify and align regulations. Nearly all existing regulations that have dates which trigger general or special provisions to sport fish regulations reference the first, last or middle day of a month. The purpose is to create regulations 1) with consistent dates that encompass biological concerns, and 2) that are easily understood by the public. Regulations have been adopted in the Kenai River Drainage Area over the years for various fisheries based on biological as well as social issues. In many cases dates that start or discontinue regulations for one fishery do not align with regulations for another fishery in the same area. Over time this created regulations that are disjointed, overly complex, and not easily understood by the public. These proposals identify regulations that, taken as a whole, would align dates and waters to simplify regulations without impacting fishery management objectives. Aligning regulations for consistency will improve public communication, decrease regulatory complexity and increase public understanding of the sport fishing regulations in the Kenai River Drainage Area.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F16-138)

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PROPOSAL 79 – 5 AAC 57.121. Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area. Change the Kenai River king salmon sanctuaries and the Moose-Kenai rivers confluence area fly-fishing-only waters to artificial fly waters, and align dates for these special provisions with other provisions, as follows:

5 AAC 57.121(1) is amended to read:

(1) sport fishing gear restrictions:

…

(E) from **May 1 – July 31, the portion of the Kenai River from ADF&G markers located approximately 100 yards downstream of the mouth of the Moose River, upstream to ADF&G regulatory markers located approximately 100 yards upstream from the mouth of the Moose River, and the Moose River upstream to the upstream edge of the Sterling Highway Bridge, only one unbaited, single-hook, artificial fly may be used** [MAY 15 – AUGUST 15, THE MOOSE RIVER FROM ITS CONFLUENCE WITH THE KENAI RIVER UPSTREAM TO THE UPSTREAM EDGE OF THE STERLING HIGHWAY BRIDGE, AND THE WATERS OF THE KENAI RIVER WITHIN A 100-YARD RADIUS OF THE MOOSE RIVER, ARE FLY-FISHING-ONLY WATERS];

(F) from **May 1 – July 31, in the following waters only one unbaited, single-hook, artificial fly may be used** [JANUARY 1 – JULY 31, THE FOLLOWING WATERS ARE FLY-FISHING-ONLY WATERS]:

…

(G) from **May 1 – July 31** [JANUARY 1 – JULY 31], that portion of the Kenai River from an ADF&G regulatory marker located approximately three-quarters of a mile downstream from the mouth of the Lower Killey River, upstream to an ADF&G regulatory marker located approximately one mile upstream from the mouth of the Lower Killey River, **only one unbaited, single-hook, artificial fly may be used** [IS FLY-FISHING-ONLY WATERS];

…

What is the issue you would like the board to address and why? The Alaska Department of Fish and Game submitted this suite of proposals to provide the board an opportunity to review Kenai River sport fishing regulations and consider changes to simplify and align regulations. Nearly all existing regulations that have dates which trigger general or special provisions to sport fish regulations reference the first, last or middle day of a month. The purpose is to create regulations 1) with consistent dates that encompass biological concerns, and 2) that are easily understood by the public. Regulations have been adopted in the Kenai River Drainage Area over the years for various fisheries based on biological as well as social issues. In many cases dates that start or discontinue regulations for one fishery do not align with regulations for another fishery in the same area. Over time this created regulations that are disjointed, overly complex, and not easily understood by the public. These proposals identify regulations that, taken as a whole, would align dates and waters to simplify regulations without impacting fishery management objectives. Aligning regulations for consistency will improve public communication, decrease regulatory complexity and increase public understanding of the sport fishing regulations in the Kenai River Drainage Area.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F16-139)

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PROPOSAL 80 – 5 AAC 57.121. Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area.; 5 AAC 57.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Middle Section of the Kenai River Drainage Area.; and 5 AAC 57.123. Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Upper Section of the Kenai River Drainage Area. Align gear restrictions for Kenai River tributaries, as follows:

5 AAC 57.121(1) is amended by adding a new subparagraph to read:

(1) sport fishing gear restrictions:
(K) in all tributaries to the Lower Section, only one unbaited, single-hook, artificial lure, with a gap between point and shank of three-eighths inch or less, may be used;

5 AAC 57.122(4)(G) is repealed:

(4) the following sport fishing gear restriction apply:
(G) **repealed / /2017** [IN HIDDEN LAKE CREEK, ONLY ONE UNBAITED, SINGLE-HOOK, ARTIFICIAL LURE MAY BE USED];

5 AAC 57.123(4)(C) is amended to read:

(4) from January 1 – December 31,

…

(C) in the flowing waters of the Kenai Lake drainage, including waters of Kenai Lake within one-quarter mile radius of all inlet streams, only one unbaited, single-hook, artificial lure**, with a gap between point and shank of three-eighths inch or less,** may be used;

What is the issue you would like the board to address and why? The Alaska Department of Fish and Game submitted this suite of proposals to provide the board an opportunity to review Kenai River sport fishing regulations and consider changes to simplify and align regulations. Nearly all existing regulations that have dates which trigger general or special provisions to sport fish regulations reference the first, last or middle day of a month. The purpose is to create regulations 1) with consistent dates that encompass biological concerns, and 2) that are easily understood by the public. Regulations have been adopted in the Kenai River Drainage Area over the years for various fisheries based on biological as well as social issues. In many cases dates that start or discontinue regulations for one fishery do not align with regulations for another fishery in the same area. Over time this created regulations that are disjointed, overly complex, and not easily understood by the public. These proposals identify regulations that, taken as a whole, would align dates and waters to simplify regulations without impacting fishery management objectives. Aligning regulations for consistency will improve public communication, decrease regulatory complexity and increase public understanding of the sport fishing regulations in the Kenai River Drainage Area.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F16-140)

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PROPOSAL 81 – 5 AAC 56.122. Special provisions for the seasons, bag, possession, annual, and size limits, and methods and means for the Kenai Peninsula Area. Create consistent rainbow/steelhead trout regulations in the Kasilof River above and below the Sterling Highway Bridge and amend the open season date for Tustumena Lake tributaries to protect spawning rainbow/steelhead trout, as follows:

5 AAC 56.122(a)(8)(B)(vii) is repealed:

(8) Kasilof River drainage, excluding Crooked Creek and Tustumena Lake and its tributaries;

…

(B) the following special provisions apply in that portion downstream of the Sterling Highway Bridge:

…

(vii) **repealed / /2017** [RAINBOW/STEELHEAD TROUT MAY NOT BE POSSESSED OR RETAINED; RAINBOW/STEELHEAD TROUT CAUGHT MUST BE RELEASED IMMEDIATELY; A PERSON MAY NOT REMOVE A

RAINBOW/STEELHEAD FROM THE WATER BEFORE RELEASING THE FISH];

…

5 AAC 56.122(a)(8) is amended by adding a new subparagraph to read:

(D) rainbow/steelhead trout may not be possessed or retained; rainbow/steelhead trout caught must be released immediately; a person may not remove a rainbow/steelhead from the water before releasing the fish;

5 AAC 56.122(a)(12)(B) is amended to read:

(12) Tustumena Lake and its tributaries:

…

(B) except as specified in (A) of this paragraph, the tributaries of Tustumena Lake are open to sport fishing only from **June 11 – April 30** [JUNE 11 – MAY 1];

What is the issue you would like the board to address and why? Align rainbow/steelhead trout regulations in the Kasilof River drainage by creating the same regulation above and below the Sterling Highway Bridge. In addition, this regulation changes the open season for rainbow/ steelhead trout in tributaries to align with the open season in the Kenai River Drainage Area.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F16-143)

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PROPOSAL 82 – 5 AAC 56.122. Special provisions for the seasons, bag, possession, annual, and size limits, and methods and means for the Kenai Peninsula Area. Amend Kasilof River early-run king salmon possession requirements, as follows:

5 AAC 56.122(a)(8)(A)(iii) is amended to read:

(8) Kasilof River drainage, excluding Crooked Creek and Tustamena Lake and its tributaries:

…

(iii) a person may not possess a king salmon that has been filleted, mutilated, or otherwise disfigured in a manner that prevents the determination that the fish is a hatchery king salmon, until the fish is permanently offloaded from the vessel if the fish was taken from a vessel **and has moved more than 100 yards away from waters open to sport fishing for king salmon in the Kasilof River drainage** or permanently transported away from the fishing site if the fish was taken from the riverbank **and has moved more than 100 yards away from waters open to sport fishing for king salmon in the Kasilof River drainage**;

What is the issue you would like the board to address and why? This proposal supports enforcement of regulations that prohibit the harvest of naturally-produced king salmon where only

hatchery-produced king salmon may be retained. It creates a regulation for the Kasilof River that is identical to existing regulations in other waters of the Kenai Peninsula that are stocked by the Alaska Department of Fish and Game.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F16-145)
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PROPOSAL 83 – 5 AAC 56.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Kenai Peninsula Area; and 5 AAC 57.121. Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area. Repeal gear regulations for northern pike, as follows:

5 AAC 56.120(7) is repealed:

(7) **repealed / /2017** [NORTHERN PIKE MAY BE TAKEN FROM JANUARY 1 – DECEMBER 31; NO, BAG, POSSESSION, OR SIZE LIMIT; NORTHERN PIKE MAY BE TAKEN

(A) NORTHERN PIKE MAY BE TAKEN BY SPEAR AND BOW AND ARROW; THE ARROW MUST HAVE A BARBED TIP AND BE ATTACHED BY A LINE TO THE BOW; FOR THE PURPOSES OF THIS SUBPARAGRAPH, 'BOW" MEANS A LONG BOW, RECURVE BOW, COMPOUND BOW, AND CROSSBOW;

(B) WITH TWO HOOKS PER LINE WHEN FISHING THE ICE AND IF BOTH HOOKS ARE ATTACHED TO THE SAME SINGLE PIECE OF BAIT];

5 AAC 57.121(1)(I) is repealed:

(1) sport fishing gear restrictions:

…

(I) **repealed / /2017** [IN MACKEY LAKES, DERKS LAKE, SEVENA LAKE, UNION LAKE, AND THE UNNAMED LAKES ON TOTE ROAD, FIVE LINES MAY BE USE TO FISH FOR NORTHERN PIKE THROUGH THE ICE; ALLOWABLE GEAR IS LIMITED TO STANDARD ICE FISHING GEAR AS SPECIFIED IN 5 AAC 57.120(9)(B); FISHING GEAR MUST BE CLOSELY ATTENDED AS SPECIFIED IN 5 AAC 75.033; ALL OTHER SPECIES OF FISH CAUGHT MUST BE RELEASED IMMEDIATELY];

What is the issue you would like the board to address and why? Northern pike regulations on the Kenai Peninsula are no longer necessary due to the Alaska Department of Fish and Game's successful eradication program. Existing regulations may allow anglers to claim they are fishing for pike in lakes subjected to general provisions, which has the potential to become a conservation concern because other species may be harvested. The remaining unnamed lakes on Tote Road can be managed by emergency order, prior to eradication.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F16-144)
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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)

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PROPOSAL 85 – 5 AAC 21.353. Central District Drift Gillnet Fishery Management Plan. Repeal and readopt provisions (a)–(f) of the management plan and add provisions to manage the drift gillnet fishery to harvest surplus sockeye, pink, and chum salmon production and achieve escapement goals, as follows:

(Repeal and Readopt)
5 AAC 21.353 Central District Drift Gillnet Fishery Management

(a) The purpose of this management plan is to direct the harvest of surplus salmon in the Central District of UCI by the drift gillnet fishery. The department shall manage the drift gillnet fishery to harvest sockeye, pink and chum salmon stocks in UCI surplus to the escapement needs in order to achieve the various escapement goal ranges for these stocks. This plan does not provide for additional fishing periods directed at Susitna River, Little Susitna River or Kenai River coho salmon stocks. The department shall manage the Central District commercial drift gillnet fishery as follows.

(b) The fishery will be open for regular weekly fishing periods as described in *5* AAC 21.320(b). The fishing season will open the third Monday in June or June 19, whichever is later.

(c) From July 1 through August 15,

(1) Fishing will be allowed with drift gillnets as described in *5* AAC 21.320(b)(l).

(2) The fishing periods set forth in (1) of this subsection may be modified by emergency order based on the abundance of sockeye, pink and chum stocks.

(d) If additional fishing time is necessary to harvest surplus salmon it will be allowed in one or more of the following areas based on inseason salmon abundance by stock:

(1) Expanded Kenai Section

(2) Expanded Kasilof Section

(3) Anchor Point Section

(4) Drift Gillnet Area 1
(5) Central District

(e) From August 16 until closed by emergency order, drift gillnetting will be allowed in all waters of the Central District except those within 5 nautical miles of the Kenai Peninsula shoreline during regular fishing periods.

What is the issue you would like the board to address and why? Both the Board and department are charged with conservation and development of fisheries which has been defined as managing for escapement goals and sustained yield. The Board has put in place the most restrictive and unmanageable management plans in Cook Inlet in an effort to give nearly exclusive use of coho stocks in Cook Inlet to sport fishing interests. The department has failed to react inseason or to submit proposals to correct this excessive waste of the resources they are charged to protect. The need and success of this "experiment" is readily apparent when you look at the Little Susitna Coho salmon catch and escapement data. One of only two escapement goals for coho salmon in Cook Inlet where approximately 1,000 coho stocks are known.

The Little Susitna coho salmon escapement of 10,100 to 17,700 has exceeded the goal in 14 of 25 years by an average of 14,000 coho and only achieved the goal in 7 years. This system can not be managed with restrictions in the commercial fishery to pour more and more coho into this stream to achieve the escapement goal. It is obvious that the commercial restrictions are unnecessary and unwarranted in well over half of the years wasting hundreds of thousands of coho as well as sockeye, pink and chum salmon. In only 5 of 25 years of data was the goal not achieved, missing the lower end by an average of only 3,300 coho. This system is basically unmanaged and this needs to change. When you consider the fact that the Little Susitna is and index of other coho stocks, most with much less of an inriver exploitation the amount of overescapement, lost harvest and reduced production is staggering. Therefore, this proposal seeks to modify the overly restrictive provisions within the Central District Drift Gillnet Fishery Management Plan in order to: allow for flexible inseason management, provide a reasonable opportunity to harvest abundant sockeye, pink and chum salmon; and to provide adequate protection to northern bound sockeye salmon and coho salmon and Kenai River coho salmon. A companion proposal has been submitted under sport fishing regulations.

PROPOSED BY: Chris Garcia (HQ-F16-107)

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PROPOSAL 86 – 5 AAC 21.353. Central District Drift Gillnet Fishery. Amend provisions (a)–(f) of the management plan and add language to manage the commercial drift gillnet fishery based on the inseason abundance to meet escapement goals and harvest surplus salmon, as follows:

5AAC 21.353 Central District Drift Gillnet Fishery Management

(a)The purpose of this management plan is to provide the department with the ability to gather in-season data and to have the flexibility to use their in-season management tools to meet the escapement goals and to harvest the surplus salmon. The department shall manage the Central District commercial drift gillnet fishery as described in this section.

(b)The regular weekly fishing periods are as described in 5AAC21.320(b). The fishing season will open the third Monday in June or June 19, whichever is later.

(c)From the opening date as determined by 5AAC21.353 (b) until August 15,

(1)fishing will be opened for drift gillnets as described in 5AAC 21.320(b)(1).

(2) The fishing periods set forth in (1) of this subsection may be modified by emergency order;

(d)additional fishing time , based on in-season salmon abundance, needed to meet the objectives of harvesting the surplus salmon and staying within the escapement goals will be allowed in one or more of the following areas.

(1)Expanded Kenai Section of the Upper Subdistrict:

(2) Expanded Kasilof Section of the Upper Subdistrict:

(3) Anchor Point Section of the Lower Subdistrict:

(4) Drift Gillnet Area 1:

(5) Central District

What is the issue you would like the board to address and why? 5AAC 21.353. (a) through (f)

Prior to 1996 the central district drift gillnet fishery operated on a management plan of two twelve hour inlet wide weekly fishing periods. The plan worked as designed. The biologist had indices, from catch data, to know the size and location of the schools of salmon entering that year and could make sound scientific management decisions. Based on the in-season abundance count, salmon managers would open and close fisheries on a real time daily basis to ensure spawning escapements where adequate and to harvest the surplus salmon throughout the run to sustain production. Delegated emergency authority provided for immediate management decisions by area biologist. When runs were strong, managers liberalized harvest regulations to utilize surpluses. When runs where poor, managers closed fisheries to provide for predetermined escapement needs which ensure long-term sustainable yields. There was order, stability and predictability in the fisheries, fishery support businesses and the communities. This style of management is also mandated by the Constitution and the Magnuson Stevens Act (MSA). This successful management style is currently used in most areas of the State, It was also adopted by the Pacific Salmon Commission to manage and conserve salmon resources shared by Alaska, Oregon, Washington, and Canada, and worked well in Cook Inlet to achieve the escapement goals and allow all users an opportunity to utilized the surplus. The current version of 5 AAC21.353. central district drift gillnet fishery management plan is in violation of the constitutional mandate and does not allow adaptive in-season management. The plan makes it impossible for the biologist to know the run size and location or to manage for escapement goals or harvest the surplus. The result has been gross annual over-escapements and annual loss of harvest in the tune of millions of salmon and tens of millions of dollars. The resource, habitat, commercial and sports fishermen, processors, workers, industries, communities and the State are needlessly harmed. The constitution mandates that renewable resources “shall be utilized, developed and maintained on the sustained yield principle.” Alaska law states: “The Commissioner shall manage, protect, maintain, improve, and extend the fish, game and aquatic plant resources of the state in the interest of the economy and general well being of the state… through rehabilitation, enhancement, and development programs. [the department must] do all things necessary to insure perpetual and increasing production and use of the food resources of state waters and continental shelf areas.”

This proposal seeks to develop the central district drift gillnet management plan to be in compliance with the Constitution, MSA, Alaska statute and 5 AAC 39.222. This plan will give the biologist the flexibility and proven tools to perform in-season real-time abundance based management and to be effective in achieving the escapement goals and to harvest the salmon surplus. This proposal also seeks to provide a reasonable opportunity for all harvesters and to provide adequate protection for northern bound and central district salmon stocks. This proposal does not limit the commissioner's use of emergency order authority under AS 16.05.060.

PROPOSED BY: Central Peninsula Fish and Game Advisory Committee (EF-F16-145)
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PROPOSAL 87 – 5 AAC 21.353. Central District Drift Gillnet Fishery Management Plan. Amend *Central District Drift Gillnet Fishery Management Plan* to maximize commercial harvest of sockeye salmon, as follows:

(a) The purpose of this management plan is to ensure adequate escapement of salmon into the Northern District drainages and to provide management guidelines to the department. The department shall manage the commercial drift gillnet fishery to minimize the harvest of Northern District and Kenai River coho salmon in order to provide sport and guided sport fishermen a reasonable opportunity to harvest these salmon stocks over the entire run, as measured by the frequency of inriver restrictions. The department shall manage the Central District commercial drift gillnet fishery as described in this section **to maximize the commercial harvest of sockeye salmon**..

(b) The regular weekly fishing periods are as described in 5 AAC 21.320(b). The fishing season will open the third Monday in June or June 19, whichever is later.

(c) From July 9 through [JULY 15] **July 20, or until an inseason assessment of Kenai River sockeye salmon run strength is determined by the department,**

(1) fishing during the first regular fishing period and second regular fishing period is restricted to the Expanded Kenai and Expanded Kasilof Sections of the Upper Subdistrict and Drift Gillnet Area 1;

(2) at run strengths greater than 2,300,000 sockeye salmon to the Kenai River, the commissioner may, by emergency order, open one additional 12-hour fishing period in the Expanded Kenai and Expanded Kasilof Sections of the Upper Subdistrict and Drift Gillnet Area 1;

(3) at run strengths greater than 4,600,000 sockeye salmon to the Kenai River, the commissioner may, by emergency order, open additional 12-hour fishing periods in one or more of the following sections and areas:

(i) the Expanded Kenai Section of the Upper Subdistrict;

(ii) the Expanded Kasilof Sections of the Upper Subdistrict;

(iiii) Drift Gillnet Area 1;

(iv) Drift Gillnet Area 2;

(4) Additional fishing time under this subsection is allowed only in the Expanded Kenai and Expanded Kasilof Sections of the Upper Subdistrict**.**

(d) From [JULY 16] **July 20** through July 31,

(1) at run strengths of less than 2,300,000 sockeye salmon to the Kenai River, fishing during all regular 12-hour fishing periods will be restricted to the Expanded Kenai and Expanded Kasilof Sections fo the Upper Subdistrict;

(2) at run strengths of 2,300,000–4,600,000 sockeye salmon to the Kenai river,

(A) fishing during [ONE] **all** regular 12-hour fishing period per week will be [RESTRICTED TO ONE OR MORE OF] **opened in the following sections and areas:**

(i) Expanded Kenai Section of the Upper Subdistrict;

(ii) Expanded Kasilof Section of the Upper Subdistrict;

(iii) Anchor Point Section of the Lower Subdistrict;

(iv) Drift Gillnet Area 1;

(B) [THE REMAINING WEEKLY 12-HOUR REGULAR FISHING PERIOD WILL BE RESTRICTED TO ON OR MORE OF THE FOLLOWING SECTIONS:] **Additional fishing time under this subsection is allowed in one or more of the following sections:**

(i) Expanded Kenai Section;

(iii) Expanded Kasilof Section;

(iii) Anchor Point Section

(iv) Drift Gillnet Area 1

(3) at run strengths greater than 4,600,000 sockeye salmon to the Kenai River, [ONE REGULAR 12-HOUR FISHING PERIOD PER WEEK] **all regular** fishing period**s** per week will be restricted to **one or more of the following areas or sections:**

(A) Expanded Kenai Section;

(B) Expanded Kasilof Section;

(C) Anchor Point Section;

(D) Drift Gillnet Area 1;

(E) Drift Gillnet Area 2;

(F) Central District;

(4) additional fishing time under this subsection is allowed only in one or more of the following **areas or** sections:

(A) Expanded Kenai Section;

(B) Expanded Kasilof Section;

(C)Anchor Point Section;

(D) Drift Gillnet Area 1;

(E) Drift Gillnet Area 2;

(F) Central District;

(e) From August 1 through August 15, **on Kenai River sockeye salmon runs under 2,300,000 fish,** there are no mandatory area restrictions to regular fishing periods, except that if the Upper Subdistrict set gillnet fishery is closed under 5 AAC 21.310(b)(2)(C)(iii), or the department determines that less than one percent of the season's total drift gillnet sockeye salmon harvest has been taken per fishing period for two consecutive fishing periods in the drift gillnet fishery, regular fishing periods will be restricted to Drift Gillnet Areas 3 and 4. In this subsection, " fishing period" means a time period open to commercial fishing as measured by a 24-hour calendar day from 12:01 a.m. until 11:59 p.m. **On Kenai runs over 2,300,000 fish, from August 1 through August 15, there are no mandatory area restrictions to regular fishing periods.**

(f) From August 16 until closed by emergency order, Drift Gillnet Areas 3 and 4 are open for fishing during regular fishing periods.

What is the issue you would like the board to address and why? At the 2014 Alaska Board of Fisheries (BOF) meeting for Upper Cook Inlet (UCI) finfish, restrictions were added to the Central District Drift Gillnet Fishery Management Plan that make this plan very inflexible and significantly changed the intent of the plan from when it was adopted in 1999. This proposal seeks some relief from these overly burdensome restrictions so that the drift plan is more in line with 5 AAC 21.363 (a) (1), where it states that the harvest of UCI salmon should be allowed in order to maximize the benefits of these resources. The current drift gillnet management plan is too restrictive and does not allow ADF&G the tools it needs in order to harvest surplus Kenai and Kasilof river sockeye salmon stocks. An overly restrictive drift gillnet management plan can therefore result in over escapement of these stocks, which it has in two out of two years since the plan was changed. Over escapement results in immediate loss to fish harvesters of all sectors and it also poses unneeded economic loss to the people of Alaska by not maximizing the benefits of these resources!

Therefore, I urge the BOF to carefully consider providing ADF&G with as many flexible management tools as necessary to ensure the future health of our salmon resources by crafting management plans that are more flexible and less restrictive. Overly-restrictive management plans often hinder our manager's ability to do their most important job, i.e., managing fisheries to meet established escapement goals.

PROPOSED BY: David Hillstrand (HQ-F16-043)
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<u>PROPOSAL 88</u> – 5 AAC 21.353. –Central District Drift Gillnet Fishery Management Plan. Remove restrictions to the commercial drift gillnet fishery, so that the fishery would occur during two inlet-wide fishing periods based on test fishery and escapement data, as follows:

Drift fishing open Inlet-wide 7 – 7 Mondays and Thursdays

Additional time in restricted areas based on test boat data and abundance

What is the issue you would like the board to address and why? Drift Fishery – Area H area restrictions.

2014 restrictions are wasteful, costly to fishermen and processors, board generated

PROPOSED BY: John McCombs (HQ-F16-087)
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<u>PROPOSAL 89</u> – 5 AAC 21.353. Central District Drift Gillnet Fishery Management Plan. Repeal and readopt *Central District Drift Gillnet Fishery Management Plan* with the amended plan removing mandatory time and area restrictions from July 1–August 15, as follows:

Repeal and readopt sections of 5 AAC 21.353, and renumber remaining sections (g-h) to (f-g) to read:

5 AAC 21.353 Central District Drift Gillnet Fishery Management

(a) The purpose of this management plan is to direct the harvest of surplus salmon stocks in the Central District of Upper Cook Inlet by the drift gillnet fishery. The department shall manage the sockeye, pink and chum salmon stocks primarily for commercial uses to provide commercial fishermen with an economic yield from the harvest of these salmon resources based on abundance. This plan does not provide for additional fishing periods directed at Susitna River coho, Little Susitna River coho, or Kenai River coho salmon stocks The department shall manage the Central District commercial drift gillnet fishery as follows;

(b) The fishery will be open for regular weekly fishing periods as described in 5 AAC 21.320(b). The fishing season will open the third Monday in June or June 19, whichever is later.

(c) From July 1 through August 15,

(1) Fishing will be allowed with drift gillnets as described in 5 AAC 21.320(b)(1).

(2) The fishing periods set forth in (1) of this subsection may be modified by emergency order;

(d) If additional fishing time is necessary to harvest surplus salmon, it will be allowed in one or more of the following areas based on inseason salmon abundance:

(1) Expanded Kenai Section

(2) Expanded Kasilof Section

(3) Anchor Point Section

(4) Drift Gillnet Area 1

(5) Central District

(e) From August 16 until closed by emergency order, drift gillnetting will be allowed in all waters of the Central District except those within 5 nautical miles of the Kenai Peninsula shoreline during regular fishing periods.

What is the issue you would like the board to address and why? From July 9–31, the Central District drift gillnet fishery is managed primarily by provisions found in the *Central District Drift Gillnet Fishery Management Plan* 5 AAC 21.353(c),(d) and (e). This plan was most recently modified in 2014 and is now the most inflexible and restrictive version of this plan since its adoption in 1999.

As currently written, the restrictive provisions prevent adaptive inseason management resulting in lost harvest opportunity and the over escapement of Kenai and Kasilof river sockeye salmon stocks. These restrictive provisions also result in the lost harvest of abundant pink and chum salmon stocks. The original intent of these restrictions was to conserve sockeye salmon bound for the Susitna River; however, more recent science indicates the restrictions were based on faulty data and flawed assumptions. These restrictive provisions have also been made a surrogate for allocating northern bound coho salmon to inriver sport fisheries; this manipulation of the original intent uses the same flawed assumptions.

Genetic stock identification (GSI) data from the Anchor Point offshore test fishery (OTF) and the commercial drift harvest shows that there is no distinct temporal or spatial separation of Susitna River sockeye stocks from other sockeye salmon stocks as they migrate through the Central District. Moreover, there are no conservation concerns for Northern District coho salmon; in fact, since 1990, the Little Susitna coho salmon escapement goal has been met or exceeded 21 times in

26 years (81%). It is important to note that in most of the years where the Little Susitna coho salmon goal was met or exceeded, the drift gillnet fishery was prosecuted with far fewer restrictions than they currently have. Finally, the Kenai River late-run sockeye salmon inriver goal has been exceeded in 7 of the past 10 years while the Kasilof River sockeye salmon BEG has been exceed in 9 of the past 10 years. Since these rivers are indices of escapements in other unmonitored systems it is likely that all systems are being under harvested by similar amounts resulting in lost harvests now and lower production in the future.

Because GSI data from the OTF and the commercial drift harvest show no one time period or any specific areas in the Central District where Susitna River sockeye salmon stocks separate themselves from east side Cook Inlet sockeye salmon, mandatory restriction on specific dates in July result in large escapements of sockeye salmon to the Kenai and Kasilof rivers while not providing any significant savings of sockeye salmon migrating north. Currently the drift fishery is restricted to Drift Area 1 and the Expanded Kenai and Expanded Kasilof sections for both regular fishing periods from July 9 to July 15. Then, from July 16 to July 31, ADF&G must restrict the drift fleet based upon the size of the sockeye salmon run to the Kenai River. At most, the drift fleet is allowed to fish in the middle of Cook Inlet no more than one day per week, regardless of how strong the sockeye salmon run is to the Kenai and Kasilof rivers. As noted above, the Kenai River sockeye salmon inriver goal and Kasilof River BEG have been exceeded 16 out of 20 years (combined). This needs to change in order to keep these and other stocks within sustainable levels.

This proposal seeks to provide ADF&G with more flexible use of the drift fleet in order to harvest abundant Kenai and Kasilof river sockeye salmon runs. If these changes are adopted, ADF&G will still retain its emergency order authority to restrict or close the drift fleet for sockeye and coho conservation when needed, keep in mind, northern Cook Inlet coho salmon escapement goals are being met or exceeded more than 80% of the time and Kenai sockeye inriver goals have been exceeded 100% of the time for the last 5 years.

Therefore, this proposal seeks to modify the overly restrictive provisions within the Central District Drift Gillnet Fishery Management Plan in order to: 1) allow for flexible inseason management; 2) provide a reasonable opportunity to harvest abundant sockeye, pink and chum salmon; and 3) to provide adequate protection to northern bound sockeye salmon and coho salmon and Kenai River coho salmon.

PROPOSED BY: United Cook Inlet Drift Association (HQ-F16-011)

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PROPOSAL 90 – 5 AAC 21.353. Central District Drift Gillnet Fishery Management Plan. Remove restrictions on the commercial drift gillnet fishery from July 1–31 and manage the drift gillnet fishery based on inseason salmon abundance, as follows:

5 AAC 21.353(c)-(d) is repealed and readopted to read:

(c) From July 1 through July 31st

Fishing will be allowed with drift gillnets as described in 5 AAC 21.320(b)(1).

The fishing periods set forth in (1) of this subsection may be modified by emergency order.

(d) If additional fishing time is necessary to harvest surplus salmon, it will be allowed in one or more of the following areas based on inseason salmon abundance:
Expanded Kenai Section
Expanded Kasilof Section
Anchor Point Section
Drift Gillnet Area 1
Central District

What is the issue you would like the board to address and why? Repeal the regulations based on the Susitna Sockeye stock of yield concern and the Susitna Sockeye Salmon Action Plan (SSSAP). This action plan describes certain regulatory restrictions on the Central District Drift Gillnet fishery. The restrictions are found in 5AAC 21.353 (c) and (d). These regulations were based on data that was later proven to have been wrong. Since the data was wrong, the regulations need to be repealed.

In 2008, the BOF designated Susitna sockeye a stock of yield concern due to a chronic inability to meet the Yentna SEG (range 90-160,000) as measured by sonar. In 2009 that sonar system was determined by ADF&G (FMS 09-01) to be grossly underestimating the number of sockeye returning to the Susitna River system. The 2006-09 ADF&G escapement goal review for the Susitna River revealed that for the prior 27 years the Susitna River escapement goal had been met and exceeded. See Table 1 below.

In addition, there are at least 23 genetically different sockeye populations (ADF&G FMS 12-06) within the Susitna watershed. Each unique sockeye population has different characteristics and requirements. For example, some are lake spawners, some are tributary spawners, and some utilize the mainstem, its side channels, sloughs and tributary deltas. These populations are all individually affected by numerous other factors, e.g. run timing, water temperatures, northern pike, parasites, disease, in-stream water levels, beaver dams, culverts and other migration impedances.

The SSSAP makes several assumptions that we now know are incorrect; first, it treats Susitna sockeye as one salmon stock and assumes that all cause and effect relationships are the same. Second, the plan assumes that specific restrictions in time and area allowed for commercial fishing will result in conservation of Susitna bound salmon. This assumption is also wrong. Genetic stock identification (GSI) data from the Anchor Point offshore test fishery (OTF) and the commercial drift harvest shows that there is no distinct temporal or spatial separation of Susitna River sockeye stocks from other sockeye salmon stocks as they migrate through the Central District.

Therefore, all the regulations based on the Susitna Stock of Yield Concern and the SSSAP must be repealed.

This proposal will repeal the restrictive provisions within the Central District Drift Gillnet Fishery Management Plan in order to: 1) allow for adaptive inseason management; 2) provide a reasonable opportunity to commercially harvest abundant sockeye salmon; and 3) to provide adequate protection to northern bound sockeye salmon and coho salmon.

Table 1 Yentna Escapement Data from ADF&G Data and Reports

1	2	3	4	5	6	7
	Original Bendix Escapement	DIDSON	DIDSON Adjusted for Fish Wheel	DIDSON Adjusted for	Mid Point of Escapement	Average Goal Exceeded
Year	Number	Equivalent [1]	Selectivity	Mark/Recapture	Goal	Number [2]
1982	113,847	253,982	667,733	523,203	100,000	495,468
1983	104,414	210,105	323,461	432,816	100,000	278,139
1984	149,375	298,383	773,450	614,669	100,000	594,059
1985	107,124	211,806	417,147	436,320	100,000	326,734
1986	92,076	169,048	974,513	348,239	125,000	536,376
1987	66,054	130,040	291,897	267,882	125,000	154,890
1988	52,330	101,854	286,421	209,819	125,000	123,120
1989 [3]	96,269	189,554	491,489	390,481	125,000	315,985
1990	140,290	259,729	682,631	535,042	125,000	483,836
1991	109,632	217,158	347,900	447,345	125,000	272,623
1992	66,074	130,966	463,272	269,790	125,000	241,531
1993	141,694	282,837	593,576	582,644	125,000	463,110
1994	128,032	251,856	413,317	518,823	125,000	341,070
1995	121,220	232,856	416,842	479,683	125,000	323,263
1996	90,660	172,882	308,169	356,137	125,000	207,153
1997	157,822	308,949	379,445	636,435	125,000	382,940
1998	119,623	211,500	445,538	435,690	125,000	315,614
1999	99,029	186,981	280,900	385,181	125,000	208,040
2000	133,094	291,848	409,266	601,207	125,000	380,236
2001	83,532	153,847	376,228	316,925	125,000	221,576
2002	78,591	158,564	479,228	326,642	125,000	277,935
2003	180,813	344,224	609,591	709,101	125,000	534,346
2004	71,281	142,187	347,900	292,905	125,000	195,403
2005	36,921	71,264	131,541	146,804	125,000	14,172
2006	92,051	166,697	390,567	343,396	125,000	241,981
2007	79,901	125,146	206,146	257,801	125,000	106,973
2008	90,146	131,772	252,804	271,450	125,000	137,127
Average	103,774	200,224	435,592	412,460		302,730
		Estimated total sockeye over midpoint of escapement goal				8,173,702

Columns 4 and 5, and most of Column 3, are mathematically derived equivalents.

[1] Actual DIDSON counts used for 2006-2008

[2] Average of column 4 and column 5, minus column 6

[3] 1989 was the Exxon Valdez oil spill year, no drift gillnetting in Cook Inlet

PROPOSED BY: United Cook Inlet Drift Association (HQ-F16-013)

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PROPOSAL 91 – 5 AAC 21.353. Central District Drift Gillnet Fishery Management Plan. Remove area restrictions imposed on the commercial drift gillnet fishery during July 9–15 and 16–31 time periods, as follows:

5AAC 21.353. Central District Drift Gillnet Fishery Management Plan

(c) From July 1 through July 31st

(1) The regular weekly fishing periods are as described in 5AAC 21.320(b)(1).

(2) the fishing periods set forth in (1) of this subsection may be modified by emergency order;

(d) additional fishing time, based on in season salmon abundance, needed to meet the objectives of harvesting the surplus salmon and staying within the escapement goals will be allowed in one or more of the following areas.

(1)Expanded Kenai Section of the Upper Subdistrict;

(2)Expanded Kasilof Section of the Upper subdistrict'

(3)Anchor Point Section of the Lower Subdistrict'

(4)Drift Gillnet Area 1;

(5)Drift Gillnet Area 2;

(6)Central District

[DELETE THE ENTIRE EXISTING SECTIONS OF (c) AND (d)]

What is the issue you would like the board to address and why? Repeal of the regulations based on the Susitna sockeye stock of yield concern is necessary because the restrictions have been proven invalid by the data collected since their implementations. The data used to create the restrictions found in 5AAC 21.353 (c) and (d) have been proven wrong. In fact the wrong data has been used for decades and unfortunately or suspiciously the wrong data is still being used even after the corrections where determined by ADF&G in their 2006-09 escapement review. The current data clearly puts these restrictions in violation of not meeting the requirements of 5AAC 39.222. Policy for the management of sustainable salmon fisheries, especially (a)(2) in formulating fishery management plans designed to achieve maximum or optimum salmon production;(a)(c)(3)(M) procedures should be implemented to regularly evaluate the effectiveness of fishery management and habitat protection actions; and (a)(c)(3)(P) the best available scientific information on the status of salmon populations and the condition of the salmon's habitats should be routinely updated and subject to peer review. (a)(d)(2) in response to the department's salmon stock status reports, reports from other resource agencies, and public input, the board will review the management plan, or consider developing a management plan, for each affected salmon fishery or stock; management plans will be based on the principles and criteria contained in this policy and will

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

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

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

(D) prevent overfishing; and

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

The current restrictions are also in violation of State fisheries policy, Article 8 of the Constitution and the Magnuson Stevens Act all of which require the best scientific information available in formulating fishery management plans designed to achieve maximum or optimum salmon production.

The escapement data that was used to create the regulations has been found to have been grossly undercounting the escapement by an average of around three hundred percent. This is not sustainable and is an unnecessary and unacceptable monetary loss to the State and fishing industries, along with the loss of a high quality and natural sustainable food source. It makes no sense, especially in this time of huge budget deficits, to continue poor stewardship of the resource in management plans that literally waste millions of dollars and millions of harvestable surplus salmon and jeopardizes future salmon returns.

This proposal uses the reliable scientific data to repeal the unfounded restrictions that make it impossible to harvest the surplus salmon, by allowing the biologist to implement in-season abundance based management and still provide sufficient protection for all central and northern bound salmon stocks.

PROPOSED BY: Central Peninsula Advisory Committee (EF-F16-120)
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PROPOSAL 92 – 5 AAC 21.353. Central District Drift Gillnet Fishery Management Plan. Restrict commercial drift gillnet fishery to the Expanded Corridor and Drift Gillnet Area 1 from August 1–15, as follows:

Amend the Central District Drift Gillnet Fishery Management Plan as follows:

(e) from August 1 - 15, **[**THERE ARE NO MANDATORY AREA RESTRICTIONS TO REGULAR PERIODS,**]**

(1) fishing during both regular 12 hour periods per week will be restricted to one or more of the following sections: (A) Expanded Kenai Section; (B) Expanded Kasilof Section; (C) Anchor Point Section; (D) Drift Gillnet Area 1, except that if the Upper Subdistrict set gill net fishery is closed under 5 AAC 21.310(b)(2)(C)(iii), or the department determines that less than one percent of the season's total drift gill net sockeye salmon harvest has been taken per fishing period for two consecutive fishing periods in the drift gill net fishery, regular fishing periods will be restricted to Drift Gillnet Areas 3 and 4. In this subsection, "fishing period" means a time period open to commercial fishing as measured by a 24-hour calendar day from 12:01 a.m. until 11:59 p.m.

(2) additional fishing time under this subsection is allowed only in one or more of the following sections; (A) Expanded Kenai Section; (B) Expanded Kasilof Section; (C) Anchor Point Section.

What is the issue you would like the board to address and why? While changes to the drift management plan adopted by the Board in 2014 have proven more effective in increasing

escapements of Northern District drainage salmon stocks during July and providing more reasonable harvest opportunities for Northern District user groups during July, management during 2015 proved the plan inadequate in continuing those benefits throughout August. As currently configured the plan allows unnecessary drift gillnet fishing in Drift Gillnet Area 2 during the first half of August, which jeopardizes both attainment of Northern District drainage salmon escapement needs and reasonable salmon harvest opportunities for Northern District and Northern District drainage user groups. As proven many times the drift fleet can harvest plenty of surplus Kenai River sockeye without corking off Northern District bound sockeye and coho salmon in Area 2. Therefore, to address Northern conservation concerns and to allow more reasonable Northern harvest opportunity for other user groups, this proposal seeks to amend the drift management plan in a manner that still maintains drift gill netters an extremely liberal opportunity to harvest surplus sockeye salmon during times of July and August abundance. Note: under this proposal even if the drift fishery was restricted under the 1% rule, the department could still allow the fleet to fish 7 days per week (5 days per week in the Expanded Kenai, Expanded Kasilof, and Anchor Point Sections and 2 days per week in Drift Gillet Area 3 and 4 during a portion of the season when sockeye salmon abundance is in decline and coho harvests makes up an increasing portion of the drift catch).

Considering restrictions on other user groups during the August 1 - 31 timeframe, this proposal, if adopted, should increase the likelihood of attaining Northern District escapement needs, provide more reasonable harvest opportunity for Northern and other user groups, while retaining significant drift gillnet harvest opportunity during August. In short, such changes would better align the plan provisions with it's stated purpose:

"The purpose of this management plan is to ensure adequate escapement of salmon into the Northern District drainages and to provide management guidelines to the department. The department shall manage the commercial drift gill net fishery to minimize the harvest of Northern District and Kenai River coho salmon in order to provide sport and guided sport fishermen a reasonable opportunity to harvest these salmon stocks over the entire run, as measured by the frequency of inriver restrictions.**"**

PROPOSED BY: Matanuska Valley Fish and Game Advisory Committee (EF-F16-055)
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<u>PROPOSAL 93</u> – 5 AAC 21.353. Central District Drift Gillnet Fishery Management Plan. Amend preamble of management plan and restrict commercial drift gillnet fishery to the Expanded Corridor and Drift Gillnet Area 1 from August 1-15, as follows:

Amend sections (a) and (e) of the Central District Drift Gillnet Fishery Management Plan:

(a) The purpose of this management plan is to ensure adequate escapement of salmon into the Northern District drainages and to provide management guidelines to the department. The department shall manage the commercial drift gill net fishery to minimize the harvest of [NORTHERN DISTRICT AND KEANI RIVER] coho salmon in order to provide sport and guided sport fishermen a reasonable opportunity to harvest these salmon stocks over the entire run,

as measured by the frequency of inriver restrictions. The Department shall manage the commercial drift gillnet fishery as described in this section.

(e) from August 1 - 15, [THERE ARE NO MANDATORY AREA RESTRICTIONS TO REGULAR PERIODS,]

(1) fishing during both regular 12 hour periods per week will be restricted to one or more of the following sections: (A) Expanded Kenai Section; (B) Expanded Kasilof Section;

(C) Anchor Point Section; (D) Drift Gillnet Area 1, except that if the Upper Subdistrict set gillnet fishery is closed under 5 AAC 21.310(b)(2)(C)(iii), or the department determines that less than one percent of the season's total drift gill net sockeye salmon harvest has been taken per fishing period for two consecutive fishing periods in the drift gill net fishery, regular fishing periods will be restricted to Drift Gillnet Areas 3 and 4. In this subsection, "fishing period" means a time period open to commercial fishing as measured by a 24-hour calendar day from 12:01 a.m. until 11:59 p.m.

(2) additional fishing time under this subsection is allowed only in one or more ofthe following sections; (A) Expanded Kenai Section; (B) Expanded Kasilof Section; (C) Anchor Point Section.

What is the issue you would like the board to address and why? The plan allows unnecessary drift gillnet fishing in Drift Gillnet Area 2 during the first half of August, which jeopardizes attainment of Northern District drainage salmon escapement needs and reasonable salmon harvest opportunities for other Upper Cook Inlet user groups. Looking at a map of Upper Cook Inlet that shows Drift Gillnet Area 2 and the Northern District, a person can visualize how effectively salmon can be blocked from Northern District waters by concentrated drift gillnet fishing in Area 2. Even if no drift gill netting were allowed in Area 2, individual drift gillnet permit holders would still get first harvest opportunity, in a much larger harvest area, using considerably more gear, fishing in a more mobile fashion, and with more commercial openings to harvest Northern District bound salmon compared to Northern District users.

As proven many times the drift fleet can harvest plenty of surplus Kenai River sockeye without corking off Northern District bound sockeye and coho salmon in Area 2. While addressing Northern conservation issues (Jim Creek coho salmon and stock of concern Susitna River sockeye salmon) and allowing more reasonable Northern harvest opportunity for all other user groups, this proposal also seeks to maintain drift gill netters a liberal opportunity to harvest surplus sockeye salmon during times of July and August abundance. Note: Even if the drift fleet was restricted under the 1% rule, the department could still allow the fleet to fish 7 days perweek (5 days per week in the Expanded Kenai, Expanded Kasilof, and Anchor Point Sections and 2 days per week in Drift Gillet Areas 3 and 4 during a portion of the season when sockeye salmon abundance is in decline and coho harvest makes up an increasing portion of the drift catch). Just as the importance of sockeye salmon is recognized for commercial users throughout Upper Cook Inlet, so should the importance of coho salmon, throughout Upper Cook Inlet, be recognize for sport and guided sport users in a management plan.

Considering restrictions on other user groups during August, this proposal, if adopted, would increase the likelihood of attaining Northern District escapement needs, provide more reasonable harvest opportunity for other user groups, while retaining significant drift gillnet opportunity. Such

changes would better align the plan provisions with it's stated purpose: "The purpose of this management plan is to ensure adequate escapement of salmon into the Northern District drainages and to provide management guidelines to the department. The department shall manage the commercial drift gill net fishery to minimize the harvest of Northern District and Kenai River coho salmon in order to provide sport and guided sport fishermen a reasonable opportunity to harvest these salmon stocks over the entire run, as measured by the frequency of inriver restrictions."

PROPOSED BY: Alaska Outdoor Council (EF-F16-099)
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(Proposal 94 was submitted by two proposers. The proposal and justification for each proposer is listed below.)

PROPOSAL 94 – 5 AAC 21.353. Central District Drift Gillnet Fishery Management Plan. Remove the one-percent rule, as referenced to both the set and drift gillnet fisheries, from the Drift Gillnet Management Plan, as follows:

5AAC 21.353(e) Central District Drift Gillnet Fishery Management Plan

(e) From August 1 through August 15, there are no mandatory time or area restrictions to regular fishing periods. [, EXCEPT THAT IF THE UPPER SUBDISTRICT SET GILLNET FISHERY IS CLOSED UNDER 5 AAC 21.310(B)(2)(C)(III), OR THE DEPARETMENT DETERMINES THAT LESS THAN ONE PERCENT OF THE SEASON'S TOTAL DRIFT GILLNET SOCKEYE SALMON HARVEST HAS BEEN TAKEN PER FISHING PERIOD FOR TWO CONSECUTIVE FISHING PERIODS IN THE DRIFT GILLNET FISHERY, REGULAR FISHING PERIODS WILL BE RESTRICTED TO DRIFT GILLNET AREAS 3 AND 4. IN THIS SUBSECTION, "FISHING PERIOD" MEANS A TIME PERIOD OPEN TO COMMERCIAL FISHING AS MEASURED BY A 24-HOUR CALENDAR DAY FROM 12:01 A.M. UNTIL 11:59 P.M.]

What is the issue you would like the board to address and why? 5AAC 21.353(e)

In 2014 the BOF adopted the one percent rule on the drift gillnet fishery. The adoption of the one percent rule has no scientific or biological support. It is not used statewide and was strictly an arbitrarily and capriciously implemented allocation regulation. It is a backdoor approach by some special interest groups to close the commercial fishery in the first week of August. The current regulation failed to address the lost harvest of surplus salmon stocks in August and the impossibility of managers to manage for the escapement goals. In 2015 the UCI sockeye run was the latest on record. The Kenai River sockeye escapement was over two million. The Kenai and Kasilof Rivers received twice their biological escapement goals for sockeye. All sockeye and coho escapement goals were met with many systems grossly over-escaped. The surplus salmon were not harvested by anybody. The August chum and pinks runs are virtually un-harvested. August can have pink returns in the millions, but this regulation prevents their harvest. This is not sustainable. An example of how ludicrous this regulation is: Thirty local commercial drifters are fishing the two regular weekly12 hour periods on Monday, August 3rd and again on Thursday, August 6th . The salmon escapement goals are met or exceeded for all salmon species. The coho

run is excellent and it is an even pink year with 20 million pinks predicted to return. There are no conservation concerns. The only concern is gross over-escapement. The thirty fishermen had their best fishing days on sockeye on August 3rd and 6th. Because there were only thirty of them fishing, besides the fact that they had large catches of surplus sockeye, their total combined catch was less than one percent of the entire drift fleet's combined season harvest of sockeye for two consecutive regular periods after July 31st, so by the current regulation their season is closed except for a small sliver along the west shore, 35 miles away and few fish. If they had a caught a boat load of surplus chums or pinks they would also be closed. The current regulation pretty much guarantees the drift closure and the inability to monetize the surplus salmon. The passing of the rule failed to address the lower number of fishermen participating in harvesting the salmon runs in August by both the commercial and in-river sports fishery. This lower participation level provides effective protection for escapement needs and for in-river user to have a reasonable opportunity. The lost opportunity and harvest denied to the fewer local commercial participants are significant, unnecessary and wasteful, not only to them but to the processors, workers, support businesses, communities economy and the State treasury.

The current regulation is in violation of 5AAC 39.222. Policy for the management of sustainable salmon fisheries, State fisheries policy, Article 8 of the Constitution and the Magnuson Stevens Act all of which require sustained yield and science based management.

This proposal does not limit the commissioner's use of emergency order authority under AS 16.05.060 to achieve established escapement goals for the management plans as the primary management objective.

PROPOSED BY: Central Peninsula Fish and Game Advisory Committee (EF-F16-165)

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What is the issue you would like the board to address and why? Currently, regular fishing periods in the drift gillnet fishery can be restricted to Drift Gillnet Areas 3&4 in August based on the application of what is commonly referred to as the one-percent rule. This rule states that from August 1–15, in the Upper Cook Inlet(UCI) drift gillnet fishery, if less than one percent of the season's total drift gillnet sockeye salmon harvest has been taken per fishing period for two consecutive periods, regular fishing periods are to be restricted to Drift Areas 3&4. The drift gillnet one-percent restriction was first adopted into regulation in 2014 and is found in 5 AAC 21.353(e) *Central District Drift Gillnet Fishery Management Plan*. Additionally, if the Upper Subdistrict set gillnet fishery is closed in August under its own version of the one-percent rule, regular periods in the drift gillnet fishery are to be restricted to Drift Areas 3&4.

Because the current regulation fails to take into account the decrease in participation in the drift fishery in August or variances in run timing, it can result in a significant loss of harvest opportunity for those fishermen that remain active in the fishery. The 2015 UCI sockeye salmon run was the latest on record with the midpoint of the run occurring on July 25th.

The Kenai River late-run sockeye have exceeded the inriver goal for 7 of the last 10 years and the Kasilof River sockeye have exceeded the BEG for 9 of the last 10 years. Regarding concerns for

northern bound coho salmon, the Little Susitna River coho salmon escapement goal has been met or exceeded in 21 out of 26 years (81%) since 1990, even with an active drift gillnet fishery in August. See Table 1 below.

Both Kenai River and northern Cook Inlet coho salmon are afforded protection by the decreased participation in August in the Central District drift fishery. The one-percent rule needlessly prevents drift gillnet fishermen from harvesting surplus sockeye salmon in August. Coho salmon escapement goals have been met or exceeded in the Little Susitna River over 80% of the time, even when the drift fishery was allowed full participation in August. Therefore, in order to provide for a reasonable opportunity to harvest surplus sockeye salmon, this proposal seeks to remove the one percent rules that can unnecessarily restrict drift fishing in August. This proposal does not affect the ability of ADF&G to use its emergency order authority to restrict or close drift gillnetting in those years when coho salmon runs are weak.

Table 1. Little Susitna River coho salmon escapement, 1988-2015

Year	Sport	Sport	Weir	Escapement Goal		Goal	Exceeded	Amount
	Catch	Harvest*	Count	Lower	Upper	Met/Missed/	Amount	below goal
						Exceeded		
1988		28,647	21,437					
1989 [1]		24,726	15,855					
1990		9,739	15,511	7,500		Exceeded	8,011	
1991		24,149	39,241	7,500		Exceeded	31,741	
1992		23,439	21,182	7,500		Exceeded	13,682	
1993		35,313	34,822	7,500		Exceeded	27,322	
1994		23,830	28,948	7,500		Exceeded	21,448	
1995 [2]		17,442	12,266	7,500		Exceeded	4,766	
1996 [3]	22,996	20,171	15,803	7,500		Exceeded	8,303	
1997	11,560	7,756	9,894	7,500		Exceeded	2,394	
1998	18,621	14,469	15,159	7,500		Exceeded	7,659	
1999	11,990	8,864	3,017	9,600	19,200	Missed		6,583
2000	31,517	20,357	15,436	9,600	19,200	Met		
2001	24,636	17,071	30,587	9,600	19,200	Exceeded	11,387	
2002	30,582	19,278	47,938	10,100	17,700	Exceeded	30,238	
2003	21,649	13,672	10,877	10,100	17,700	Met		
2004	24,981	15,307	40,199	10,100	17,700	Met	22,499	
2005	13,447	10,203	16,839	10,100	17,700	Exceeded		
2006 [4]	20,558	12,399	8,786	10,100	17,700	Met		
2007	14,895	11,089	17,573	10,100	17,700	Met		
2008	18,618	13,498	18,485	10,100	17,700	Exceeded	785	
2009	11,283	8,346	9,523	10,100	17,700	Missed		577
2010	12,811	10,662	9,214	10,100	17,700	Missed		886
2011	3,835	2,452	4,826	10,100	17,700	Missed		5,274
2012 [5]	2,114	1,681	6,779	10,100	17,700	Missed		3,321
2013	6,670	5,229	13,583	10,100	17,700	Met		
2014	8,663	6,922	24,211	10,100	17,700	Exceeded	6,511	
2015			12,421	10,100	17,700	Met		
							196,746	16,641

* Sport "harvest" averages about 70% of sport "catch".

[1] Exxon oil spill year, no drift gillnetting in Cook Inlet.

[2] Hatchery stocking program ended (began in 1982)

[3] The weir was moved from river mile 32.5 to river mile 71

[4] Weir washed out, escapement goal is believed to have been met or exceeded

[5] The weir was moved back to river mile 32.5

PROPOSED BY: United Cook Inlet Drift Association (HQ-F16-003)

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PROPOSAL 95 – 5 AAC 21.353. Central District Drift Gillnet Fishery Management Plan. Restrict commercial drift gillnet fishery to the Expanded Corridors and Drift Gillnet Area 1 from August 1–15, as follows:

Amend the Central District Drift Gillnet Fishery Management Plan as follows:

(e) from August 1 -15, [THERE ARE NO MANDATORY AREA RESTRICTIONS TO REGULAR PERIODS,]

(1) fishing during both regular 12 hour periods per week will be restricted to one of more of the following sections: (A) Expanded Kenai Section; (B) Expanded Kasilof Section; (C) Anchor Point Section; (D) Drift Gillnet Area 1, except that if the Upper Subdistrict set gillnet fishery is closed under 5 AAC 21.310(b)(2)(C)(iiii), or the department determines that less than one percent of the season's total drift gillnet sockeye salmon harvest has been taken per fishing period for two consecutive fishing periods in the drift gill net fishery, regular fishing periods will be restricted to Drift Gillnet Area [S 3 AND] 4. In this subsection, "fishing period" means a time period open to commercial fishing [as measured by a 24-hour calendar day from 12:01 a.m. to 11:59 p.m.] **of 12 hours during a calendar day.**

(2) additional fishing time under this subsection is allowed only in one or more of the following sections; (A) Expanded Kenai Section; (B) Expanded Kasilof Section; (C) Anchor Point.

What is the issue you would like the board to address and why? While changes to the drift management plan adopted by the board in 2014 have proven more effective in increasing escapements of Northern District drainage salmon stocks during July and providing more reasonable harvest opportunities for Northern District user groups during July, management during 2015 proved the plan inadequate in continuing those benefits throughout August. As currently configured the plan allows excessive amounts of drift gillnet fishing during the first half of August which jeopardizes both attainment of Northern District drainage salmon escapement needs and reasonable salmon harvest opportunities for Northern District and Northern District drainage user groups. Therefore, to address Northern conservation concerns and to allow more reasonable Northern harvest opportunity for other user groups, this proposal seeks to amend the drift management plan in a manner that still maintains drift gillnetters an extremely liberal opportunity to harvest surplus sockeye salmon during times of August abundance. Note: under this proposal even if the drift fishery was restricted under the 1% rule, ADF&G could still allow the fleet to fish 7 days per week (5 days per week in the Expanded Kenai, Expanded Kasilof, and Anchor Point Sections and 2 days per week in Drift Gillet Area

4 during a portion of the season when sockeye salmon abundance is in decline). Considering restrictions on other user groups during the August 1-31 timeframe, this proposal, if adopted, should increase the likelihood of attaining minimum Northern District escapement needs, provide more reasonable harvest opportunity for Northern and other user groups, while retaining significant drift gillnet harvest opportunity during August.

PROPOSED BY: Alaska Sport Fishing Association (HQ-F16-001)

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PROPOSAL 96 – 5 AAC 21.353. Central District Drift Gillnet Fishery Management Plan. Allow commercial fishing with drift gillnets in all waters of the Central District, except the Kenai and Kasilof Sections, from August 16 until closed by emergency order, as follows:

5 AAC 21.353 Central District Drift Gillnet Fishery Management Plan

(f) From August 16 until closed by emergency order, [DRIFT GILLNET AREAS 3 AND 4 ARE OPEN FOR FISHING DURING REGULAR FISHING PERIODS.]**,** drift gillnetting will be open in all waters of the Central District, except in the Kenai and Kasilof sections, from 7:00 a.m. Monday until 7:00 p.m. Monday, and from 7:00 a.m. Thursday until 7:00 p.m. Thursday.

What is the issue you would like the board to address and why? The Upper Cook Inlet Salmon Management Plan (5 AAC 21.363 (a) (1)) states that the harvest of UCI salmon should be allowed in order to maximize the benefits of these resources. The current Central District drift gillnet management plan is too restrictive and does not allow ADF&G the tools it needs in order to harvest surplus Kenai and Kasilof river sockeye salmon stocks. An overly restrictive drift gillnet management plan can therefore result in over escapement of these stocks, which it has in two out of two years for both Kenai and Kasilof river sockeye salmon since the plan was modified in 2014. As ADF&G has shown in previous reports to the board, escapements above goals, and especially consecutive years of escapements above goals, results in an immediate yield loss to all harvesters in the year of the over-escapement, and it also poses unwarranted risks to these stocks through lower yields in the future.

In the current drift gillnet management plan, drifters are restricted to Drift Areas 3 & 4 on or before August 16. There is no significant reason to move the drift gillnet fleet out of the middle of the Central District after August 15. In previous reports to the board, ADF&G has shown that drifters are a very minor harvester of Kenai and Kasilof river coho salmon. That said, in order to provide additional protection to these stocks, this proposal seeks to allow drifting in the Central District, except for the Kenai and Kasilof Sections, for regular 12-hour fishing periods only after August 15. This would allow for additional harvest of Kenai and Kasilof sockeye salmon stocks while not posing threats to east-side coho salmon stocks or to northern bound coho salmon stocks, which are

largely done with their migration through the Central District by this time of year. It would provide those drifters who wish to fish later in the season with additional economic opportunities, and it could help ADF&G with the issue of continued over-escapement of sockeye salmon in both the Kenai and Kasilof rivers.

PROPOSED BY: David Hillstrand (EF-F16-041)

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PROPOSAL 97 – 5 AAC 21.353. Central District Drift Gillnet Fishery Management Plan and 21.310. Fishing Seasons. Repeal the drift and set gillnet one-percent rules that apply to from August 1–15, as follows:

What is the issue you would like the board to address and why? 1 % Rule – drift and set net.

A large harvestable surplus is wasted, early closures and late returns equal wasted harvestable surplus.

Repeal the 1% Rule

PROPOSED BY: John McCombs (HQ-F16-088)

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PROPOSAL 98 – 5 AAC 21.353. **Central District Drift Gillnet Fishery Management Plan.** Reduce sport fishery bag limit for coho salmon on the west side of Cook Inlet and close drift gillnet fishing in Areas 3 and 4 for remainder of season if coho salmon sport fishing is restricted or closed in the Little Susitna River, as follows:

5 AAC 21.353. CENTRAL DISTRICT DRIFT GILLNET FISHERY MANAGEMENT PLAN.

(a) The purpose of this management plan is to ensure adequate escapement of salmon into the Northern District drainages and to provide management guidelines to the department. The department shall manage the commercial drift gillnet fishery to minimize the harvest of **[Northern District and Kenai River]** coho salmon in order to provide sport and guided sport fishermen a reasonable opportunity to harvest these salmon stocks over the entire run, as measured by the frequency of inriver restrictions. The department shall manage the Central District commercial drift gillnet fishery as follows:

(1) weekly fishing periods are as described in 5 AAC 21.320(b);

(2) the fishing season will open the third Monday in June or June 19, whichever is later, and

(A) from July 9 through July 15,

(i) fishing during the first regular fishing period is restricted to the Expanded Kenai and Expanded Kasilof Sections; additional fishing time is allowed only in the Expanded Kenai and Expanded Kasilof Sections of the Upper Subdistrict;

(ii) fishing during the second regular fishing period is restricted to the Kenai and Kasilof Sections of the Upper Subdistrict and Drift Gillnet Area 1;

(iii) at run strengths greater than 2,300,000 sockeye salmon to the Kenai River, the commissioner may, by emergency order, open one additional 12-hour fishing period in the Kenai and Kasilof Sections of the Upper Subdistrict and Drift Gillnet Area 1;

(B) from July 16 through July 31,

(i) at run strengths of less than 2,300,000 sockeye salmon to the Kenai River, fishing during one regular 12-hour fishing period will be restricted to the Expanded Kenai and Expanded Kasilof Sections of the Upper Subdistrict;

(ii) at run strengths of 2,300,000 to 4,600,000 sockeye salmon to the Kenai River, fishing during one regular 12-hour fishing period per week will be restricted to either or both the Expanded Kenai and Expanded Kasilof Sections of the Upper Subdistrict or Drift Gillnet Area 1;

(iii) at run strengths greater than 4,600,000 sockeye salmon to the Kenai River, there will be no mandatory restrictions during regular fishing periods;

(C) from August 16 until closed by emergency order, Drift Gillnet Areas 3 and 4 are open for fishing during regular fishing periods;

(D) from August 11 through August 15, there are no mandatory area restrictions to regular periods, except that if the Upper Subdistrict set gillnet fishery is closed under 5 AAC

(E) if coho salmon sport fishing is restricted or closed in the Little Susutna River

(i) All coho fisheries on the west side of Cook Inlet shall have a reduced bag limit from three coho to two coho.

(ii) All drift gillnet fishing in Areas 3 and 4 shall close for remainder of the season. 21.310(b)(2)(C)(iii), regular fishing periods will be restricted to Drift Gillnet Areas 3 and 4.

(b) For the purposes of this section,

(1) "Drift Gillnet Area 1" means those waters of the Central District south of Kalgin Island at 60° 20.43' N. lat.;

(2) "Drift Gillnet Area 2" means those waters of the Central District enclosed by a line from 60° 20.43' N. lat., 151° 54.83' W. long. to a point at 60° 41.08' N. lat., 151° 39.00' W. long. to a point at 60° 41.08' N. lat., 151° 24.00' W. long. to a point at 60° 27.10' N. lat., 151° 25.70' W. long. to a point at 60° 20.43' N. lat., 151° 28.55' W. long.;

(3) "Drift Gillnet Area 3" means those waters of the Central District within one mile COOK INLET AREA 103 of mean lower low water (zero tide) south of a point on the West Foreland at 60° 42.70' N. lat., 151° 42.30' W. long. ;

(4) "Drift Gillnet Area 4" means those waters of the Central District enclosed by a line from 60° 04.70' N. lat., 152° 34.74' W. long. to the Kalgin Buoy at 60° 04.70' N. lat., 152° 09.90' W. long. to a point at 59° 46.15' N. lat., 152° 18.62' W. long. to a point on the western shore at 59° 46.15' N. lat., 153° 00.20' W. long., not including the waters of the Chinitna Bay Subdistrict.

(c) The commissioner may depart from the provisions of the management plan under this section as provided in 5 AAC 21.363(e).

What is the issue you would like the board to address and why? Coho salmon stocks on the west side of Cook Inlet (Area's 3 and 4) are being over exploited by commercial drift gillnets after August 11. Management of coho salmon on the west side of Cook Inlet should be managed for a sportfish priority as is the Northern District and Kenai River.

The Alaska Department of Fish and Game has failed to identify an adequate coho escapement goal for any west side Cook Inlet streams. Sportfish participation has increased dramatically in the last decade and these systems cannot continue to support commercial harvest without threatening sustainability

PROPOSED BY: Mark Glassmaker (EF-F16-038)

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PROPOSAL 99 – 5 AAC 21.365. Kasilof River Salmon Management Plan. Amend management plan to remove all restrictions and manage the commercial set gillnet fishery to harvest surplus Kasilof River sockeye salmon, as follows:

5 AAC 21.365. Kasilof River Salmon Management Plan (a) This management plan governs the harvest of Kasilof River salmon excess to spawning escapement needs. It is the intent of the Board of Fisheries that Kasilof River salmon be harvested in the fisheries that have historically harvested them, including the methods, means, times, and locations of those fisheries. Openings in the areas historically fished must be consistent with escapement objectives for upper Cook Inlet salmon and with the Upper Cook Inlet Salmon Management Plan (5 AAC 21.363).

…

(c) The commercial set gillnet fishery in the Kasilof Section shall be managed as follows:

(1) fishing will be opened as described in 5 AAC 2l.310(b)(2) for regular weekly fishing periods, as specified in 5 AAC 21.320;

…

(3) beginning July 8, in the set gillnet fishery in the Kasilof Section, the commissioner may, by emergency order, limit fishing during the regular weekly periods and any extra fishing periods to those waters within one-half mile of shore, if the set gillnet fishery in the Kenai and East Forelands Sections are not open for the fishing period

(d) The personal use fishery will be managed as specified in 5 AAC 77.540(b) and (c).

(f) After July 24 the commissioner may, by emergency order, open the Kasilof River Special Harvest Area (KRSHA) to the taking of salmon by gillnets when it is projected that the Kasilof River sockeye salmon escapement will exceed 365,000 fish. It is the intent of the Board of Fisheries (board) that the KRSHA should rarely, if ever, be opened under this subsection and only for conservation reasons. Before the commissioner opens the KRSHA, it is the board's intent that additional fishing time be allowed in the remainder of the Kasilof Section. The Kasilof River Special Harvest Area is defined as those waters within one and one-half miles of the navigational light located on the south bank of the Kasilof River, excluding waters of the Kasilof River upstream of ADF&G regulatory markers located near the terminus of the river and waters open to set gillnetting under 5 AAC 21.330(b)(3)(C)(ii) and (iii). The following apply within the special harvest area when it is open:

(1) set gillnets may be operated only within 1,800 feet of the mean high tide mark;

(2) a set gillnet may not exceed 35 fathoms in length;

(3) drift gillnets may not be operated in waters within 1,800 feet of the mean high tide mark;

(4) no more than 50 fathoms of drift gillnet may be used to take salmon;

(5) a permit holder may not use more than one gillnet to take salmon at any time;

(6) a person may not operate a gillnet outside the special harvest area when operating a gillnet in the special harvest area;

(7) there is no minimum distance between gear, except that a gillnet may not be set or operated within 600 feet of a set gillnet located outside of the special harvest area; and

(8) a vessel may not have more than 200 fathoms of drift gillnet or 105 fathoms of set gillnet on board.

(g) The commissioner may depart from the provisions of the management plan under this section as provided in 5 AAC 21.363(e).

(h) For the purposes of this section, "week" means a calendar week, a period of seven consecutive days beginning at 12:01 a.m. Sunday and ending at 12:00 midnight the following Saturday.

What is the issue you would like the board to address and why? This plan is far too complex and has many unnecessary restrictions and conflicting objectives. Since managing for the **escapement goal is all that is necessary and puts the health of the fish above all else**, the remainder of the language is arbitrary and unnecessary and preventing the department from achieving the proper escapement level. The hourly limitations in the set gillnet fishery are unnecessary since the department is going to manage for the same escapement goal regardless, which is what 5 AAC 21.363 (e) directs them to do anyway. Additionally the Supreme Court just ruled that once the season starts the department should ignore the plans and manage for the escapement goals for all stocks. Windows or mandatory closed periods are not only unnecessary, they lead to huge over escapements which are likely unconstitutional and contrary to the Boards mandate to conserve and develop. This plan will work much better if you allow the department to do their job with minimal guidelines. Since 2008 when 21.363 (e) was added to prevent overescapements in the Kasilof River they have continued. This has lead to gross unharvested surpluses and a waste of millions of sockeye as well as other stocks like pink salmon all for no real benefit. The board does not have the authority to continue to waste these fish under the guise of "Conservation and development".

PROPOSED BY: Debra Blossom (HQ-F16-110)

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PROPOSAL 100 – 5 AAC 21.310. Fishing seasons. Open the commercial set gillnet fishery in the Kasilof Section as early as June 20 if the department estimates 50,000 sockeye salmon will be in the Kasilof River before June 25, as follows:

Amend (b)(2)(C)(i): If the department estimates that 50,000 sockeye salmon are in the Kasilof River before June 25, but on or after June 20, the commissioner **shall** [MAY] immediately, by emergency order, open the fishery…

What is the issue you would like the board to address and why? If the department estimates that 50,000 sockeye salmon are in the Kasilof River before June 25, but on or after June 20 the commissioner may immediately, by emergency order, open the fishery.

However somehow conflict between department divisions has occurred and stalls the implementation. Including not "immediately" implementing opening somehow over Kenai early-

run king salmon when 0 or perhaps 2 would be caught but cause historical sockeye escapement rates before July 8 and increased the likelihood that the department will not manage within the BEG range based on run timing and run strength.

PROPOSED BY: Jeff Beaudoin (HQ-F16-093)

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PROPOSAL 101 – 5 AAC 21.365. Kasilof River Salmon Management Plan. Allow commercial fishing with set gillnets within 600 feet of shore in the Kasilof Section, with fishing time occurring 600 feet or less offshore not subject to the hourly restrictions in the *Kenai River Late-Run Sockeye Salmon Management Plan*, as follows:

5 AAC 21.365 (c) (3) ...If the commissioner determines that further restrictions are necessary to aid in achieving the lower end of the Kenai River **late run sockeye and king salmon** escapement goal**(s)**, the commissioner may, in an emergency order under this paragraph, further restrict fishing to within 600 ft of the **mean** high tide mark in the Kasilof section[;]**(.) Hours allowed under this provision will not be subject to the restrictions in 5 AAC 21.359 (e) (3) (A) and will be adhere to the requirements in (f) of this section.**

What is the issue you would like the board to address and why? Under the restrictions mandated in 5 AAC 21.359 (e) (3) (A) the use of the 600ft area in lieu of the KRSHA terminal area would appear to be outside of the policies and directives in the Kasilof River Salmon Management Plan. We believe that the 600ft zone should be part of the KRSHA plan and that the hours used should not be counted against the hourly restrictions in place for the entire ESSN fishery. If used on a regular basis, control of the escapement of Kasilof bound sockeye could be of considerable benefit to escapement goals and objectives without violating policies described in (a) of this regulation. ...It is the intent of the Board of Fisheries that the Kasilof River salmon be harvested in the fisheries that have historically harvested them, including the methods, means, times, and locations of those fisheries. ...Further use of the Kasilof Terminal area has created a "new" fishery where 10% of the participants harvest 90% of the sockeye. These few have established locations on the boundaries that are nets tied together, end to end, all the way out to the 1200 ft limit. Strong armed tactics, intimidation and outright piracy keep these locations in but a few hands. The 600 ft limit offers the traditional fishers to operate from their headquarter sites. Very few Kenai bound kings were caught when this concept was utilized in 2015 yet many Kasilof bound sockeyes were harvested.

PROPOSED BY: Paul Shadura, spokesperson for South K-Beach Independent Fishermen's Association (SOKI) (EF-F16-167)

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PROPOSAL 102 – 5 AAC 21.365. Kasilof River Salmon Management Plan. Amend management plan to allow commercial fishing with set gillnet gear in the Kasilof Section within one-half mile of shore and eliminate the provision allowing commercial fishing with set gillnet gear only within 600 feet of shore in the Kasilof Section, as follows:

Amend and delete (c) (3) after ["if the commissioner determines that further restrictions are necessary to aid in achieving the lower end of the Kenai River escapement goal, the commissioner may, in an emergency order under this paragraph, further restrict fishing to within 600 feet of the high tide mark in the Kasilof Section.]

Amend (c) (4) that if the KRSHA opens, it shall be in conjunction with opening at the least one-half mile from shore in the Kasilof Section.

What is the issue you would like the board to address and why? The issue is the 600 ft. opening provision in the Kasilof plan. Direct EO abuse and use of the 600 ft provision that was outside the intent of the Board over one-half mile openings in the Kasilof Section.

The provision in the current plan is attached to a management objective, the commissioner can open to 600 ft and further restrict area waters normally open in order to meet the minimum Kenai late-run sockeye goal if necessary.

However, the Commissioner's EO were repeatedly used to "reduce Kasilof River sockeye escapements." Including, one opening to within 600 ft. to reduce both Kasilof River sockeye escapement and conserve Kenai late-run king salmon when the Department projected the Kenai late-run king salmon in-river goal was well over 22,500 fish during the EO order dated July 21, 2015 and when the in-river run projection was above 28,800 fish

In fact, the one half-mile opening caught six times the number of sockeye and less Kenai late-run king salmon. In fact, the Kasilof escapement goal was exceeded and repeatedly occurred over the last 5 years. Clearly, in the past the Department only utilized one-half mile openings and consistent with the BOF intent within the KRSHA states: Before the commissioner opens the KRSHA, it is the Boards intent that additional fishing time be allowed in the remainder of the Kasilof Section first"….

And, clearly under (c) (4) after July 8, if the Kasilof Section set gillnet fishery is restricted to within first one-half mile of shore, the commissioner may open the KRSHA… However this directive was abused as an EO half-mile opening occurred well after the KRSHA being opened.

PROPOSED BY: Dan Ducker (HQ-F16-100)

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<u>PROPOSAL 103</u> – 5 AAC 21.365. Kasilof River Salmon Management Plan. Add a 24-hour no fishing window on Tuesday in the Kasilof Section through July 7 and adopt mandatory no fishing windows in the Kasilof River Special Harvest Area after July 7, as follows:

Provide adequate protection of Kasilof king escapement by increased use of no-fishing windows in the Kasilof area set gillnet fishery:

a. Through July 7, bolster windows protection in Kasilof salmon management plan adding a fixed 24 hr. on Tuesday (in addition to the current 36 hour window at the end of the week).

b. After July 7, adopt mandatory windows for the Kasilof River Special Harvest Area the same as those found in the Kenai River late-run sockeye management plan.

What is the issue you would like the board to address and why? Current plans do not provide adequate protection for Kasilof late-run kings particularly during years of large Kasilof sockeye returns. Precautionary king protection measures are necessary in the absence of escapement monitoring and goals for the Kasilof River.

Recent research and genetic analysis of east side set net harvest has shown that the Kasilof River supports a substantial population of late-run king salmon. King populations throughout UCI are suffering from a period of record low returns. Current management fails to protect escapement of Kasilof late-run kings because run strength is not assessed and escapement goals have not been identified.

After July 7 the "windows" provisions of the Kenai River Late-Run Sockeye Salmon Management Plan apply to the Kasilof section and provide significant protection to both Kenai and Kasilof kings. However, windows protections are reduced between June 25 and July 7 when the set net fishery in the Kasilof section is regulated by the Kasilof River Salmon Management Plan. After July 7, Kenai plan windows do not currently apply to the Kasilof River Special Harvest Area which is being fished intensively in recent years. Harvest of Kasilof kings in the KRSHA counteracts benefits of district-wide limitations on set net fishing time.

PROPOSED BY: Kenai River Sportfishing Association (HQ-F16-072)

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<u>PROPOSAL 104</u> – 5 AAC 21.365. Kasilof River Salmon Management Plan. Reduce the closed fishing period or "window" and increase additional fishing time with set gillnet gear in the Kasilof Section prior to July 9, as follows:

1/ Reduce the closed fishery period from 36 hours (Friday window) to a minimum 24 hours prior to July 9th and increase the allowable EO fishing time from 48 to 63 hours. 'This would provide the department the ability to manage for the Kasilof River sockeye salmon BEG prior to Kenai River sockeye salmon stocks entering the fishery.'

2/ 'Beginning July 9, the set gillnet fishery in the Kasilof Section is managed in concert with the Kenai ad East Forelands sections. The date of July 9 may be too early to manage the Kasilof River sockeye salmon stock based on Kenai River sockeye salmon run strength. Begin managing the Kasilof River in concert with the Kenai and East Forelands sections July 15th instead of July 9. This would provide additional time to harvest Kasilof River sockeye salmon prior to the arrival of the majority of the Kenai River sockeye salmon entering the fishery.'

3/ 'Provide an additional 24 hours of fishing time within one-half mile in the Kasilof Section after July 8. Currently, after July 15th, if the department determines that the Kenai River late-run sockeye salmon run strength is less than 2,300,000 and the 390,000 optimal escapement goal for the Kasilof River sockeye salmon may be exceeded, the commissioner may, by emergency order, open fishing for an additional 24 hours per week in the Kasilof Section within one-half mile of

shore and as specified in 5 AAC 21.360 (c). Note: "this date and the additional time may not be sufficient to harvest Kasilof sockeye."

What is the issue you would like the board to address and why? The KRSHA and Kasilof escapement. It is in conflict with the BOF intent to harvest salmon in fisheries that have historically harvested them) including the methods, means, times, and locations of those fisheries.

Created fisheries conflicts, quality of the resource lowered, and lowers the economic benefit (ex-vessel price) within the fisheries.

"Fishing time allocated in the current management plan prior to July 9 is not sufficient to harvest excess fish (two regular periods plus up to 48 hours of additional EO time. The window closure has been problematic during that period of time large passage rates have occurred. These two factors have kept the department from being able to manage for the escapement goal."

PROPOSED BY: Mark Ducker (HQ-F16-101)
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PROPOSAL 105 – 5 AAC 21.365. Kasilof River Salmon Management Plan. Allow commercial fishing with set gillnet gear in the North Kalifonsky Beach statistical area (NKB - stat area 244-32) when the upper end of the Kasilof sockeye salmon escapement goal range is projected to be exceeded, as follows:

Direct the department to allow fishing in the N-K-Beach stat area when the department projects the Kasilof red salmon may exceed the upper limit and the need for extra fishing time to harvest the abundance is needed.

This may happen as early as June 25th. Net restrictions, shore nets,1/4 mile, 1/2 mile, and even 4 3/4 inch or smaller web could be required during the extra time to target Kasilof reds.

What is the issue you would like the board to address and why?

Allow and direct the department to manage by stat-area when needed.

Example: When the department projects that the Kasilof red escapement will exceed the upper escapement limit.

Extra fishing time has been allowed from Blanchard Line and south.

Which includes:

Ninilchick (stat-area 244-21) , Coho (stat-area 244-22), and South K-Beach (stat-area 244-31).

The department is opening drift and set net areas 10, 15, 20, and 25 miles south of the Kasilof River.

Instead of leaving out North K-Beach (stat-area 244-32) which is located 4 to 9 miles north of the Kasilof River. It makes sense to include North-K-Beach to harvest the abundance due to it's close proximity to the Kasilof.

PROPOSED BY: Chris Every (EF-F16-109)
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PROPOSAL 106 - 5 AAC 21.365. Kasilof River Salmon Management Plan. Replace the optimum escapement goal with the sustainable escapement goal for Kasilof River sockeye salmon, as follows:

5 AAC 21.365. Kasilof River Sockeye Salmon Management Plan. 5 AAC 21.365. Kasilof River Salmon Management Plan

(a) This management plan governs the harvest of Kasilof River salmon excess to spawning escapement needs of **160,000 to 340,000 sockeye.** It is the intent of the Board of Fisheries that Kasilof River salmon be harvested in the fisheries that have historically harvested them, including the methods, means, times, and locations of those fisheries. Openings in the areas historically fished must be consistent with escapement objectives for upper Cook Inlet salmon and with the Upper Cook Inlet Salmon Management Plan (5 AAC 21.363).

[(b) ACHIEVING THE LOWER END OF THE KENAI RIVER SOCKEYE SALMON ESCAPEMENT GOAL SHALL TAKE PRIORITY OVER NOT EXCEEDING THE UPPER END OF THE KASILOF RIVER OPTIMAL ESCAPEMENT GOAL RANGE OF 160,000 - 390,000 SOCKEYE SALMON.]

What is the issue you would like the board to address and why? Repeal the Kasilof River sockeye Optimum Escapement Goal (OEG)

The purpose of a salmon escapement goal is to both ensure sustainability and maximize the yield or harvest. State policy requires that escapement goals must be scientifically defensible.

Escapement goals should be established utilizing the best biological information and empirical data relating to production capacity and carrying capacity. Escapement goals should be periodically reviewed and adjusted to compensate for changing ecological factors. When escapement goals are exceeded or escapement goals are set too high, salmon populations are put at risk by exceeding the carrying capacity of the habitat. *"Over-escapement, in general, is not sustainable... "*ADF&G (SP No. 07-17). Repeated escapements over the top end of a BEG or SEG are not sustainable. Escapements that are too large will produce oscillating returns, low return per spawner rates and other density-dependent effects. The extreme variability of returns on large escapements puts at risk both the sustainability of future runs and the economies that are built around the harvest of these salmon stocks.

The "biological escapement goal," or "BEG," is the gold standard. This describes the escapement level that provides the greatest potential for "maximum sustained yield," or "MSY", which means the greatest average annual yield (harvest) from a salmon stock.

The most recent ADF&G escapement goal review (FMS 13-13) for Cook Inlet recommended a

biological escapement goal (BEG) of 160,000-340,000 sockeye for the Kasilof River just as it had in 20011 and 2008. In 2008 the Board voted (4 to 3) not have an OEG for the Kasilof River yet the department added the OEG of 390 without the board's approval. Another recent ADF&G review (FMS14-06) of a method commonly used (140 of 300 goals) throughout Alaska to establish an SEG determined that the upper end of many escapement goal ranges were in fact, unsustainable. The report stated that *"SEGs based on the current Percentile Approach, especially the upper bounds, may actually be unsustainable in that they may specify a spawning escapement that is close to or exceeds the carrying capacity of the stock where there is the expectation of no sustainable yields.* "The OEG for the Kasilof River was not established by using the Percentile Approach but the report documents the risks in exceeding that level of escapement.

The "Optimum Escapement Goal," or "OEG," for Kasilof River sockeye exceeds the BEG. The Kasilof River OEG is incompatible with the findings of both of the latest ADF&G escapement goal reviews; it was never approved by the Board and should be repealed.

PROPOSED BY: Earl C. Young (HQ-F16-115)
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PROPOSAL 107 – 5 AAC 21.365. Kasilof River Salmon Management Plan. Replace the optimum escapement goal with a sustainable escapement goal for Kasilof River sockeye salmon, as follows:

5AAC 21.365. Kasilof River Salmon Management Plan. (a) This management plan governs the harvest of Kasilof River salmon excess to spawning escapement needs. It is the intent of the Board of Fisheries that Kasilof River salmon be harvested in the fisheries that have historically harvested them, including the methods, means, times, and locations of those fisheries. Openings in the areas historically fished must be consistent with escapement objectives for upper Cook Inlet salmon and with the Upper Cook Inlet Salmon Management Plan (5AAC 21.363).
(b) Achieving the lower end of the Kenai River sockeye salmon escapement goal shall take priority over not exceeding the upper end of the Kasilof River **sustainable escapement goal of 160,000 – 340,000** [OPTIMAL ESCAPEMENT GOAL OF 160,000 – 390,000] sockeye salmon.

What is the issue you would like the board to address and why? Repeal the Kasilof River Optimum Escapement Goal OEG

The Kasilof River OEG of 160,000 - 390,000 is not scientifically defendable and annually puts escapement into the Kasilof River that is more than double the biological escapement goal. The OEG is extreme and is being used as a method to restrict commercial fishing and allocate more sockeye into the river, that will not be utilized by anyone and will jeopardize future returns. There are numerous studies that document over escapement as not beneficial to the resource, habitat or users. World renowned sockeye salmon expert University of British Columbia professor emeritus Carl Walters states that severely restricting salmon fishing to put more spawners on the grounds did not produce more fish and only cost fishermen money. Walters points out that adding more spawners above an intermediate level does not create more fish. Adding extra spawners are not producing any more salmon and adding more spawners isn't adding more value to anybody. He states that consistently putting too many spawners into a system is bad for the fish. This is exactly

what the OEG is doing to the Kasilof River. The OEG is contrary to Alaska's Constitution, Alaska's laws, statutory conservation mandates, the Magnuson Stevens Act (MSA) and the Sustainable Salmon fisheries policy 5AAC 39.222 especially (a)(2) formulate fishery management plans designed to achieve maximum or optimum salmon production, and (c)(2)(B) salmon escapement goals should be established in a manner consistent with sustained yield: unless otherwise directed, the department will manage Alaska's salmon fisheries, to the extent possible, for maximum sustained yield; and (c)(3)(P).the best available scientific information on the status of salmon populations and the condition of the salmon's habitats should be routinely updated and subjected to peer review. The OEG must be repealed!

PROPOSED BY: Central Peninsula Advisory Committee (EF-F16-152)

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PROPOSAL 108 – 5 AAC 21.365. Kasilof River Salmon Management Plan. Replace the optimum escapement goal with the current biological escapement goal for Kasilof River sockeye salmon, as follows:

Amend (b) Achieving the lower end of the Kenai River sockeye salmon escapement goal shall take priority over not exceeding the upper end of the Kasilof River **BEG goal of 160,000 –340,000 sockeye salmon** [optimal escapement goal 160,000 – 390,000 sockeye salmon]

What is the issue you would like the board to address and why? The OEG was not passed by the BOF during the 2011 meeting. In fact, Chairman Morris stated on the record "we are not going there" when RC 213 was brought to the record due to the fact that the BEG goal was changed from 150,000 – 250,000 to 160,000 – 340,0000 sockeye salmon. 90,000 sockeye difference within the new goal range and well above the former OEG of 50,000 fish.

This proposal is essentially a housekeeping proposal.

PROPOSED BY: Jeff Beaudoin (HQ-F16-097)

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PROPOSAL 109 – 5 AAC 21.365. Kasilof River Salmon Management Plan. Provide clarification on the use of gear in the Kasilof River Special Harvest Area (KRSHA) for individuals who hold two Cook Inlet set gillnet Commercial Fisheries Entry Commission (CFEC) limited entry permits, as follows:

5 AAC 21.365(f)(5) may be amended to read:

(5) a permit holder may not use more than one **set** gillnet **per permit** to take salmon at any one time;

Or
(5) a permit holder may not use more than one **set** gillnet **per person** to take salmon at any one time;

What is the issue you would like the board to address and why? This proposal seeks clarification on the use of gear in the KRSHA for individuals who hold two Cook Inlet set gillnet CFEC permits. According to provisions found in 5 AAC 21.331. *Gillnet specifications and operations*, a CFEC permit holder who holds two Cook Inlet set gillnet CFEC permits may operate up to 210 fathoms of set gillnet gear. However, the KRSHA language found in 5 AAC 21.365(f)(5) currently reads "a permit holder may not use more than one gillnet to take salmon at any one time." This language is somewhat ambiguous regarding permit holders who hold two Cook Inlet set gillnet CFEC permits. The Alaska Department of Fish and Game seeks board clarification as to whether an individual who owns two set gillnet permits may fish only one net in the KRSHA, or if they are allowed to fish one net per permit, which would be up to two nets, when fishing in the KRSHA.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F16-152)
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PROPOSAL 110 – 5 AAC 21.365. Kasilof River Salmon Management Plan. Allow a Commercial Fisheries Entry Commission limited entry permit holder to commercial fish in the Kasilof River Special Harvest Area with one gillnet per limited entry permit held, as follows:

5AAC 21 3.65(f) would be amended to read:
(5) a permit holder may not use more than one gillnet **per permit** to take salmon at any one time.
What is the issue you would like the board to address and why? In 1986 when the Kasilof Special Harvest Area was created, set gillnet gear was limited to one 35 fathom set gillnet per permit. In 2011 when the board allowed a person in Cook Inlet to hold and operate two permits the wording in 5AAC 21.365(f)(5) became ambiguous. The current wording is:
5AAC 3.65(f)(5) a permit holder may not use more than one gillnet to take salmon at any one time.

Enforcement is interpreting this to mean a dual permit holder can only fish one net in the KRSHA total, not one per permit as intended, for a total of two nets.

The intent of this proposal is to make it clear that when fishing in the KRSHA, a permit holder can fish no more than one 35 fathom set gillnet per permit, meaning a dual permit holder could fish two nets.

PROPOSED BY: Richard Person (EF-F16-063)
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PROPOSAL 111 – 5 AAC 21.365. Kasilof River Salmon Management Plan. Allow a Commercial Fisheries Entry Commission limited entry permit holder to commercial fish in the Kasilof River Special Harvest Area with one set gillnet per limited entry permit held, as follows:

5 AAC 21.365 (f) (5) a permit holder may not use more than one **set** gillnet **per permit** to take salmon at any one time;

What is the issue you would like the board to address and why? This proposal seeks to clarify setnet gear used in the Kasilof River Special Harvest Area (KRSHA) by individuals who hold two Cook Inlet (CI) Commercial Fisheries Entry Commission (CFEC) set gillnet permits. In 5 AAC

21.365 (f) (5) the use of the term *permit holder* needs to reflect individual permits rather than just the individual. There appears to be some confusion by some enforcement officers on if the current language allows an individual to who owns two setnet permits to fish only one net in the KRSHA or are they allowed to fish two nets as specified in 5 AAC 21.331 (i) which allows dual CI set gillnet permit holders two complements of gear.

PROPOSED BY: Paul Shadura, spokesperson for South K-Beach Independent Fishermen's Association (SOKI) (EF-F16-150)

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PROPOSAL 112 – 5 AAC 21.365. Kasilof River Salmon Management Plan. Allow holders of two Commercial Fisheries Entry Commission set gillnet limited entry permits to fish two set gillnets in the Kasilof River Special Harvest Area, as follows:

Dual set net permit holders can fish two nets in the KRSHA. Each permit can fish one set net associated with its CFEC number.

What is the issue you would like the board to address and why? In Cook Inlet setnetters can own and operate two CFEC permits, since 2011.

The issue of fishing dual permits in the KRSMP was never addressed at the 2011 or 2014 BOF Upper Cook Inlet meetings. From 2011 to 2014 it was assumed and ALLOWED by Department of Public Safety that a dual permit holder could fish two set nets in this fishery.

In 2015, Department of Public Safety interpreted the management plan differently, in the plan, (f), stating a permit holder may not use more than one gillnet to take salmon at anyone time. This language has been in the KRSMP, since being put into regulation in the 1980's.

I believe that this issue was an oversight by the BOF, and that it should be clarified that dual permit holders can fish two nets in the Kasilof terminal fishery.

PROPOSED BY: Gary L. Hollier (EF-F16-030)

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PROPOSAL 113 – 5 AAC 21.365. Kasilof River Salmon Management Plan. Remove restrictions on the amount of drift or set gillnet gear a vessel may have on board within the Kasilof River Special Harvest Area, as follows:

5AAC 21.365 (c)(5)(f)(iii) [(8) A VESSEL MAY NOT HAVE MORE THAN 150 FATHOMS OF DRIFT GILLNET OR 105 FATHOMS OF SET GILLNET ON BOARD.]

What is the issue you would like the board to address and why? 5AAC 21.365. Kasilof River Salmon Management Plan. (c)(5)(f) allows for the Kasilof River Special Harvest Area (KRSHA). This is a somewhat controversial fishery but none-the-less it is a valuable last chance management tool, utilized by the biologist to help control the sockeye escapement into the Kasilof River and to allow a harvest of the surplus salmon. It is important to the fishermen who participate and it

generates revenue and jobs along with utilizing a valuable and healthy food source. The issue we would like to address is under (iii) (8) a vessel may not have more than 150 fathoms of drift gillnet or 105 fathoms of set gillnet on board. In the KRSHA only one shackle, 50 fathoms for drift gillnet and 35 fathom for set gillnets may be used to take salmon. 5AAC 21.365 (c)(5)(f)(iii)(2) a set gillnet may not exceed 35 fathoms in length; and in (c)(5)(f)(iii)(4) no more than 50 fathoms of drift gillnet may be used to take salmon: The fishery is conducted basically within the mile and a half radius of the mouth on the river. The area is shallow and actually goes completely dry on a large minus tide. The fish tend to be smaller than salmon outside of the KRSHA. The net is always dragging on the bottom, which chafes the lead line and hangings plus there are some snags and rocks that will tear the web and strip the lead line from the web. For these reasons most everyone uses a separate net specifically design for the KRSHA so they don't tear up their good regular gear. The KRSHA net is usually smaller mesh size, sometimes shallower, heavier web and lead line hangings, so it won't tear and chafe as easily as regular gear. The problem exist that under the current regulation a vessel may not have more than 150 fathoms of drift gillnet or 105 fathoms of set gillnet on board. This regulation places an unnecessary burden on especially the drift fisherman because they have to un-sow one shackle from the other two shackles on the reel, go to the dock and have a crane unload that shackle, then lower the specially designed KRSHA shackle and put it on the reel. This can sometimes take several hours and the process is reversed when the KRSHA shackle is replaced by the regular shackle. The KRSHA is commonly opened on very short notice, so time is critical. Also there are times when the KRSHA is open the same time an expanded corridor is open. If there are not any fish in the KRSHA and you want to try in the expanded corridor then having the KRSHA net on the reel instead of the regular net is not practical. The reverse is also a problem. If the expanded corridor doesn't have any fish and you want to try the KRSHA you would have to run into the river to change gear or risk tearing up the regular shackle, which will happen. Also if the tide is out it might be several hours before there is enough water to get to the dock to change gear. The simple and practical solution would be to modify the regulation by eliminating 5AAC 21.365.(c)(5)(f)(iii)(8). This modification has no allocative effects and does not create any unique advantage. It simply puts a common sense solution to an unforeseen problem. There should be no enforcement issue because under current regulations a vessel already is allowed more shackles on board than they are allowed to operate in the KRSHA.

PROPOSED BY: Central Peninsula Fish and Game Advisory Committee

(EF-F16-133)

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<u>PROPOSAL 114</u> – 5 AAC 21.365. Kasilof River Salmon Management Plan. Require all nets, buoys, ropes and anchoring devices to be removed from the Kasilof River Special Harvest Area when this area is closed to commercial fishing, as follows:

5AAC21 330 (f)(9) would be amended to read:

<u>At the end of each closure of the KRSHA, permit holders shall remove all nets, buoys, ropes and anchoring devices from the waters within the boundaries of the KRSHA</u>.

What is the issue you would like the board to address and why? The Kasilof Special Harvest Area is intended to be a open access fishery for Cook Inlet permit Holders.

In the Set Gillnet section of the fishery a situation has developed that precludes this. Some Set gillnet permit holders are establishing net locations on the south and north regulatory boundaries by anchoring or staking buoys and lines far in advance of the KRSHA opening. This practice gives them great advantage over other permit holders the day of an opening guaranteeing them the most profitable locations for their nets. Most cook Inlet set gillnet permit holders fish miles away from the KRSHA and do not have easy access and opportunity to pre-stake locations prior to the openings.

A simple solution that would level the playing field for all set gillnet permit holders would be to require all fishing gear and related equipment i.e. buoys, anchor lines, anchors and stakes to be removed from the KRSHA when the area is closed to commercial fishing.

PROPOSED BY: Richard Person (EF-F16-097)
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PROPOSAL 115 – 5 AAC 21.365. Kasilof River Salmon Management Plan. Define the boundary that separates set gillnet from drift gillnet gear in the Kasilof River Special Harvest Area (KRSHA), and define the outside boundaries of the KRSHA, as follows:

5 AAC 21.365(f) is amended to read:

(f) The commissioner may, by emergency order, open the Kasilof River Special Harvest Area (KRSHA) to the taking of salmon by gillnets when it is projected that the Kasilof River sockeye salmon escapement will exceed 365,000 fish. It is the intent of the Board of Fisheries (board) that the KRSHA should rarely, if ever, be opened under this subsection and only for conservation reasons. Before the commissioner opens the KRSHA, it is the board's intent that additional fishing time be allowed in the remainder of the Kasilof Section first, and secondly that the mandatory closures specified in regulation be reduced in duration, if necessary to meet the escapement goals contained within this and other management plans. The Kasilof River Special Harvest Area is defined as those waters within one and one-half miles of the navigational light located on the south bank of the Kasilof River, excluding waters of the Kasilof River upstream of ADF&G regulatory markers located near the terminus of the river and waters open to set gillnetting under 5 AAC 21.330(b)(3)(C)(ii) and (iii). **The offshore limit of the KRSHA is bounded by a line from 60° 22.59' N. lat., 151° 20.79' W. long. to 60° 23.83' N. lat., 151° 21.70' W. long. to 60° 24.13' N. lat., 151° 21.34' W. long. to 60° 24.13' N. lat., 151° 17.72' W. long.** The following apply within the special harvest area when it is open:

(1) **the boundary between those waters open to set gillnet gear and drift gillnet gear is bounded by a line from 60° 22.77' N. lat., 151° 20.93' W. long. to 60° 23.23' N. lat., 151° 19.31' W. long. to 60° 23.56' N. lat., 151° 18.17' W. long. to 60° 24.13' N. lat., 151° 18.12' W. long.** [SET GILLNETS MAY BE OPERATED ONLY WITHIN 1,200 FEET OF THE MEAN HIGH TIDE MARK];

(2) **repealed / /2017** [DRIFT GILLNETS MAY NOT BE OPERATED IN WATERS WITHIN 1,200 FEET OF THE MEAN HIGH TIDE MARK];

…

What is the issue you would like the board to address and why? In 2014, the board modified provisions of the *Kasilof River Salmon Management Plan* to state that when the KRSHA is open, set gillnetting may take place only within 1,200 feet of the mean high tide mark, while drift gillnetting may not occur in waters within 1,200 feet of the mean high tide mark. Because there is no minimum distance separating gear in the KRSHA, this invisible boundary separating the two gear groups can become a highly disputed demarcation line. To aid in an orderly fishery and to provide more enforceable boundary lines in the fishery, the department attempted to meet the intent of the board's 1,200 foot line by issuing an emergency order (EO) listing a series of four waypoints that defined the separation of gear and the outside boundaries in the KRSHA. The Alaska Department of Public Safety provided positive feedback by stating that lines defined by waypoints are easier to enforce than lines defined as a distance from mean high tide.

This proposal seeks to place into regulation a series of waypoints defining the north and south boundaries of the KRSHA, as well as the demarcation line between set and drift gillnetting in the KRSHA. If the regulation is not changed by board action, the department will continue to issue an EO with these waypoints when the KRSHA is opened.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F16-151)
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<u>PROPOSAL 116</u> – 5 AAC 21.360. Kenai River Late-Run Sockeye Salmon Management Plan. Review the optimum escapement goal (OEG) and inriver goals for Kenai River late-run sockeye salmon, as follows:

5 AAC 21.360 states:

(b) The Kenai River late-run sockeye salmon commercial, sport, and personal use fisheries shall be managed to

(1) meet an optimum escapement goal (OEG) range of 700,000 – 1,400,000 late-run sockeye salmon;

(2) achieve inriver goals as established by the board and measured at the Kenai River sonar counter located at river mile 19; and

(3) distribute the escapement of sockeye salmon evenly within the OEG range, in proportion to the size of the run.

(c) Based on preseason forecasts and inseason evaluations of the total Kenai River late-run sockeye salmon return during the fishing season, the run will be managed as follows:

(1) at run strengths of less than 2,300,000 sockeye salmon,

(A) the department shall manage for an inriver goal range of 900,000 – 1,100,000 sockeye salmon past the sonar counter at river mile 19; and

…

(2) at run strengths of 2,300,000 – 4,600,000 sockeye salmon,

(A) the department shall manage for an inriver goal range of 1,000,000 – 1,200,000 sockeye salmon past the sonar counter at river mile 19;

…

(3) at run strengths greater than 4,600,000 sockeye salmon,

(A) the department shall manage for an inriver goal range of 1,100,000 – 1,350,000 sockeye salmon past the sonar counter at river mile 19;

…

What is the issue you would like the board to address and why? The department submitted this proposal to provide the board an opportunity to review the current management goals for Kenai River late-run sockeye salmon and consider changes to align and simplify them. The OEG and inriver goals are currently out of alignment. The upper tier of the inriver goal (upper bound of 1,350,000) does not provide enough fish on the upper end to adequately distribute escapements throughout the OEG range and inriver goals. Managing for the current multiple goals (inriver goal and OEG) can be unnecessarily complicated inseason and confusing to user groups when one goal is met and the other is not.

If the inriver goals are aligned with the OEG, the board may also wish to consider simplifying the management plan by removing the OEG from regulation. The department currently manages for both OEG and inriver goals, and, if aligned, the two goals seem to be redundant.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F16-150)
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(Proposal 117 was submitted by two proposers. The proposal and justification for each proposer is listed below.)

PROPOSAL 117 – 5 AAC 21.360. Kenai River Late-Run Sockeye Salmon Management Plan. Amend the *Kenai River Late-Run Sockeye Salmon Management Plan* to remove the optimum escapement goal for Kenai River late-run sockeye salmon, as follows:

5 AAC 21.360. Kenai River Late-Run Sockeye Salmon Management Plan. (a) The department shall manage the Kenai River late-run sockeye salmon stocks primarily for commercial uses based on abundance. The department shall also manage the commercial fisheries to minimize the harvest of Northern District coho, late-run Kenai River king, and Kenai River coho salmon stocks in order to provide personal use, sport, and guided sport fishermen with a reasonable opportunity to harvest salmon resources.

(b) The Kenai River late-run sockeye salmon commercial, sport, and personal use fisheries shall be managed to

[(1) MEET AN OPTIMUM ESCAPEMENT GOAL (OEG) RANGE OF 700,000 – 1,400,000 LATE-RUN SOCKEYE SALMON;]

(1) [(2)] achieve inriver goals as established by the board and measured at the Kenai River sonar counter located at river mile 19; and

[(3) DISTRIBUTE THE ESCAPEMENT OF SOCKEYE SALMON EVENLY WITHIN THE OEG RANGE, IN PROPORTION TO THE SIZE OF THE RUN.]

What is the issue you would like the board to address and why? Repeal the Kenai River late-run sockeye Optimum Escapement Goal (OEG).

The purpose of a salmon escapement goal is to both ensure sustainability and maximize the yield or harvest. State policy requires that escapement goals must be scientifically defensible.

Escapement goals should be established utilizing the best biological information and empirical data relating to production capacity and carrying capacity. Escapement goals should be periodically reviewed and adjusted to compensate for changing ecological factors. When escapement goals are exceeded or escapement goals are set too high, salmon populations are put at risk by exceeding the carrying capacity of the habitat. *"Over-escapement, in general, is not sustainable..."* ADF&G (SP No. 07-17).

Increasing goals based on annual variations in run size is not scientifically defensible. Repeated escapements over the top end of a goal are not sustainable. Escapements that are too large will produce oscillating returns, low return per spawner rates and other density-dependent effects. The extreme variability of returns on large escapements puts at risk both the sustainability of future runs and the economies that are built around the harvest of these salmon stocks.

The Kenai River is the only river in the state to have five different sockeye salmon goals. These goals are confusing to the public and fishery managers. The goals are often conflicting during the season due to misinterpretations and the uncertainties and often daily variations in the estimates of run timing, run strength and harvest rates. A result of this confusion, about which goal is appropriate, has contributed to sockeye escapements in the Kenai River being over the top end of the inriver goal for 5 of the last 5 years.

Kenai River Goals

Biological Escapement Goal (BEG)	600,000 - 900,000
Sustainable Escapement Goal (SEG)	700,000 - 1,200,000
3 - Inriver Goals based on run size from <2.3 million to > 4.6 million.	< 2.3 mil: 900 - 1,100,000 2.3 - 4.6 mil: 1,000,000 - 1,200,000 > 4.6 mil: 1,100,000 - 1,350,000
Optimum Escapement Goal (OEG)	700,000 - 1,400,000
* The Inriver Goals include an allocation range of 200 – 650 thousand sockeye for inriver users based on the magnitude of the sockeye run to the Kenai River.	

The "biological escapement goal," or "BEG," is the gold standard. This describes the escapement level that provides the greatest potential for "maximum sustained yield," or "MSY", which means the greatest average annual yield (harvest) from a salmon stock. However, a BEG can be difficult to achieve and manage for, particularly in mixed stock fisheries, so as an alternative for the Kenai River, the department instead uses a "sustainable escapement goal" or "SEG".

The most recent ADF&G escapement goal review (FMS 13-13) for Cook Inlet states *"The committee recommended that the Kenai River late-run sockeye salmon SEG be kept at 700,000–1,200,000 spawners. This range approximately represents the escapement that, on average, will produce 90–100% of MSY. We prefer using the 90–100% range for an SEG because it results in a broader interval with the highest predicted yield near its center. Maintaining this goal is*

supported by a plot of yield versus escapement, showing that escapements in this range generally produce the highest yields, and that escapements above this range can produce highly variable yields."

Another recent ADF&G review (FMS14-06) of a method commonly used (140 of 300 goals) throughout Alaska to establish an SEG determined that the upper end of many escapement goal ranges were in fact, unsustainable. The report stated that *"SEGs based on the current Percentile Approach, especially the upper bounds, may actually be unsustainable in that they may specify a spawning escapement that is close to or exceeds the carrying capacity of the stock where there is the expectation of no sustainable yields."* The SEG for the Kenai River was not established by using the Percentile Approach but the report documents the risks in exceeding that level of escapement.

The "Optimum Escapement Goal," or "OEG," for Kenai River late run sockeye exceeds the SEG. The misnamed OEG is also inappropriate to use for inseason management as the sport harvest must be counted prior to determining if the goal was met or missed but the sport harvest isn't known until 18 months after the season ends. The Kenai River OEG is incompatible with the findings of both of the latest ADF&G escapement goal reviews; it is confusing, redundant, conflicting and should be repealed.

PROPOSED BY: United Cook Inlet Drift Association (HQ-F16-025)

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What is the issue you would like the board to address and why? Repeal the Kenai River late-run sockeye Optimum Escapement Goal (OEG)

The purpose of a salmon escapement goal is to both ensure sustainability and maximize the yield or harvest. State policy requires that escapement goals must be scientifically defensible.

Escapement goals should be established utilizing the best biological information and empirical data relating to production capacity and carrying capacity. Escapement goals should be periodically reviewed and adjusted to compensate for changing ecological factors. When escapement goals are exceeded or escapement goals are set too high, salmon populations are put at risk by exceeding the carrying capacity of the habitat. " *Over-escapement, in general, is not sustainable…"* ADF&G (SP No. 07-17).

Increasing goals based on annual variations in run size is not scientifically defensible. Repeated escapements over the top end of a goal are not sustainable. Escapements that are too large will produce oscillating returns, low return per spawner rates and other density-dependent effects. The extreme variability of returns on large escapements puts at risk both the sustainability of future runs and the economies that are built around the harvest of these salmon stocks.

The Kenai River is the only river in the state to have five different sockeye salmon goals. These goals are confusing to the public and fishery managers. The goals are often conflicting during the season due to misinterpretations and the uncertainties and often daily variations in

the estimates of run timing, run strength and harvest rates. A result of this confusion, about which goal is appropriate, has contributed to sockeye escapements in the Kenai River being over the top end of the inriver goal for 5 of the last *5* years.

Kenai River Goals

Biological Escapement (BEG)	600,000 – 900,000
Sustainable Escapement Goal (SEG)	700,000 – 1,200,000
3 – Inriver Goals based on run size from <2.3 million to >4.6 million.	<2.3 mil: 900 – 1,100,000
	2.3 – 4.6 mil: 1,000,000 – 1,200,000
	>4.6 mil: 1,100,000 – 1,350,000
Optimum Escapement Goal (OEG)	700,000 – 1,400,000
*The Inriver goals include an allocation range of 200 – 650 thousand sockeye for inriver user based on the magnitude of the sockeye run to the Kenai River.	

The "biological escapement goal," or "BEG," is the gold standard. This describes the escapement level that provides the greatest potential for "maximum sustained yield," or "MSY", which means the greatest average annual yield (harvest) from a salmon stock. However, a BEG can be difficult to achieve and manage for, particularly in mixed stock fisheries, so as an alternative for the Kenai River, the department instead uses a "sustainable escapement goal" or "SEG".

The most recent ADF&G escapement goal review (FMS 13-13) for Cook Inlet states *"The committee recommended that the Kenai River late-run sockeye salmon SEG be kept at 700,000-1,200,000 spawners. This range approximately represents the escapement that, on average, will produce 90-100% of MSY. We prefer using the 90-100% range for an SEG because it results in a broader interval with the highest predicted yield near its center. Maintaining this goal is supported by a plot of yield versus escapement, showing that escapements in this range generally produce the highest yields, and that escapements above this range can produce highly variable yields.*"

Another recent ADF&G review (FMS 14-06) of a method commonly used (140 of 300 goals) throughout Alaska to establish an SEG determined that the upper end of many escapement goal ranges were in fact, unsustainable. The report stated that *"SEGs based on the current Percentile Approach, especially the upper bounds, may actually be unsustainable in that they may specify a spawning escapement that is close to or exceeds the carrying capacity of the stock where there is the expectation of no sustainable yields.*" The SEG for the Kenai River was not established by using the Percentile Approach but the report documents the risks in exceeding that level of escapement.

The "Optimum Escapement Goal," or "OEG," for Kenai River late run sockeye exceeds the SEG. The misnamed OEG is also inappropriate to use for inseason management as the sport

harvest must be counted prior to determining if the goal was met or missed but the sport harvest isn't known until 18 months after the season ends. The Kenai River OEG is incompatible with the findings of both of the latest ADF&G escapement goal reviews; it is confusing, redundant, conflicting and should be repealed.

PROPOSED BY: Peter Melenchek (HQ-F16-114)

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PROPOSAL 118 – 5 AAC 21.360. Kenai River Late-Run Sockeye Salmon Management Plan. Remove the optimum escapement goal for Kenai River late-run sockeye salmon and add the guided sport fishery to the list of fisheries managed under the plan, as follows:

5AAC 21.360. Kenai River Late-Run Sockeye Salmon Management Plan. (a) The department shall manage the Kenai River late-run sockeye salmon stocks primarily for commercial uses based on abundance. The department shall also manage the commercial fisheries to minimize the harvest of Northern District coho, late-run Kenai River king, and Kenai River coho salmon stocks in order to provide personal use, sport, and guided sport fishermen with a reasonable opportunity to harvest salmon resources.

(b) The Kenai River late-run sockeye salmon commercial, sport, **guided sport fishermen** and personal use fisheries shall be managed to

[(1) MEET AN OPTIMUM ESCAPEMENT GOAL (OEG) RANGE OF 700,000 – 1,400,000 LATE-RUN SOCKEYE SALMON;]

(1)[(2)] achieve inriver goals as established by the board and measured at the Kenai River sonar counter located at river mile 19; and

What is the issue you would like the board to address and why? Repeal the Kenai River late-run sockeye Optimum Escapement Goal OEG

The Kenai River is the only river in the state to have five different sockeye salmon goals. These OEGs are not scientifically defendable and annually puts escapement into the Kenai River that is more than double the biological escapement goal. The OEG is extreme and is being used as a method to restrict commercial fishing and allocate more sockeye into the river, that will not be utilized by any one and will jeopardized future returns. There are numerous studies that document over escapement as not beneficial to the resource, habitat or users. World renowned sockeye salmon expert University of British Columbia professor emeritus Carl Walters states that severely restricting salmon fishing to put more spawners on the grounds did not produce more fish and only cost fishermen money. Walters points out that adding more spawners above an intermediate level does not create more fish. Adding extra spawners are not producing any more salmon and adding more spawners isn't adding more value to anybody. He states that consistently putting too many spawners into a system is bad for the fish. This is exactly what the OEG is doing to the Kenai River. The OEG is contrary to Alaska's Constitution, Alaska's laws, statutory conservation mandates, the Magnuson Stevens Act (MSA) and the Sustainable Salmon fisheries policy 5AAC 39.222 especially (a)(2) formulate fishery management plans designed to achieve maximum or optimum salmon production, and (c)(2)(B) salmon escapement goals should be established in a manner consistent with sustained yield: unless otherwise directed, the department will manage Alaska's salmon fisheries, to the extent possible, for maximum sustained yield; and (c)(3)(P).the

best available scientific information on the status of salmon populations and the condition of the salmon's habitats should be routinely updated and subjected to peer review. The OEG must be repealed!

The guided sport fishermen should also be added with the other users who shall be managed to in 5AAC 21.360 (a)(b)

PROPOSED BY: Central Peninsula Fish and Game Advisory Committee (EF-F16-151)
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PROPOSAL 119 – 5 AAC 21.360. Kenai River Late-Run Sockeye Salmon Management Plan. Amend management plan to achieve inriver goal range of 850,000–1,050,000 late-run sockeye salmon at run strengths less than 2.3 million sockeye salmon and 950,000–1,150,000 late-run sockeye salmon at run strengths greater than 2.3 million sockeye salmon, as follows:

Reformat the provisions to express two management inriver goal ranges and delete third tier in management.

Amend to achieve an inriver goal range of 850,000 – 1,050,000 late-run sockeye salmon on runs under 2.3 million. Runs greater than 2.3 million an inriver goal range of 950,000 – 1,150,000.

What is the issue you would like the board to address and why? Consecutive and repeated spawning escapement that exceed the upper SEG ranges on runs above 2.3 million while not maintaining or evenly distributing sockeye salmon escapements within the range.

In addition, the three tier inriver goal ranges are misrepresented in current regulations in a number of ways. For example, the first tier table (ADF&G, RC 213) Bendix to DIDSON was correctly stated as 850,00 (700,000 plus 150,000)–1,050,000 as inriver allocation was set as 150,000 on runs less than 2.3 million while the second and third tier was incorrectly formatted upwards from the inriver allocations considered by the BOF. Compounding the issue is the SEG range of 700,000 – 1,200,000 in DIDSON units was rounded up at the upper range in 100,000 units instead of 50,000 increments, i.e. the upper SEG range should be closer expressed at 1,100,000 spawners instead.

The Kenai late-run sockeye salmon goal was managed for decades under one inriver goal range which clearly presented the missions and duties to the department to manage to within the BEG/SEG escapement goal range. The risk on Yield, the Sustained Yields within the SEG range are expressed biologically and scientifically to maintain recruitments of 4 to 5 recruits per spawner. Instead, risk increased to diminished Yields (2 recruits per spawner) when exceeding the upper range which has occurred regularly under the tiers.

The third tier has only caused the department to exceed the upper end of the SEG range and further caused a complete inability to manage to within the range or mid-point of the SEG range. Furthermore the inriver sport allocation on runs above 4.6 million is not affected with the third tier removed, in fact by doing so places spawning escapements within the established SEG range.

The board needs to address habitat loss for appropriate modification of the Kenai River late-run sockeye salmon inriver goal.

PROPOSED BY: Mark Ducker and Jeff Beaudoin (HQ-F16-094)

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PROPOSAL 120 – 5 AAC 21.360. Kenai River Late-Run Sockeye Salmon Management Plan. Decrease the inriver goal ranges for late-run Kenai River sockeye salmon by 100,000 fish and limit the bag and possession of sockeye salmon to three per day and three in possession in the Kenai River sport fishery, as follows:

(c) (1) at run strengths of less than 2,300,000 sockeye salmon,

(A) the department shall manage for an inriver goal range of **800,000 - 1,000,000** sockeye salmon past the sonar counter at river mile 19; and

(2) at run strengths of 2,300,000- 4,600,000 sockeye salmon,

(A) the department shall manage for an inriver goal range of **900,000 – 1,000,000** sockeye

(3) at run strengths greater than 4,600,000 sockeye salmon,

(A) the department shall manage for an inriver goal range of **1,000,000 - 1,200,000** sockeye salmon past the sonar counter at river mile 19;

(h)

(1) fishing will occur seven days per week, 24 hours per day;

(2) the bag and possession limit for sockeye salmon is three per day, with three [SIX] in possession, in the sport fishery, [UNLESS THE DEPARTMENT DETERMINES THAT THE ABUNDANCE OF LATE-RUN SOCKEYE SALMON EXCEEDS 2,300,000 FISH, AT WHICH TIME THE COMMISSIONER MAY, BY EMERGENCY ORDER, INCREASE THE BAG AND POSSESSION LIMIT AS THE COMMISSIONER DETERMINES TO BE APPROPRIATE; AND]

What is the issue you would like the board to address and why? In 2000 and 2001 the department conducted a habitat study on the Kenai River to determine habitat damage from the recreational fishery. That report was withheld from the public and the Board. Instead of punishing whomever was responsible for this egregious act, the ADF&G Commissioner stated "the department used the results", 5 AAC 21.363 (d) is quite clear;

(d) The sonar count levels established in this section may be lowered by the board if noncommercial fishing, after consideration of mitigation efforts, results in a net loss of riparian habitat on the Kenai River. The department will, to the extent practicable, conduct habitat assessments on a schedule that conforms to the Board of Fisheries (board) triennial meeting cycle. If the assessments demonstrate a net loss of riparian habitat caused by noncommercial fishermen, the department is requested to report those findings to the board and submit proposals to the board for appropriate modification of the Kenai River late-run sockeye salmon inriver goal

This provision was put in the plan in 1999, in the ensuing 16 years the department has not reported anything to the Board or submitted any habitat proposals. I think it would be

appropriate to lower each inriver range by 100,000 fish and limit the daily bag limit to three and three in possession.

PROPOSED BY: Suzanne Ducker (HQ-F16-113)

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PROPOSAL 121 – 5 AAC 21.360. Kenai River Late-Run Sockeye Salmon Management Plan. Repeal and readopt management plan to remove the optimum escapement goal, mandatory restrictions and closed fishing periods or "windows", and specify that management will be based on the abundance of late-run Kenai River sockeye salmon, as follows:

(Repeal and readopt)

5 AAC 21.360. Kenai River Late-Run Sockeye Salmon Management Plan

(a) The department shall manage the Kenai River late-run sockeye salmon stocks to achieve one of the three in-river run goals listed below based on the abundance of Kenai River sockeye salmon. The department will manage the commercial fisheries targeting this stock with regular weekly fishing periods, as specified in 5 AAC 21.320 and adjust this schedule by emergency order to achieve the desired inriver sockeye goal. Additional fishing time in the commercial fisheries will not be allowed to target Susitna River coho, late-run Kenai River king, or Kenai River coho salmon stocks.

(b) The Kenai River late-run sockeye salmon commercial, sport, and personal use fisheries shall be managed to

(1) achieve inriver goals as established by the board and measured at the Kenai River sonar counter located at river mile 19; and

(3) Distribute the escapement of sockeye salmon evenly within the SEG range, in proportion to the size of the run.

(c) Based on preseason forecasts and inseason evaluations of the total Kenai River late-run sockeye salmon return during the fishing season, the run will be managed as follows:

(1) at run strengths of less than 2,300,000 sockeye salmon,

(A) the department shall manage for an inriver goal range of 900,000 - 1,100,000 sockeye salmon past the sonar counter at river mile 19; and

(B) subject to the provisions of other management plans, the Upper Subdistrict set gillnet fishery will fish regular weekly fishing periods, as specified in 5 AAC 21.320, through July 20, unless the department determines that the minimum inriver goal will not be met, at which time the fishery shall be closed or restricted as necessary;

(2) at run strengths of 2,300,000 - 4,600,000 sockeye salmon,

(A) the department shall manage for an inriver goal range of 1,000,000 - 1,200,000 sockeye salmon past the sonar counter at river mile 19;

(B) subject to the provisions of other management plans, the Upper Subdistrict set gillnet fishery will fish regular weekly fishing periods, as specified in 5 AAC 21.320, through July 20, or until the department makes a determination of run strength, whichever occurs first; if the department determines that the minimum inriver goal will not be met, the fishery shall be closed or restricted as necessary;

(3) at run strengths greater than 4,600,000 sockeye salmon,

(A) the department shall manage for an inriver goal range of 1,100,000 - 1,350,000 sockeye salmon past the sonar counter at river mile 19;

(B) subject to the provisions of other management plans, the Upper Subdistrict set gillnet fishery will fish regular weekly fishing periods, as specified in 5 AAC 21.320, through July 20, or until the department makes a determination of run strength, whichever occurs first; if the department determines that the minimum inriver goal will not be met, the fishery shall be closed or restricted as necessary

(d) The sonar count levels established in this section may be lowered by the board if noncommercial fishing, after consideration of mitigation efforts, results in a net loss of riparian habitat on the Kenai River. The department will, to the extent practicable, conduct habitat assessments on a schedule that conforms to the Board of Fisheries (board) triennial meeting cycle. If the assessments demonstrate a net loss of riparian habitat caused by noncommercial fishermen, the department is requested to report those findings to the board and submit proposals to the board for appropriate modification of the Kenai River late-run sockeye salmon inriver goal.

(e) Repealed 6/11/2005.

(f) Repealed 6/11/2005.

(g) Subject to the requirement of achieving the lower end of the sustainable escapement goal, the department shall provide for a personal use dip net fishery in the lower Kenai River as specified in 5 AAC 77.540.

(h) Subject to the requirement of achieving the lower end of the sustainable escapement goal, the department shall manage the sport fishery on the Kenai River, except that portion of the Kenai River from its confluence with the Russian River to an ADF&G regulatory marker located 1,800 yards downstream, as follows:

(1) fishing will occur seven days per week, 24 hours per day;

(2) the bag and possession limit for sockeye salmon is three per day, with six in possession, in the sport fishery, unless the department determines that the abundance of late-run sockeye salmon exceeds 2,300,000 fish, at which time the commissioner may, by emergency order, increase the bag and possession limit as the commissioner determines to be appropriate; and

(3) if the projected inriver run of sockeye salmon above the Kenai River sonar counter located at river mile 19 is less than 900,000 fish and the inriver sport fishery harvest is projected to result in an escapement below the lower end of the sustainable escapement goal, the commissioner may, by emergency order, close or restrict the sport fishery as necessary;

j) The commissioner may depart from the provisions of the management plan under this section as provided in 5 AAC 21.363(e).

What is the issue you would like the board to address and why?

This plan is far too complex and has many unnecessary restrictions and conflicting objectives. Since managing for the escapement goal is all that is necessary and puts the health of the fish above all else, the remainder of the language is arbitrary and unnecessary and preventing the department from achieving the proper escapement level. The optimal escapement goal is unnecessary as the allocations are provided for in the inriver goals. The hourly limitations in the set gillnet fishery are unnecessary since the department is going to manage for the same escapement goal regardless, which is what 5 AAC 21.363 (e) directs them to do anyway. Additionally the Supreme Court just ruled that once the season starts the department should ignore the plans and manage for the

escapement goals for all stocks. Windows or mandatory closed periods are not only unnecessary, they lead to huge over escapements which are likely unconstitutional and contrary to the Boards mandate to conserve and develop. This plan will work much better if you allow the department to do their job with minimal guidelines.

PROPOSED BY: Chris Garcia (HQ-F16-108)
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PROPOSAL 122 – 5 AAC 21.360. Kenai River Late-Run Sockeye Salmon Management Plan and 5 AAC 21.365. Kasilof River Salmon Management Plan. Remove mandatory closed fishing periods or "windows" from the Upper Subdistrict commercial set gillnet fishery, as follows:

Eliminate windows. The reason windows has not put more fish in the river. The affect of windows has been only to hamstring our talented fishery managers. When fish are present the fishery should be open.

What is the issue you would like the board to address and why? Windows – a failed allocation.

PROPOSED BY: John McCombs (HQ-F16-085)
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PROPOSAL 123 – 5 AAC 21.354. Cook Inlet Pink Salmon Management Plan. Repeal and readopt the management plan to allow for the commercial harvest of surplus pink salmon in the Upper Subdistrict with set and drift gillnet gear, as follows:

[REPEAL 5AAC 21.354. THE COOK INLET PINK SALMON PLAN IN IT'S ENTIRITY]
Develop a new plan that is simple and more effective

5AAC 21.354. Cook Inlet Pink Salmon Management Plan. (a) The purpose of this management plan is to allow for the harvest of surplus pink salmon in the Upper Subdistrict for set gillnet and drift gillnet gear. The commercial fishery set and drift will fish their regular weekly fishing periods in August. If all other salmon species are healthy and making their escapement goals the commercial fisheries will fish extra fishing periods based on pink abundance.

What is the issue you would like the board to address and why? Repeal and replace the current Cook Inlet Pink Salmon Management Plan

The current pink management plan is unrealistic and inefficient for harvesting millions of returning pink salmon. The current plan would only harvest a small fraction of the surplus. The mesh size restrictions also prevents sufficient harvest and efficiency. The Cook Inlet pinks are some of the largest pinks in the State. The fishermen should be allowed to decide which gear size will work best and the cost of gearing up. The current plan allows for over 96% of the surplus pinks to go unharvested. That is a lot of lost meals, jobs and money to the local economies and state treasury and for no reason except allocation. The current regulation is in violation of 5AAC 39.222. Policy for the management of sustainable salmon fisheries, State fisheries policy, Article 8 of the

Constitution and the Magnuson Stevens Act all of which require sustained yield and science based management which means harvesting the surplus. It is also not being good stewards of the resource to forgo pink harvest when all other salmon species are healthy and have or will meet their escapement goals.

PROPOSED BY: Central Peninsula Fish and Game Advisory Committee (EF-F16-173)
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PROPOSAL 124 – 5 AAC 21.354. Cook Inlet Pink Salmon Management Plan. Amend the *Cook Inlet Pink Salmon Management Plan* to remove or lower the daily harvest triggers, as follows:

I would like to see the 50,000 pink salmon triggers in the CIPSMP go away. This most likely won't happen. So I would like to see the triggers lowered to 25,000.

The regulation would read something like this:

CIPSMP (b) ....., the daily harvest of pink salmon in the Upper Subdistrcit set gillnet fishery exceeds **25,000** [50,000] fish or the cumulative harvest..... The second pink salmon commercial fishing period will occur only if **25,000** [50,000] or more pink salmon and no more than 2,500 coho salmon are harvested in the Upper Subdistrict set gillnet fishery during the first pink salmon commercial fishing period.

What is the issue you would like the board to address and why? The issue here, is lack of harvest opportunity of pink salmon in the ESSN fishery. There are literally millions of pink salmon, heading to the Kenai River that are virtually unharvested. There is very little opportunity, in the ESSN fishery to target these pinks.

In the CIPSMP there are two 50,000 fish triggers that equate to one or at best two additional days to harvest these pinks. These triggers occur after August 6 on even years. Many fishermen in the ESSN fishery, and more so in the Kasilof section, quit fishing earlier than the regularly scheduled closing date. It is very hard for the remaining setnetters to hit the 50,000 pink trigger that opens the pink fishery for one more period.

The fishermen that do stay and fish for pinks, are curtailed from further fishing, due to lack of participation, and therefore not hitting the 50,000 trigger. The fishermen that do target pinks, even with a smaller price that other species, can make good money. This pink fishery is very important economically, especially when sockeye runs to the Kenai and Kasilof Rivers are fair to poor.

PROPOSED BY: Gary L. Hollier (EF-F16-016)
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PROPOSAL 125 – 5 AAC 21.354. Cook Inlet Pink Salmon Management Plan. Remove mesh size restrictions on set and drift gillnet gear in the commercial pink salmon fishery, as follows:

5 AAC 21.354

(c) During a pink salmon commercial fishing period opened under this section, [A (1) SET GILLNET MAY NOT HAVE A MESH SIZE GREATHER THAN FOUR AND THREE-QUARTERS INCHES; AND]

(2) [DRIFT GILLNET GEAR MAY NOT HAVE A MESH SIZE GREATER THAN FOUR AND THREE-QUARTERS INCHES, AND] Fishing with drift gillnet gear will only be opened in the areas defined in 5 AAC 21.200(b)(2)(B)

What is the issue you would like the board to address and why? The Pink Salmon Management Plan currently in place allows for a maximum potential of two extra days of fishing time, late in August, every other year. This plan was implemented to attempt to address underutilized surpluses of pink salmon that sometimes occur. In reality this is relatively rare. Since it was implemented the pink salmon plan has been used on only two occasions. Participation was very low. A large contributing factor to this is the current requirement on mesh size that prohibits people from fishing their normal gear. Due to the rare occurrences and relatively low value of the potential opening, most fishermen are unable to justify building special gear. We would like to see this mesh size requirement removed in order that the fishery may be better utilized when the opportunity occurs.

This proposal seeks to remove the language requiring smaller gear be used for pink salmon openers, allowing gillnetters to user their standard gear which is limited to 6" or less by regulation.

PROPOSED BY: Kenai Peninsula Fishermen's Association (HQ-F16-078)

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<u>PROPOSAL 126</u> – 5 AAC 21.354. Cook Inlet Pink Salmon Management Plan. Increase maximum mesh size for set gillnets to 5-inches and expand the fishing season to August 6–15 in the commercial pink salmon fishery, as follows:

(c) (1) set gillnet may not have a mesh size greater than **5** [four and three quarters] inches and

(b) Repeal and amend: to provide a Pink salmon fishery from August 6th through August 15th, 5 openings available per week during the commercial pink salmon fishery on even years.

What is the issue you would like the board to address and why? Kenai River pink salmon harvest and limit on mesh size. Kenai pink salmon are on average larger than Southern District or Northern District pink salmon. The average weight size is .7 of pound larger than Northern District pink salmon stocks. The 4 and ¾ mesh size requirement impeded commercial harvest and quality of the salmon resource available.

The current Plan is unduly restrictive with only two fishing periods. Current regulations state at least 50,000 pink salmon harvest per opening and limited to 2500 coho; only a small percentage are Kenai bound coho. Less than one-half of one percent harvest on average annual Kenai coho runs per opening. So, within a two day commercial pink salmon fishery the set gillnet fishery is 1% of the Kenai Coho run and only 1% of the Kenai River pink salmon run. Pink salmon stocks are designated commercial stocks.

Nowhere in this state by Region does the Department or the Board restrict the harvest of pink salmon stocks per similar situated fisheries on abundant salmon resources in mixed stock salmon fisheries. Application of Fishery Management Plans (5 AAC 39.200) (a) provides for an equitable distribution of the available harvest. 1% is not "equitable" nor fairly distributed under the current pink Plan. Regulations "should be consistent with statutes."

PROPOSED BY: Jeff Beaudoin (HQ-F16-103)

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PROPOSAL 127 – 5 AAC 21.363. Upper Cook Inlet Salmon Management Plan and 21.360. Kenai River Late-Run Sockeye Salmon Management Plan. Remove inriver goals from the list of escapement goals in the *Upper Cook Inlet Salmon Management Plan* and realign inriver and escapement goals in the *Kenai River Late-Run Sockeye Salmon Management Plan*, as follows:

Option 1:
Drop "inriver goal" from the list of escapement goals in 21.363(e) since in-river goals are allocative in nature and the department should not be put in a position of favoring one allocation strategy over another without consultation with the Board. The Kenai River is the only location in the state where in-river goals exist in regulation.

Option 2:
Realign in-river and escapement goals to avoid continuing confusion. Standardize the upper end of the in-river goal for each tier at 1.5 million which is equal to the upper end of the SEG (1.2 million) plus 300,000 sockeye which is the current maximum sport harvest above the sonar. The lower end of in-river goals for each tier should be retained as is in order to continue to ensure that escapements are distributed throughout the goal range and large runs are shared among fisheries.

What is the issue you would like the board to address and why? A complex of codified management plans now govern the salmon fisheries in Upper Cook Inlet and elements of one plan, on occasion, conflict with elements found in another. Major UCI fisheries harvest mixed stocks bound for more many different rivers. During its 2008 meeting, the Board developed specific regulatory language for Upper Cook Inlet at the request of the Department to provide guidance when objectives or prescriptive tools of one management plan conflict with or compromise the department's ability to direction of another plan. Additional clarifications are needed in this language.

Interpretation and application of in-river goals and the optimum escapement goal in the Kenai late-run sockeye salmon management plan continues to be a source of confusion. The current in-river goals are also based on old data which substantially underestimates the numbers of sockeye that are currently harvested in the sport fishery above the sonar.

The plan identifies an OEG of 700,000 – 1,400,000. This is consistent with the SEG of 700,000 to 1,200,000 with an allowance at the top end in place since 1999 in recognition that large escapements continue to provide large returns. In-river goals are designated for three run size tiers in order to distribute escapements throughout the range and share the bounty of large runs among fisheries.

One problem is what to do when numbers are exceeding the in-river goal but still within the escapement goal. In-river goal ranges are relatively narrow (only 200,000 fish wide) and can be difficult to hit given uncertain run forecasts and wide variation in run timing. However, even when Kenai sockeye escapements are still comfortably within the OEG, exceeding in-river goals can trigger out-of-plan actions that conflict with the intent of management plans for other stocks including Kenai kings and Susitna sockeye. In-river goals are themselves allocative targets designed to distribute harvest among commercial and in-river fisheries. However, out-of-plan actions inevitably impact the allocation balance among commercial drift, commercial setnet, personal use, and sport fisheries. This places the Department in the no-win situation of having to decide between one set of allocative targets and similarly allocative out-of-plan actions. Allocation decisions are the responsibility of the Board, not the Department.

Another problem is that the sport fishery has demonstrated the capability of harvesting many more sockeye above the sonar than when the in-river goal ranges were originally established. There are only 150,000 fish between the upper end of the SEG and the top tier as measured at the sonar. However, in recent years as many as 300,000 are harvested by the sport fishery above the sonar. As a result, we are effectively managing for a lower SEG than has been identified.

PROPOSED BY: Kenai River Sportfishing Association (HQ-F16-070)

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PROPOSAL 128 – 5 AAC 21.363. Upper Cook Inlet Salmon Management Plan. Amend plan to prioritize the need to harvest all surplus salmon stocks and to maximize economic yield and the overall benefits from salmon stocks managed under the plan, as follows:

5 AAC 21.363 Upper Cook Inlet Salmon Management Plan.

add a new line to; 5 AAC 21.363 (a)(3) **(D) the need to harvest all surplus salmon stocks and to maintain sustainable salmon runs.**

5AAC 21.363 (a)(4) in these management plans, the board **must** [MAY, AS APPROPRIATE] address the following considerations:

add a new line to ; 5AAC (a)(4)**(C) the need to harvest all surplus salmon stocks to maximize the economic yield and the overall benefits from these salmon resources;**

What is the issue you would like the board to address and why? The Upper Cook Inlet Salmon Management Plan needs updated to direct the board and the department to develop management plans that are in compliance to Alaska's Constitution, Alaska's laws, statutory conservation mandates, the Magnuson Stevens Act (MSA) and the Sustainable Salmon fisheries policy 5AAC 39.222. The current plans are not in compliance. Through the years the political pressure from special interest groups have gone too far in developing and lobbying for the passage of management plans that are reallocation and lack any reference to science, maximum sustained yield or of harvesting the surplus. They are unsustainable and are harmful to the resource, habitat and the people, communities, businesses and the state that depends upon optimum returns and the surplus to be harvested. The biologist are not allowed to use science and their manage tools to

harvest the surplus and achieve escapement goals without going over the top end by sometimes gross amounts. Over escapement is chronic. The current management plans create annual unharvested surplus salmon stocks in UCI in the millions of salmon and the loss of millions of dollars in State taxes and tens of millions of dollars lost to the users and local economies. There is also the factor of lost jobs and the lost high protein sustainable seafood. Data from reports show that in 2014 over 80% or 23,000,000 of UCI surplus salmon were not harvested. That unharvest surplus is larger than the combined commercial harvest of California, Oregon and Washington. This is not good Stewardship.

This proposal attempts to add language to the UCI Salmon Management Plan that will give direction to the board and department to correct these issues.

PROPOSED BY: Central Peninsula Fish and Game Advisory Committee (EF-F16-125)
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PROPOSAL 129 – 5 AAC 21.363. Upper Cook Inlet Salmon Management Plan. Amend plan to prioritize the need to harvest all surplus salmon stocks and to maximize economic yield and the overall benefits from salmon stocks managed under the plan, as follows:

5 AAC 21.363. Upper Cook Inlet Salmon Management Plan.
…

(3) in adopting the specific management plans described in (2) of this subsection the board will consider:

(A) the need for sustainable fisheries for all salmon stocks and salmon species throughout the Cook Inlet basin;

(B) the protection of the fisheries habitat both in the fresh water and the marine environment throughout the Cook Inlet basin; and

(C) the various needs and demands of the user groups of the salmon resources of upper Cook Inlet;

(D) the need to harvest all surplus salmon stocks to ensure sustainable runs;

(4) in these management plans, the board **must** [MAY, AS APPROPRIATE] address the following considerations:

(A) the need to allocate the harvestable surplus among commercial, sport, guided sport and personal use fisheries; and

(B) the need to allocate the harvestable surplus within user groups;

(C) the need to harvest all surplus salmon stocks to maximize the benefit and the economic yield of these resources;

….

What is the issue you would like the board to address and why? Unharvested surplus salmon describes those salmon in excess of escapement needs that are not harvested by commercial, sport or personal use fisheries. Upper Cook Inlet (UCI) has some of the largest wild, native salmon returns in Alaska. ADF&G does not enumerate the return of all stocks but based on the actual harvest and research data, the 2014 returns of all UCI salmon stocks could be estimated at around

30,000,000 fish. After escapement needs (7,000,000), there were approximately 23,000,000 salmon available for harvest. Of the 23 million salmon available for harvest, only around 4.5 million were utilized.

These abundant salmon stocks should be available for harvest; however, the effects of current BOF and ADF&G management plans and policies result in over 80% of these stocks going unharvested. In 2014, about 88% of the Chinook, 19% of the sockeyes, 84% of the coho, 96% of the pinks and 87% of the chums were in excess of all harvests or escapement needs and not utilized.

Unharvested surplus salmon also cause much more variability in returns. These erratic returns are more difficult to predict, more difficult to manage to achieve escapement goals and, as ADF&G reports assert, are not sustainable (SP 07-17, FMS 14-06).

Fisheries management needs to be focused on fully utilizing these abundant renewable resources with the understanding that allocation and daily management decisions have direct economic consequences to the welfare of the state.

The unharvested surplus stocks represent millions of lost tax revenue dollars to the State Treasury, tens of millions of dollars in lost economic benefit to the regional economies, loss of food products and by-products, and lost jobs. These same non-utilized salmon represent an opportunity for growth and diversification in local, regional and state economies.

The commercial sector is the only user group that has the capacity or the ability to harvest and monetize these surplus stocks.

PROPOSED BY: United Cook Inlet Drift Association (HQ-F16-012)

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PROPOSAL 130 – 5 AAC 21.363. Upper Cook Inlet Salmon Management Plan. Amend *Upper Cook Inlet Salmon Management Plan* so that fishery restrictions on fully allocated stocks of concern are shared among all user groups in proportion to the respective user group harvest of that stock, as follows:

5 AAC 21.363 Upper Cook Inlet Salmon Management Plan would be amended by adding (a)(7) as follows:

> (**7) Where there is a management plan, and when the stock of concern is fully allocated among all user groups, the burden of conservation shall, to the extent practicable, be shared among all user groups in close proportion to their respective harvest on the stock of concern.**

What is the issue you would like the board to address and why? The BOF needs to be in compliance with past Supreme court rulings in Pullen verses Ulmer and the recent Supreme Court ruling Lieutenant Governor of the State of Alaska verses Alaska Fisheries Conservation Alliance. All users need to share in resource conservation in proportion to their use. The board already has direction on how to fairly conserve fish in the absence of a management plan (5 AAC

21.363(a)(6)), but this direction does not exist for the creation of new management plans. Without this language, the equitable allocation of fishery resources in Upper Cook Inlet is not ensured.

(6) consistent with 5 AAC 39.220(b) , it is the intent of the board that, in the absence of a specific management plan, where there are known conservation problems, the burden of conservation shall, to the extent practicable, be shared among all user groups in close proportion to their respective harvest on the stock of concern.

PROPOSED BY: David Hillstrand (EF-F16-025)

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PROPOSAL 131 – 5 AAC 21.200. Fishing districts, subdistricts, and sections. Define commercial fishing statistical areas in the Upper Subdistrict set gillnet fishery, as follows:

New section in 5 AAC 21.200 and/or 5 AAC 21.330 would define the six ESSN statistical areas into regulation for more accurate and accountable reporting purposes.

What is the issue you would like the board to address and why? In 5 AAC 39.130 (c) (7) The first purchaser of raw fish is required to record on a fish ticket information for reporting ...the ADF&G statistical area, district, and subdistrict, and the nearest headland or bay in the which the fish were taken; In Cook Inlet, 5 AAC 21.355 requires ... a commercial salmon fisherman shall, at the time of the landing, report on an ADF&G fish ticket the number of salmon, by species, taken but not sold. Statistical areas that makeup the ESSN beaches are not specifically defined in regulation. General reporting regulations require the raw fish purchaser to report on the fish ticket a statistical area. Further, 5 AAC 21.310 (b) (2) (C) (iii) closes by emergency order after July 31st if the ADF&G determines a 1 % production/participation threshold and relies on the statistical areas reported. Some fishermen harvest in both the Kenai and Kasilof sections thus different statistical areas. There is no accountability or requirement in Cook Inlet for commercial fishermen to give an accurate statistical area for a percentage of their catch. In 2015, the Kasilof section was shut down earlier than the Kenai section for just a few hundred pounds. Sockeye goals had been exceeded in both the Kenai and Kasilof Rivers. The King BEG in the Kenai was assured. Statistical areas 244-31, 244 -32, 244-41 and 244-42 have coordinates listed in various sections. 244-21 and 244-22 describe the Clam Gulch road as the arbitrary division but it has no coordinates defined in regulation. Placing the actual ESSN statistical areas in 5 AAC 21.200 would clarify boundaries for management purposes and adherence to current reporting requirements on fish tickets. In Bristol Bay 5 AAC 06.370 (l) (1-7) statistical areas are used for registration areas. A management tool to allow for surgical openings to align fishing opportunity with abundance.

PROPOSED BY: Paul Shadura, spokesperson for South K-Beach Independent Fishermen's Association (SOKI) (EF-F16-161)

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PROPOSAL 132 – 5 AAC 21.200. Fishing districts, subdistricts, and sections. Move the southwestern-most point of the Expanded Kasilof Section 1.2 nm west so it aligns with the northwestern-most point of the Expanded Anchor Point Section, as follows:

5 AAC 21.200(b)(2)(E)

Expanded Kasilof Section: all waters enclosed by a line from a point on the beach at 60°27.10' N lat., 151°16.94' W. long., west to a point at the Blanchard Line located at 60°27.10' N. lat., 151°33.76 W. long., south to a point located at 60°04.02'N lat., [151°46.60] **151°49.00'** W. long. and east to an ADF&G regulatory marker located at 60 04 .02' N. lat., 151 38.90'W. long.;

What is the issue you would like the board to address and why? When the BOF created a new Anchor Point Section at the 2014 UCI meeting, the NW point was established 1.2 nm to the west of the current SW point of the Kasilof Expanded Section. The new regulation created a 1.2 mile discrepancy when describing what was supposed to be a common point for both the SW point of the Kasilof Expanded and NW point of the Anchor Point Sections. We request a common coordinated point of 151°49.00' West longitude be used to describe the westward point where these two sections join up against each other along the 60°04.02 North latitude line.

The 1.2 nm discrepancy in the sections boundary line creates compliance and law enforcement issues. There are no salmon conservation or allocation effects if this regulation is changed.

PROPOSED BY: United Cook Inlet Drift Association (HQ-F16-007)

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PROPOSAL 133 - 5 AAC 21.331. and 5 AAC 21.333. Requirements and specifications for use of 200 fathoms of drift gillnet gear in the Cook Inlet Area. Allow a single person holding two Commercial Fisheries Entry Commission Cook Inlet drift gillnet limited entry permits to operate 200 fathoms of drift gillnet gear, as follows:

5 AAC 21.333 ....

(a) Except as specified in (e)-(g) of this section one person holding two Cook Inlet CFEC limited entry drift permits may fish up to 200 fathoms of drift gear from the same vessel under this section,or two Cook Inlet drift gillnet CFEC permit holders may fish concurrently from the same vessel and jointly operate up to 200 fathoms of drift gear under this section.

(b) Repealed 5/18/2014

(c) When one person holding two Cook Inlet drift gillnet CFEC permits, or when two Cook Inlet CFEC permit holders fish from the same vessel and individually or jointly operate additional drift gillnet gear under this section, ...

(d) When one person holding two permits or ....

(e) The individual or joint ....

(f) A vessel with a double permit holder or with ....

(g) Repealed 5/21/2011

- and -

5 AAC 21.331 ....

(c) A drift gillnet may not be more than 150 fathoms in length and 45 meshes in depth. No person may operate more than one drift gillnet ,except as specified in 5AAC21.333

What is the issue you would like the board to address and why? This proposal seeks to allow a single person to hold two CFEC Cook Inlet drift gillnet permits and operate both at the same time on one vessel as is permitted in 5AAC21.333. Presently as more and more salmon are allocated away from the commercial fishery to the sport fishery, the economic viability of individual drift fishers is negatively impacted. If adopted, this proposal will reduce the number of boats fishing, and over time, perhaps lowering the fleet to half its present number. Additionally, the number of nets fishing will be reduced significantly, resulting in more escapement to other users. Permit stacking in 5AAC21.333 requires two permit holders which is problematic, because it puts two skippers on the same vessel and makes them equally responsible for how the gear is fished, when to set, where to set, etc. This can create liability issues and conflicts between permit holders. If adopted this proposal will provide another option other than permit stacking.

Changing/adding language to 5 AAC 21.331 is necessary if the BOF adopts the changes requested to 5AAC21.333.

PROPOSED BY: Robert E Merchant (EF-F16-019, EF-F16-020)
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PROPOSAL 134 – 5 AAC 21.360. Kenai River Late-Run Sockeye Salmon Management Plan and 5 AAC 21.365. Kasilof River Salmon Management Plan. Remove restrictions in the Upper Subdistrict commercial set gillnet fishery and allow for regular weekly fishing periods through July 20 with additional fishing periods based on inseason abundance, as follows:

5AAC 21.360. Kenai River Late-Run Sockeye Salmon Management Plan

(C)(1)(B) [SUBJECT TO THE POROVISIONS OF OTHER MANAGEMENT PLANS,] **the Upper Subdistrict set gillnet fishery will fish regular weekly fishing periods, as specified in 5AAC 21.320, through July 20. Additional emergency openings or restrictions shall be implemented by emergency order from the Commissioner in accordance to the in-season abundance based management policy to meet the sustainable escapement goals and harvest the surplus salmon.** [UNLESS THE DEPARTMENT DETERMINES THAT THE MINUMUM INRIVER GOAL WILL NOT BE MET, AT WHICH TIME THE FISHERY SHALL BE CLOSED OR RESTRICTED AS NECESSARY; THE COMMISSIONER MAY, BY EMERGENCY ORDER, ALLOW EXTRA FISHING PERIODS OF NO MORE THAN 24 HOURS PER WEEK, EXCEPT AS PROVIDED IN 5 AAC 21.365:]

(c)(2)(B) [SUBJECT TO THE POROVISIONS OF OTHER MANAGEMENT PLANS,] **the Upper Subdistrict set gillnet fishery will fish regular weekly fishing periods, as specified in 5AAC 21.320, through July 20. Additional emergency openings or restrictions shall be implemented by emergency order from the Commissioner in accordance to the in-season abundance based management policy to meet the sustainable escapement goals and harvest the surplus salmon.** [OR UNTIL THE DEPARTMENT MAKES A DETERMINATION OF RUN STRENGTH, WHICHEVER OCCURS FIRST; IF THE DEPARTMENT DETERMINES THAT THE MINIMUM IN-RIVER GOAL WILL NOT BE MET, THE FISHERY SHALL BE CLOSED OR RESTRICTED AS NECESSSARY; THE COMMISSIONEER MAY, BY

EMERGENCY ORDER, ALLOW EXTRA FISHING PERIODS OF NO MORE THAN 51 HOURS PER WEEK, EXCEPT AS PROVIDED IN 5AAC21.365; AND

(C) THE UPPER SUBDISTRICT SET GILLNET FISHERY WILL BE CLOSED FOR ONE CONTINUOUS 36-HOUR PERIOD PER WEEK BEGINNING BETWEEN 7:00P.M. THURSDAY AND 7: A.M. FRIDAY AND FOR ONE CONTINUOUS 24-HOUR PERIOD PER WEEK BEGINNING BETWEEN 7:00 P.M. MONDAY AND 7:00 A.M. WEDNESDAY;]
(c)(3)(B) [SUBJECT TO THE POROVISIONS OF OTHER MANAGEMENT PLANS,] **the Upper Subdistrict set gillnet fishery will fish regular weekly fishing periods, as specified in 5AAC 21.320, through July 20. Additional emergency openings or restrictions shall be implemented by emergency order from the Commissioner in accordance to the in-season abundance based management policy to meet the sustainable escapement goals and harvest the surplus salmon.** [OR UNTIL THE DEPARTMENT MAKES A DETERMINATION OF RUN STRENGTH, WHICHEVER OCCURS FIRST; IF THE DEPARTMENT DETERMINES THAT THE MINIMUM IN-RIVER GOAL WILL NOT BE MET, THE FISHERY SHALL BE CLOSED OR RESTRICTED AS NECESSSARY; THE COMMISSIONEER MAY, BY EMERGENCY ORDER, ALLOW EXTRA FISHING PERIODS OF NO MORE THAN 84 HOURS PER WEEK, EXCEPT AS PROVIDED IN 5AAC21.365; AND

(C) THE UPPER SUBDISTRICT SET GILLNET FISHERY WILL BE CLOSED FOR ONE CONTINUOUS 36-HOUR PERIOD PER WEEK BEGINNING BETWEEN 7:00P.M. THURSDAY AND 7: A.M. FRIDAY.]

5 AAC 21.365. KASILOF RIVER SALMON MANAGEMENT PLAN

(c)(2)(A) the commissioner may, by emergency order, open additional fishing periods or extend regular weekly fishing periods [TO A MAXIMUM OF 48 HOURS OF ADDITIONAL FISHING TIME PER WEEK;

(B) THE FISHERY SHALL REMAIN CLOSED FOR AT LEAST ONE CONTINUOUS 36-HOUR PERIOD PER WEEK TO BEGIN BETWEEN 7:00P.M. THURSDAY AND 7:00 A.M. FRIDAY;]

What is the issue you would like the board to address and why? 5 AAC 21.360 Kenai River Late-Run Sockeye Salmon Management Plan and 5AAC 21.365. Kasilof River Salmon Management Plan have elements in the plans that illegally restricts the Commissioner's emergency order authority and make it impossible to manage the east side set net fishery in a manner to meet the escapement goals and harvest the surplus.

Prior to 1999 the east side set gillnet fishery operated on a management plan of two twelve hour inlet wide weekly fishing periods. The plan worked as designed. The biologist had indices, from catch data, to know the size and location of the schools of salmon entering that year as they moved up the beach and could make sound scientific management decisions. Based on the in-season abundance count, salmon managers would open and close fisheries on a real time daily basis to ensure spawning escapements where adequate and to harvest the surplus salmon throughout the run to sustain production. Delegated emergency order authority provided for immediate management decisions by area biologist. Many emergency openings where announced with only two hours till fishing time. This is because once the fish hit the beach they don't wait around and

once they enter the river it is forgone commercial harvest. Large escapements are unsustainable and the in-river fisheries are incapable of harvesting the surplus to escapement needs resulting in gross over escapement and reduced future returns. When runs were strong, managers liberalized harvest regulations to utilize surpluses. When runs where poor, managers closed fisheries to provide for predetermined escapement needs which ensure long-term sustainable yields. There was order, stability and predictability in the fisheries, fishery support businesses and the communities. This style of management is also mandated by the Constitution and the Magnuson Stevens Act (MSA). This successful management style is currently used in most areas of the State. It was also adopted by the Pacific Salmon Commission to manage and conserve salmon resources shared by Alaska, Oregon, Washington, and Canada, and worked well in Cook Inlet to achieve the escapement goals and allow all users an opportunity to utilized the surplus. The current version of 5 AAC21..360 and 5AAC21.365 set gillnet fishery management plans are in violation of the constitutional mandate and does not allow adaptive in-season management. The plan makes it impossible for the biologist to know the run size and location or to manage for escapement goals or harvest the surplus. The result has been gross annual over-escapements and annual loss of harvest in the tune of millions of salmon and tens of millions of dollars. The resource, habitat, commercial and sports fishermen, processors, workers, industries, communities and the State are needlessly harmed. The constitution mandates that renewable resources "shall be utilized, developed and maintained on the sustained yield principle." Alaska law states: "The Commissioner shall manage, protect, maintain, improve, and extend the fish, game and aquatic plant resources of the state in the interest of the economy and general well being of the state… through rehabilitation, enhancement, and development programs, (the department must) do all things necessary to insure perpetual and increasing production and use of the food resources of state waters and continental shelf areas."

This proposal seeks to modify the set gillnet management plans to be in compliance with the Constitution, MSA, Alaska statute and 5 AAC 39.222 Policy for the management of sustainable salmon fisheries. This proposal will give the biologist the flexibility and proven tools to perform in-season real-time abundance based management and to be effective in achieving the escapement goals and to harvest the salmon surplus. This proposal also seeks to provide a reasonable opportunity for all harvesters and to provide adequate protection for northern bound and central district salmon stocks. This proposal does not limit the commissioner's use of emergency order authority under AS 16.05.060.

PROPOSED BY: Central Peninsula Fish and Game Advisory Committee (EF-F16-143)

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<u>PROPOSAL 135</u> – 5 AAC 21.200. Fishing districts, subdistricts and sections; 5 AAC 21.310. Fishing seasons; 5 AAC 21.360. Kenai River Late-Run Sockeye Salmon Management Plan; and 5 AAC 21.365. Kasilof River Salmon Management Plan. Redefine sections and manage the commercial set gillnet fishery in the Upper Subdistrict with three sections with staggered opening dates, as follows:

Change management of the East Side Setnet Fishery from the current two section system to a three section system with the natural separations of the Kasilof and Kenai river mouth closed areas.

Salamatof and East Forelands section opening July 8th.

North and South Kalifonsky Beach section opening July1st.

Ninichik and Coho section opening June 20th.

The regulations effected are widespread but current management plans could be rewritten to accommodate this division without changing the majority of their substance.

What is the issue you would like the board to address and why? Currently, the East Side Setnet Fishery is managed by the department essentially in two areas. The "Kasilof Section", made up of the Ninilchik, Coho, and South K-Beach statistical areas ; and the "Kenai and East Forelands Section", made up of the North K-Beach, Salamatof, and East Forelands statistical areas. The dividing line being roughly midway between the mouths of the Kasilof and Kenai Rivers.

These areas are quite separated and both sections include widely separate regions both in geographical location and fishing conditions. I believe that the fishery could be better served by breaking management into the three areas that are naturally separated by the Kasilof and Kenai Rivers as both have a significant closed area around the mouth. This has several apparent advantages and I believe change in this direction is important for the long term sustainability of the fishery.

First and foremost, this would greatly increase the potential flexibility of the department to deal with all of the many issues addressing the complex management of the fishery. Specifically, some of the immediate issues that it could help and the primary effects on the three proposed sections are:

The Northern "Salamatof" Section. Functionally, I propose very little change in the management of this area. The starting date would remain the same and the department would gain the flexibility of having the option of fishing these Northern beaches during some situations, primarily late in the season.

The Middle "Kalifonsky" Section. Currently North and South K-Beach despite being adjoining geographic areas are managed completely separately and in conjunction with areas that have much less similarities than they share with each other. Primary change I propose is a July 1 starting date for this section. If managed jointly it would allow for targeted management allowing the entire K-Beach the opportunity to participate in its historical harvest of kasilof river stocks early in July. The inequalities in opportunity of adjoining areas and sites currently existing would be addressed. The Southern "Kasilof" Section. Separating out the southern beaches and managing them independently would primarily have the benefit of allowing the department to fish them early in order to not fall behind Kasilof sockeye goals while reducing the potential concerns of Early Run Chinook harvest that exist currently. I propose a June 20th starting date for this area. Much of this area is widely separated from the rest of the fishery and functions in a different way. Managing sites north of the kasilof river in conjunction with ones as far south as the Ninilchik line has a number of drawbacks.

The transition to a three area management system would change the fishery entirely, but these proposed areas make much more sense than the current division and would certainly allow the department and the board greater flexibility in managing this fishery in the future.

PROPOSED BY: Joseph Person (EF-F16-076)
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PROPOSAL 136 – 5 AAC 21.310. Fishing Seasons. Allow commercial fishing with set gillnets in the North Kalifonsky Beach (NKB), statistical area 244-32, within 660 feet of shore with shallow nets only, when the Kasilof Section is open, on or after July 8, as follows:

NKB, MAY have the opportunity to harvest with SELECT gear, (4 3/4 in maximum mesh size and can't be more than 29 meshes deep), from July 8 on, when any portion of the Kasilof section is fishing. The set nets fished on NKB, cannot fish farther than 600 ft from the mean high tide mark.

Fishing within 600 ft, from mean high tide, using SELECT gear, with 29 mesh deep nets would make the king salmon harvest minimal. Additionally using, 4 3/4 in mesh or smaller, would be very efficient in harvesting Kasilof sockeye that are abundant on the beach, and those smaller size fish that make up 61% of the Kasilof River escapement. It is these two ocean and younger age classes that continually drive the Kasilof River over the top end of its BEG.

By fishing NKB, with SELECT gear, should cut down on the amount of time fished in the KRSHA.

The regulation would read something like this:

From July 8 on, when any portion of the Kasilof section is fishing; North Kalifonsky Beach, stat area 244-32, MAY open with set gill nets, restricted to fishing within 600 ft from the mean high tide mark. Nets cannot be more than 29 meshes deep and the mesh size cannot exceed 4 3/4 in.

What is the issue you would like the board to address and why? The issue here is lack of traditional and historic harvest of Kasilof sockeye on North Kalifonsky Beach (NKB), statistical area 244-32.

NKB since before Statehood was a traditional and historic harvester of Kasilof sockeye. With management changes that went into place in 1999, the opportunity to harvest Kasilof stocks were greatly diminished for NKB.

ADF&G staff has stated that Kasilof sockeye are predominately "beach orientated". The ESSN fishery catches 58% of the Kasilof harvest, while the Drift fleet harvests 27%.

A 2009 report from ADF&G- *Genetic Stock Identification of Upper Cook Inlet Sockeye Salmon Harvest,* showed that the harvest of Kenai and Kasilof sockeye on all NKB was close to a 50/50 split between the two stocks, (page 52). This study was taken from samples of the entire NKB section. If samples were taken only from nets fishing 600 ft of mean high tide, Kasilof sockeye

that are predominately " beach orientated", the Kasilof sockeye proportion would be undoubtedly higher.

From 1979 to 1999, the Kasilof River exceeded its BEG 12 out of 21 years, (57% of the time). During some of this time period the Kasilof River escapement goal was considerable less, 75,000 to 150,000 sockeye. During this time NKB was a traditional and historic harvester of Kasilof sockeye.

From 1999 the Kasilof River sockeye salmon escapement has exceeded its BEG, 15 out of the last 17 years, (88% of the time).

ADF&G harvest data, shows from 2008-2015, in the Kasilof section setnet fishery, two ocean and younger sockeye age classes (smaller fish) comprise 33% of the harvest.

ADF&G sockeye escapement data from 2008-2015, in the Kasilof River showed 61% of the sockeye escapement was made up of two ocean and younger age class sockeye.

In the Kasilof River Special Harvest Area (KRSHA), some years data, showed 73% of the harvest comprised of two ocean and younger age classes.

At BOF meetings since 2002, 2005, 2008, 2011, 2014, setnetters on NKB have been trying to get back fishing times on Kasilof stocks, that were a traditional and historic mainstay in out fishery for decades.

Kenai River sockeye salmon are the main stock harvested in the East - Forelands section (which is a minimum 10 miles north of the Kenai River). Kenai River sockeye are harvested all the way to the Northern District. Common sense and genetic reports show that Kasilof sockeye are abundant on NKB, which is from 4 to 8 miles north of the Kasilof River.

PROPOSED BY: Gary L. Hollier (EF-F16-017)

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PROPOSAL 137 – 5 AAC 21.310. Fishing seasons. Remove “one-percent rule”, where the commercial set gillnet fishery will close after July 31, if less than one percent of the season’s total sockeye is harvested in two consecutive fishing periods, as follows:

5AAC 21.310 (b)(2)(C)(iii)

[KENAI, KASILOF, AND EAST FORELANDS SECTIONS: IN THE COMBINED KENAI AND EAST FORELANDS SECTIONS, AND SEPARATLEY IN THE KASILOF SECTION, THE SEASON WILL CLOSE AUGUST 15, UNLESS CLOSED EARLIER BY EMERGENCY ORDER AFTER JULY 31, IF THE DEPARTMENT DETERMINES THAT LESS THAN ONE PERCENT OF THE SEASON’S TOTAL SOCKEYE HARVEST HAS BEEN TAKEN PER FISHING PERIOD FOR TWO CONSECUTIVE FISHING PERIODS IN THE COMBINED KENAI AND EAST FORELANDS SECTIONS OR SEPARATELY IN THE KASILOF SECTION; FROM AUGUST 11 THROUGH AUGUST 15, THE FISHERY IS OPEN FOR

REGULAR FISHING PERIODS ONLY; FOR PURPOSES OF THIS SUB-SUBPARAGRAPH, "FISHING PERIOD" MEANS A TIME PERIOD OPEN TO COMMERCIAL FISHING AS MEASURED BY A 24-HOUR CALENDAR DAY FDROM 12:01 A.M. UNTIL 11:59 P.M.;]

What is the issue you would like the board to address and why? 5AAC 21.310 (b)(2)(C)(iii) The adoption of the one percent rule has no scientific or biological support. It is not used statewide and was strictly an arbitrarily and capriciously implemented allocation regulation. It is a backdoor approach by some special interest groups to close the commercial fishery in the first week of August. The current regulation failed to address the lost harvest of surplus salmon stocks in August and the impossibility of managers to manage for the escapement goals. In 2015 the UCI sockeye run was the latest on record. The Kenai River sockeye escapement was over two million. The Kenai and Kasilof Rivers received twice their biological escapement goals for sockeye. All sockeye and coho escapement goals were met with many systems grossly over-escaped. The surplus salmon were not harvested by anybody. The August pink runs are virtually un-harvested. August can have pink returns in the millions, but this regulation prevents their harvest. The East side set net fishery is a vital management tool for harvesting pinks and August sockeye. This rule is not sustainable. An example of how ludicrous this regulation is: Half the set netters are fishing after July 31. Participation varies from a multitude of reasons. The salmon escapement goals are met or exceeded for all salmon species. The coho run is excellent and it is an even pink year with 20 million pinks predicted to return. There are no conservation concerns. The only concern is gross over-escapement. The remaining set netters had their best fishing days on sockeye on August 1st and 2nd. Because there were only half of them fishing, besides the fact that they had large catches of surplus sockeye or pinks, their total combined catch was less than one percent of their set net's area season's total sockeye harvest for two consecutive periods after July 31st, so by the current regulation their season is closed. If they had a caught large numbers of pinks they would also be closed. The current regulation pretty much guarantees the east side set net closure and the inability to monetize the surplus salmon. The passing of the rule failed to address the lower number of fishermen participating in harvesting the salmon runs in August by both the commercial and in-river sports fishery. The rule also fails to address the harvest of other surplus salmon species especially pinks. Pinks can have returns in the millions and go virtually un-harvested. This lower participation level provides effective protection for escapement needs and for in-river users to have a reasonable opportunity. The lost opportunity and harvest denied to the fewer local commercial fishermen are significant and unnecessary, not only to them but to the processors, workers, support businesses, communities economy and the State treasury. This harvest could be the difference between a bad season and an ok season.

The current regulation is in violation of 5 AAC 39.222. Policy for the management of sustainable salmon fisheries, State fisheries policy, Article 8 of the Constitution and the Magnuson Stevens Act all of which require the best scientific information available in formulating fishery management plans designed to achieve maximum or optimum salmon production.

This proposal does not limit the commissioner's use of emergency order authority under AS 16.05.060 to achieve established escapement goals for the management plans as the primary management objective.

PROPOSED BY: Central Peninsula Advisory Committee (EF-F16-140)

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PROPOSAL 138 – 5 AAC 21.310. Fishing seasons. Remove the one-percent rule that applies to the commercial set gillnet fishery in the Upper Subdistrict after July 31 so that the set gillnet fishery will close August 15 and be managed using regular fishing periods from August 11 through August 15, as follows:

5 AAC 21.310(b)(C) Fishing Seasons

(iii) Kenai, Kasilof, and East Forelands Sections: [IN THE COMBINED KENAI AND EAST FORELANDS SECTIONS, AND SEPARATELY IN THE KASILOF SECTION,] the season will close August 15, [UNLESS CLOSED EARLIER BY EMERGENCY ORDER AFTER JULY 31, IF THE DEPARTMENT DETERMINES THAT LESS THAN ONE PERCENT OF THE SEASON'S TOTAL SOCKEYE HARVEST HAS BEEN TAKEN PER FISHING PERIOD FOR TWO CONSECUTIVE FISHING PERIODS IN THE COMBINED KENAI AND EAST FORELANDS SECTIONS OR SEPARATELY IN THE KASILOF SECTION]; from August 11 through August 15, the fishery is open for regular fishing periods only; for purposes of this sub-subparagraph, "fishing period" means a time period open to commercial fishing as measured by a 24-hour calendar day from 12:01 a.m. until 11:59 p.m.;

What is the issue you would like the board to address and why? Currently, setnetting in the Upper Subdistrict closes in August based on the one-percent rule. The 1% rule states that after July 31st, if less than one percent of the season's total setnet sockeye harvest has been taken per fishing period for 2 consecutive periods, the fishery is closed for the season.

The original intent of the 1% rule was to allocate additional Kenai River coho salmon to inriver fisheries. This, however, comes at the expense of harvest opportunity by the Upper Subdistrict set gillnet fishery on Kenai and Kasilof river sockeye salmon during the final days of their season, with months of inriver coho season remaining. It is important to note that in the past 10 years (2006-2015), the Kenai River sockeye salmon inriver goal has been exceeded 7 times, and the Kasilof River sockeye salmon BEG has been exceeded 9 times. Meanwhile, based on average harvest and total run estimates from 2000 to 2004, ADFG estimated that the harvest rate of Kenai River Coho salmon by all commercial fisheries at about 3% and the harvest rate by the sport fishery at about 38%. Additionally, for every fishing period from August 11 to August 15, the set gillnet fishery harvests only about 1.2% of the total run of Kenai River coho salmon (see staff comments on 2014 proposals 116 & 117). The board has addressed Kenai river coho salmon conservation in the Upper Subdistrict setnet fishery through the season ending date of August 15, with only regular periods allowed from 11-15. There are currently no conservation concerns for Kenai River coho salmon.

In order to provide a reasonable opportunity to harvest surplus sockeye salmon bound for the Kenai and Kasilof rivers, this proposal seeks to remove the 1% rule for the Upper Subdistrict setnet fishery.

PROPOSED BY: Kenai Peninsula Fishermen's Association (HQ-F16-079)
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PROPOSAL 139 – 5 AAC 21.310. Fishing seasons. Repeal the one-percent rule, as it applies to the Upper Subdistrict set gillnet fishery so that the set gillnet fishery will close August 15, as follows:

Amend and delete (b) (C) (iii) after the words: the season will close August 15th, unless closed earlier by emergency order [**after July 31, if … until 11:59 p.m.**]

What is the issue you would like the board to address and why? The 1% "rule" was attached to the Kenai River Coho conservation plan which has been repealed for nearly a decade. The ESSN Harvest of Kenai bound coho is less than 3% of the total average runs. There is no conservation concerns over this stock and the ESSN foregone millions in annual salmon harvests under the former Coho plan due to one poor return year in the mid 1990's.

The 1% rule makes no sense in mandating a CFEC permit holder to no salmon harvest while all sockeye salmon escapement goals have been met or exceeded due to prescriptive closures. Sport fishermen remain opened for a number of stocks year round, including months of coho fishing opportunity to November. Conservation is not defined by a 3 or 4% exploitation rate limited solely upon commercial fisheries alone when no Guideline Harvest Levels exist when coho stocks can be exploited at 63% with Sustained Yields. Run timing has proven over 17% of the sockeye run occurs in August and there is no reason to assume the department or anyone can predict what happens in August during any given year from one day to the next or one week to the next.

This is nothing more than an anti commercial fishing provision and fishery conflict proviso to create economic harm. The Board and the Department have a responsibility to reduce fishery conflicts and promote fishing that support fishing communities who depend on the salmon resources of this state.

PROPOSED BY: Mark Ducker (HQ-F16-096)
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PROPOSAL 140 - 5 AAC 21.331. Gillnet specifications and operations. Allow a set gillnet to be up to 45 fathoms in length and a Commercial Fisheries Entry Commission limited entry permit holder to operate up to 135 fathoms of set gillnet gear when commercial fishing with set gillnets 29 meshes or less in depth, as follows:

5 AAC 21.3311 (d) (x)

A set gillnet that is no more that 29 meshes deep, can be up to 45 fathoms long. The total aggregate, for one set net permit, can be no more that 135 fathoms for these voluntarily fished nets.

What is the issue you would like the board to address and why? The issue here is how to minimize late-run Kenai River king salmon harvest, while maximizing sockeye salmon harvest in the commercial set net fishery, in the Upper Subdistrict

In the Kenai River late-Run Sockeye Salmon Management Plan (KRLRSSMP). (a) The department shall manage the Kenai River late-run sockeye salmon stocks primarily for commercial use. The department shall also mange the commercial fishery to minimize the harvest ...., late-run Kenai River king,....

Satisfying these two main objectives in the KRLRSSMP by the department, sometimes is very challenging, to say the least.

The 2013 KINTAMA study in Cook Inlet, indicated that king salmon swim at an average depth of 16 ft. Sockeye salmon swim at an average depth of 6 ft.

There are some setnetters in Cook Inlet who voluntarily fish 29 mesh deep gear. They do so to MINIMIZE king harvest, while still being economically viable catching sockeye. 29 mesh deep nets hang about 12 ft. deep at slack tide. A 45 mesh deep net hangs about 18 ft. at slack tide.

Many setnetters are very reluctant to change to shallow gear, for a variety of reasons. Setnetters by regulation should not be mandated to fish 29 mesh deep gear.

A very viable solution to persuade setnetters to VOLUNTARILY fish 29 mesh deep gear, would be to increase the length of those nets to 45 fathoms. At this length and depth of the nets, there would be still 17% less gear in the water, than the current regulation.

I believe a regulation like this in the KRLRSSMP would certainly meet the intent of 5 ACC 21.360 (a), to commercially harvest sockeye while helping minimizing king harvest.

PROPOSED BY: Gary L. Hollier (EF-F16-148)
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<u>PROPOSAL 141</u> – 5 AAC 21.331. Gillnet specifications and operations. Limit the depth of all set gillnet gear in Upper Subdistrict of the Central District to no more than 29 meshes deep, as follows:

Limit the depth of set gillnets used in the Upper Subdistrict of the Central District to no more than 29 meshes.

What is the issue you would like the board to address and why? East Side set net fisheries targeting sockeye continue to harvest significant numbers of king salmon despite a 40 year-old Board of Fisheries directive to minimize the harvest of Kenai River late-run king salmon [5 AAC

21.360]. Research conducted at the request of the Alaska Department of Fish and Game and widespread experience of set net fishermen both demonstrate that fishing with shallower set net gear will more selectively harvest large numbers of sockeye with reduced harvest of king salmon. Most fishermen currently use 45 mesh depth gear. A maximum net depth of 29 meshes is currently thought to provide the best efficiency for harvesting sockeye while avoiding kings.

PROPOSED BY: Kenai River Sportfishing Association (HQ-F16-067)

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PROPOSAL 142 - 5 AAC 21.350. Closed waters. Close waters within one statute mile of the terminus of Kustatan, Drift, and Big rivers, and Bachatna Creek; as measured from mean lower low water, to commercial fishing, as follows:

5 AAC 21.350. CLOSED WATERS.

(a) Salmon may not be taken in any of the waters listed in this section.

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(b) Central District

(1) within one statute mile of the terminus of any of the following salmon streams: Kasilof River, Deep Creek, Stariski Creek, and Anchor River;

(2) Crescent River: east of a line from an ADF&G regulatory marker located approximately one mile west of the terminus of the Crescent River to the northernmost tip of Chisik Island, south of the latitude of an ADF&G marker located approximately one mile north of the terminus of the Crescent River, and within a three-mile radius from the terminus of the Crescent River at mean high tide;

(3) Kenai River: waters enclosed by a line from the southern ADF&G regulatory marker at the mouth of the Kenai River (60° 30.32' N. lat., 151° 17.05' W. long.) to the Coast Guard channel marker 1 KE located at 60° 31.30' N. lat., 151° 20.50' W. long. To the northern ADF&G regulatory marker at the mouth of the Kenai River (60° 34.09' N. lat., 151° 19.30' 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) Ninilchik River,

(A) within one statute mile of the river terminus;

(B) between the latitude of an ADF&G regulatory marker located approximately one statute mile north of the Ninilchik boat harbor entrance and the latitude of Anchor Point Light (59° 46.15' N. lat.) and extending offshore for a distance of one statute mile from mean lower low water;

(5) on the west side of the Central District from the northern boundary of the districtsouth to Harriet Point (60° 23.75' N. lat., 152° 14.00' W. long.),

(A) within one statute mile of the terminus, at **mean lower low water**, of the Kustatan River and the Drift River;

(B) within one statute mile of the terminus, at mean lower low water, of Cannery

Creek;

(C) within one statute mile of the terminus, **at mean lower low water of** Big River **and Bachatna Creek**;

(D) within 500 yards of the terminus, at mean high tide, of any anadromous fish stream;

(E) within 900 feet of the stream bed or channel of any anadromous fish stream throughout the intertidal portion of that stream out to the lower low water mark.

(6) Packers Creek: waters enclosed by a line from the south ADF&G regulatory marker located at 60° 26.11' N. lat., 151° 55.66' W. long., to 60° 25.33' N. lat., 151° 55.00' W. long., to 60° 25.31' N. lat., 151° 52.68' W. long., to 60° 26.42' N. lat., 151° 51.71' W. long., to the north ADF&G regulatory marker located at 60° 26.42' N. lat., 151° 53.32' W. long.

(c) Northern District

(1) within one statute mile of the terminus of any of the following salmon streams: Swanson Creek, Bishop Creek, Three-mile Creek, Chuit River, Nikolai Creek, and McArthur River; COOK INLET AREA 101

(2) Turnagain Arm and Knik Arm: east of a line from 61° 02.35' N. lat., 150° 23.64' W. long., to the site of the old West Point light on Fire Island, along the eastern shore of Fire Island to North Point, to 61° 14.64' N. lat., 149° 59.55' W. long.

(d) Southern District

(1) northeast of a line from an ADF&G regulatory marker at 59° 44.50' N. lat., 151° 02.10' W. long., to an ADF&G regulatory marker on the shore one-half statute mile southwest of the terminus of Swift Creek at 59° 47.15' N. lat., 151° 05.45' W. long.;

(2) waters of China Poot Bay south and east of the Homer Electric Association power line;

(3) waters of Sadie Cove south of 59° 30.00' N. lat.;

(4) waters of Tutka Bay southeast of 59° 25.50' N. lat.;

(5) waters of Jakalof Bay south of 59° 28.07' N. lat.;

(6) waters of Seldovia Bay south of a line from an ADF&G regulatory marker located at 59° 25.09' N. lat., 151° 42.57' W. long., to an ADF&G regulatory marker located at 59° 24.84' N. lat., 151° 43.06' W. long.;

(7) waters of Port Graham Bay south of 59° 20.44' N. lat.;

(8) Northshore Subdistrict.

(e) Kamishak Bay District: waters of Cottonwood Bay west of a line from an ADF&G regulatory marker located at 59° 38.39' N. lat., 153° 39.41' W. long., to an ADF&G regulatory marker located at 59° 37.68' N. lat., 153° 39.51' W. long.;

(f) Outer District

(1) waters of Port Chatham east of a line from an ADF&G regulatory marker located at 59° 13.32' N. lat., 151° 43.41' W. long., to an ADF&G regulatory marker located at 59° 12.59' N. lat., 151° 43.55' W. long.;

(2) waters of Windy Bay west of 151° 32.85' W. long.;

(3) waters of Taylor Bay north of a line between ADF&G regulatory markers located approximately at 59° 18.00' N. lat.;

(4) waters of Tacoma Cove and Sunday Harbor east of 151° 01.15' W. long.

(g) Eastern District

(1) waters of Resurrection Bay west of a line from an ADF&G regulatory marker located at the old military dock pilings on the west shore of Resurrection Bay north of Caines Head at

60° 00.48’ N. lat., 149° 24.20’ W. long., to an ADF&G regulatory marker located near the Seward Airport at 60° 07.49’ N. lat., 149° 24.72’ W. long.;

(2) king and coho salmon may not be taken in waters of Resurrection Bay north of a line from Cape Resurrection to Aialik Cape;

(3) waters of Aialik Bay north of 59° 53.47’ N. lat.

(h) In any bay, estuary, slough, or lagoon less than 300 feet in width at mean low tide.

(i) In all other streams or rivers within 500 yards of the terminus or as posted.

What is the issue you would like the board to address and why? Coho salmon stocks on the west side of Cook Inlet (Area’s 3 and 4) are being over exploited by commercial drift gillnets. Current regulations listing closed waters for commercial fishing on the West Side of Cook Inlet are not consistent and allow fishing too close the mouths of several rivers. All one statute mile fishing closures around all west side Cook Inlet river mouths should be designated from mean lower low water.

PROPOSED BY: Mark Glassmaker (EF-F16-036)

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PROPOSAL 143 – 5 AAC 21.505. Cook Inlet Smelt Fishery Management Plan. Increase the amount of smelt that may be taken in the Cook Inlet commercial smelt fishery from 100 tons to 200 tons annually, as follows

Change the eulachon or smelt quota in Cook Inlet from 100 tons to 200 tons as follows:

5AAC 21.505 1.e. Total harvest is limited to 100 tons or less.

Change to:

5AAC 21.505 1.e. Total harvest is limited to 200 tons or less.

What is the issue you would like the board to address and why? We would like the board to increase the quota for smelt in the Cook Inlet commercial smelt fishery from 100 tons to 200 tons.

In 2005, this was a new and developing fishery and the board passed a very conservative quota partly out of concern that markets were unknown and they didn't want waste to occur. After 10 years of this fishery, no waste has ever occurred and markets at this point would accept more than the 100 ton limit. Having such a low quota causes an unnecessary race for fish by the participants in this fishery, and causes managers to have to be unduly burdened with very close monitoring of the catch which can exceed the quota in just a few short days.

Although definitive run size data is unavailable at this time, there has been some stock assessment done and the department has 10 years of good harvest data. A Didson sonar counter trial showed that run passage can exceed 100,000 fish (about 15,000 lbs) per hour at which time it's impossible to get an accurate enumeration. We have shown that a single person may catch 35,000 fish (5,000 lbs) per hour with a very small (22 inch) hand held dipnet, while the vast majority swim past as escapement. The current 100 ton quota gets caught in just a few days by just a few people and the

impact on the run is miniscule. Many other river systems in Cook Inlet, besides just the Susitna, also have healthy stocks of smelt and are not even targeted by this fishery.

The State of Alaska, the governor, legislators, and many others are often pointing out how our natural resources are "locked up". Here is a vast resource that is almost completely unused and is controlled by the State through the board of fisheries. This fishery has provided a bit of work and money for a group of fishermen and cannery workers before the salmon season. The State gets to collect fish taxes and it's good for the economy. It should be doing even more.

PROPOSED BY: Teague Vanek (EF-F16-144)

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(Proposal 14 will be heard and public testimony will be taken at both the LCI and UCI meetings and deliberated at the UCI meeting).

PROPOSAL 14 - 5 AAC 56.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Kenai Peninsula Area., 5 AAC 57.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Kenai River Drainage Area., 5 AAC 59.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Anchorage Bowl Drainages Area., 5 AAC 60.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Knik Arm Drainages Area., 5 AAC 61.110. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Susitna River Drainage Area., and 5 AAC 62.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the West Cook Inlet Area. Allow snagging for sockeye salmon in all Cook Inlet freshwater lakes, as follows:

Allow sockeye salmon not hooked in the mouth to be retained in Fresh water Lakes in the Cook Inlet Drainage.

What is the issue you would like the board to address and why? It is almost impossible to catch sockeye salmon in the mouth unless there is some current, Sockeye salmon do not bite unless in late spawning stage,

PROPOSED BY: Andy Housh (EF-F16-135)

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(Proposal 34 will be heard and public testimony will be taken at both the LCI and UCI meetings and deliberated at the UCI meeting).

PROPOSAL 34 - 5 AAC 56.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Kenai Peninsula Area., 5 AAC 57.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Kenai River Drainage Area., 5 AAC 58.030. Methods, means, and general provisions – Finfish., 5 AAC 59.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Anchorage Bowl Drainages Area., 5 AAC 60.120.

General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Knik Arm Drainages Area., 5 AAC 61.110. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Susitna River Drainage Area., and 5 AAC 62.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the West Cook Inlet Area. Allow party fishing in Cook Inlet fresh and salt water for all species except king salmon, as follows:

Allow party fishing in Cook Inlet salt & fresh water for all species except King Salmon.

What is the issue you would like the board to address and why? 100% of private anglers & 95% of guided anglers party fish for most species, current rules make criminals out of all them, Tis rule is also non-enforcable for private anglers, & only enforceable on guided anglers if there iran undercover cop nearby or onboard the vessel. When fishing for abundant species with high bag limits such as black rockfish, sockeyes, pinks & others it is almost impossible to keep track of which individual anglers caught what & how many, example is 5 anglers fishing for pinks with limit of 6, it is easy to count to 30, but is very easy to lose track of how many each individual angler has retained.

PROPOSED BY: Andy Housh (EF-F16-137)
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PROPOSAL 144 - 5 AAC 56.XXX. Sport fishing by proxy., 5 AAC 57.XXX. Sport fishing by proxy., 5 AAC 58.XXX. Sport fishing by proxy., 5 AAC 59.XXX. Sport fishing by proxy., 5 AAC 60.XXX. Sport fishing by proxy., and 5 AAC 61.XXX. Sport fishing by proxy. Require that when proxy fishing in Upper Cook Inlet, once a bag limit is taken the next legal bag limit must be retained, as follows:

Notwithstanding 75.011 (Sport Fishing by Proxy) In Upper Cook Inlet, once a bag limit is taken either on behalf of a person under AAC75.011 or under a resident fishing license, the next legal bag limit must be retained.

What is the issue you would like the board to address and why? Proxy Fishing abuse. In cases where regulation requires once a bag limit is taken fishermen must stop fishing, fishermen may continue catch and release fishing under the guise of proxy fishing. This change would end this abuse and allow the benefit of proxy fishing to continue.

PROPOSED BY: Anchorage Fish and Game Advisory Committee (EF-F16-043)
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PROPOSAL 145 - 5 AAC 57.121. Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area., 5 AAC 57.122. Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Middle Section of the Kenai River Drainage Area., 5 AAC 57.123. Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Upper Section of the Kenai River Drainage Area., 5 AAC 59.122. Special provisions for the seasons, bag, possession, annual, and size limits, and methods and means for the Anchorage

Bowl Drainages Area., 5 AAC 60.122. Special provisions for the seasons, bag, possession, annual, and size limits, and methods and means for the Knik Arm Drainages Area., 5 AAC 61.112. Special provisions for the seasons, bag, possession, and size lmits, and mehthods and means for Unit 1 of the Susitna River Drainage Area., 5 AAC 61.114. Special provisions for the seasons, bag, possession, and size limits, and methods and means for Unit 2 of the Susitna River Drainage Area., 5 AAC 61.118. Special provisions for the seasons, bag, possession, and size limits, and methods and means for Unit 4 of the Susitna River Drainage Area., 5 AAC 61.120. Special provisions for the seasons, bag, possession, and size limits, and methods and means for Unit 5 of the Susitna River Drainage Area., and 5 AAC 61.122. Special provisions for the seasons, bag, possession, and size limits, and methods and meanas for Unit 6 of the Susitna River Drainage Area. Allow only barbless hooks in Upper Cook Inlet flowing waters closed to salmon fishing, as follows:

In Upper Cook Inlet flowing waters closed to salmon fishing, only barbless hooks or hooks with the barb completely pinched may be used year round.

What is the issue you would like the board to address and why? Damage to Rainbow Trout in Catch and Release Fisheries

Rainbow trout and dolly varden in Upper Cook Inlet typically show mouth damage from poor fish handling practices. This degrades the fishery because a majority of fish from are extremely ugly, in a fishery for wild trout it is very important for many anglers seeking a near wilderness experience to catch undamaged fish. Gill lice are very common throughout the stock of rainbow trout on throughout southcentral Alaska. Gill lice have been shown to lower a trout's fitness, it has also been shown that rainbow trout can only be infected by lice while under stress. The intense and extremely productive fishery during salmon spawning causes stress to nearly every fish. Barbless hooks have been shown to greatly reduce handling time and greatly reduce mouth/lip damage to released fish while having minimal to a positive effect on landing rates.

Other solutions include banning barbless hooks for all waters however this would not be acceptable to bait fishermen in consumptive fisheries.

PROPOSED BY: Patrick McCormick (EF-F16-127)

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<u>PROPOSAL 146</u> - 5 AAC 56.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Kenai Peninsula Area., 5 AAC 57.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Kenai River Drainage Area., 5 AAC 58.030. Methods, means, and general provisions – Finfish., 5 AAC 59.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Anchorage Bowl Drainages Area., 5 AAC 60.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Knik Arm Drainages Area., 5 AAC 61.110. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Susitna River Drainage Area., and 5 AAC 62.120. General provisions for seasons, bag, possession, annual,

and size limits, and methods and means for the West Cook Inlet Area. Require the use of circle hooks when fishing for sockeye salmon, as follows:

The Board of Fisheries should implement the circle hook as the legal hook for sockeye fishing.

What is the issue you would like the board to address and why? The sockeye sports fishery has become very popular. The method of catching sockeye is with a single hook coho fly stripped through the water to try to legally hook the sockeye in the mouth. The hook commonly snags the salmon in the tail, dorsal fin or other parts of the body and has to be released. This happens frequently and a lot of sockeye die from the stress of catch and release. The hooks are also good a hooking people. There is a better way, with circle hooks. Circle hooks are much less likely to snag a salmon other than in the mouth. This would dramatically reduce catch and release mortality. Circle hook are also much safer and less likely to snag a persons body. The halibut fishery was reluctant to use circle hooks but now they are the norm because of their efficiency.

PROPOSED BY: Central Peninsula Fish and Game Advisory Committee (EF-F16-170)
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<u>PROPOSAL 147</u> - 5 AAC 57.160. Kenai River and Kasilof River Early-run King Salmon Management Plan. and 5 AAC 57.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Kenai River Drainage Area. Start the Kenai River early-run king salmon fishery as an unbaited, single-hook, artificial lure, no retention fishery, as follows:

The solution is that the Board require ADF&G managers to (1) embrace the all to under-utilized management tool of hook and release fishing, (2) implement a reasonable management philosophy that "minimizes mortality yet maximizes opportunity" and (3) put in place a clear "step up" plan that begins with single hook, no bait, hook and release fishing and monitors the run daily either liberalizing or restricting it based on how the run shapes up. Presently, the ER king fishery is completely closed for its duration, whereas NO chinook sport fishing is allowed during May and June. this is a terrible loss of opportunity to both resident and non-resident anglers, but one that is worth enduring IF (capital IF!) the hardship actually produces substantial savings. Sadly, this is not the case: by utilizing ADF&G's own data and multiplying total angler effort in May/June with angler success rate and then Hook and Release mortality averages (5-8%) the data shows that 25-50 total fish were saved by a complete closure over a two month period. Now, if the run is so dire that escapement numbers were clearly going to fall under the current goal, then the sport fishery must be closed. Sustainability of the resource must remain as priority above anglers needs or desires. However, if and when the ER is projected to be ONE single fish over the minimum, a step-up process from 'hook and release' to harvest to full bait should be implemented. Presently, with The Departments reluctance to utilize the proven effective tool of Hook and Release fishing, it seems that ADF&G's management philosophy is to create maximum hardship that produces minimal gains. While I am sure this is not intentional, the fact remains that NOT allowing Hook and Release fishing is providing for extremely minimal savings.

What is the issue you would like the board to address and why? I would like the board to address the repeated complete closures of the Early Run Kenai River king salmon sport fishery so

that anglers can once again enjoy this remarkable resource, this quiet time, and thereby take some pressure off of the Late Run KR king salmon fishery.

PROPOSED BY: Greg Brush (EF-F16-066)
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PROPOSAL 148 - 5 AAC 57.160. Kenai River and Kasilof River Early-run King Salmon Management Plan. Rewrite the *Kenai River and Kasilof River Early-run King Salmon Management Plan* to redefine early-run stocks and establish age- and sex-based escapement goals, as follows:

(REPEAL AND READOPT 5 AAC 57.160)

5 AAC 57.160. Kenai River Early-run Tributary Stock King Salmon and Kasilof River Early-run King Salmon Management Plan

(a) The purpose of this management plan is to ensure an adequate escapement of early-run king salmon into the Kenai and Kasilof Rivers, to conserve the unique large size early0run king salmon in the Kenai River, and to provide the department with management guidelines. **In the Kenai River the early-run tributary stock of King salmon are those king salmon going past the sonar counter at river mile 14 prior to June 22.**

(b) The department shall manage the Kenai River early-run **tributary stock of** king salmon sport and guided sport fisheries to achieve the optimal escapement goal of 5,300 – 9,000 fish **age 4 or older of which 50 percent must be female**.

(c) The department shall manage the Kasilof River early-run king salmon sport and guided sport fisheries to achieve the sustainable escapement goal, ensure adequate escapement of naturally-produced king salmon, and to minimize the effects of conservation actions for the Kenai River on the Kasilof River.

(d) In the Kenai River, the entire river is closed to king salmon fishing from January 1 until July 1 and from July 1 that portion above the sonar counter at river mile 14 is closed to king salmon fishing until such time that the age, sex and size composition of these tributary stocks returns to levels as were seen when his plan was first promulgated in 1988. The river will remain closed above the Sonar Counter until the Department comes back to the Board during a regularly scheduled BOF meeting with data on the age, size and sex of these tributary fish which warrants the reopening of some portion of this part of the river.

(e) Because of the run timing of these Kenai River king salmon hey are not harvested by the UCI commercial fishery; however the Department should take actions as appropriate in any other fishery where there is significant harvest of these tributary stocks of king salmon which may be causing this age, sex and size decline.

What is the issue you would like the board to address and why? In 1988 when the first management plan for Kenai River Early-run Kings was made the Department did not have the genetics technology they have now. July first was erroneously set as the demarcation of early and late-run king salmon (McKinley 2013). We now know that setting the escapement goals based on run timing was incorrect and that the goals should have been set based on biology (Reimer 2016) as Tributary (prior to June 22) and Mainstem (after June 22). Because of this error the Tributary

stocks have been getting shorted by the counting of 20 to 30 percent of the escapement actually being of mainstem origin. In addition McKinley found that over 50 percent of the harvest from July 1 to July 15 above the Soldotna Bridge is actually Tributary stocks which are erroneously subtracted from the mainstem escapement. This means that the escapement of tributary bound stocks is much reduced from what the Department has been reporting. Because of this and the prosecution of the fishery, tributary stocks bound for Beaver Creek, Soldotna Creek, Slikok Creek and Juneau Creek are gone or going to extinction from overharvest.

Additionally the Department found that the sonar counts from 1986 to 2011 (26 years) were not correct and recreated them using a Bayesian model of unknown performance. In 2012 ADF&G began counting with DIDSON sonar which was supposed to be the solution, but by 2013 a CIP was submitted to replace DIDSON with AIERS because of insurmountable problems with the DIDSON counts (Swanton 2013). This CIP included funding for 2 years of SSART (mark/Recap) which was supposed to assess this new counting technology, reports of this study were to be completed by the spring of 2014 and 2015. Reports from the in-river gillnetting, inriver creel and SSART projects mention the bias and errors associated with these programs as well as the statewide harvest survey which are used with the mixture model to determine a daily sonar count. When the escapement from the weirs operated by FWS and the age/sex composition are compared to the sonar count at either location, river mile 8.6 or 14 it is quite obvious that the sonar counts are well below the estimates produced by the weirs, mark/recapture or by the SSART method. The same is true when you compare the age/sex composition from the weirs to the numbers produced from the netting program. While we are still waiting for the reports from the 1.8 million dollar CIP from 2013 which are already 1-2 years late, we are left with an Early Run Tributary stock which is in trouble and should be listed as a stock of concern. The age of these Chinook is declining to where over half of the males are now under 4 years old, and the FWS estimates of females in Killey and Funny rivers has shifted from a majority of 1.4 age fish to now the majority are 1.3 age. Even more troubling is over 75 percent of the return is now male. Since the department seems incapable of taking action in this fishery it is left to the Board to establish that this stock is a Stock of Concern and close the fishery until this stock recovers in age, sex, size and numbers.

PROPOSED BY: Debra Blossom (HQ-F16-111)

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<u>PROPOSAL 149</u> - 5 AAC 57.160. Kenai River and Kasilof River Early-run King Salmon Management Plan. Revise *Kenai River and Kasilof River Early-run King Salmon Management Plan*, as follows:

Revise the management to achieve to following goals.

1. Manage for escapements comparable to the historical average and range.
2. Manage conservatively at low run sizes to optimize future returns.
3. Provide fishery opportunity based on abundance.

Establish a "step-up" regulatory strategy that replaces the slot limit with an effective but precautionary alternative:

A. Limit harvest to fish under 30 inches at run sizes which produce escapements within the OEG in order to optimize fishery opportunity while also providing some harvest opportunity on small fish sizes that have been historically underexploited.
B. Liberalize fishing opportunity at run sizes which produce escapements exceeding the OEG while also encouraging increased harvest of small fish sizes to balance potential angler preferences for larger fish.
C. Repeal the "over 55 inches" provision and the sealing requirements that help implement this provision.

AAC 57.160 Kenai River and Kasilof River Early-run King Salmon Management Plan (a) The purpose of this management plan is to ensure an adequate escapement of early-run king salmon into the Kenai and Kasilof Rivers, to conserve the unique large size early-run king salmon in the Kenai River, and to provide the department with management guidelines.

(b) The department shall manage the Kenai River early-run king salmon sport and guided sport fisheries to achieve the optimal escapement goal of 5,300 – 9,000 fish, to provide reasonable harvest opportunities over the entire run, and to ensure **escapement of a representative age and size composition of the run** [THE AGE AND SIZE COMPOSITION OF THE HARVEST CLOSELY APPROXIMATES THE AGE AND SIZE COMPOSITION OF THE RUN].

(c) The department shall manage the Kasilof River early-run king salmon sport and guided sport fisheries to achieve the sustainable escapement goal, to provide reasonable harvest opportunities over the entire run while ensuring adequate escapement of naturally-produced king salmon, and to minimize the effects of conservation actions for the Kenai River on the Kasilof River.

(d) In the Kenai River,

(1) **Repeal** the seasons, bag, possession, and size limits, and other special provisions for early-run king salmon set out in 5 AAC 57.120(a)(2)(i) and (iii), the provision in 5 AAC 57120 (b)(1) addressing the annual limit of king salmon less than 28 inches in length taken from the Kenai River from January 1 through June 30 and **Replace as follows.**

(2) if the spawning escapement is projected to be less than the lower end of the optimal escapement goal, the commissioner shall, by emergency order, restrict as necessary the taking of king salmon in the sport and guided sport fisheries in the Kenai River to achieve the optimal escapement goal using one of the following methods:

(A) prohibit the retention of king salmon **greater than** [LESS THAN 55 INCHES IN LENGTH, EXCEPT KING SALMON LESS THAN] 20 inches in length, downstream from an ADF&G regulatory marker located at the outlet of Skilak Lake through June 30, and require that upstream from an ADF&G regulatory marker located approximately 300 yards downstream from the mouth of Slikok Creek to an ADF&G regulatory marker located at the outlet of Skilak Lake, from July 1 through July 14, only one unbaited, barbless, single-hook, artificial lure, as described in 5 AAC 57.121(1) (J), may be used when sport fishing for king salmon and only king salmon less than 20 inches in length [~~AND 55 INCHES OR GREATER IN LENGTH~~] may be retained; or

(B) close the sport and guided sport fisheries to the taking of king salmon in the Kenai River

(i) downstream from an ADF&G regulatory marker located at the outlet of Skilak Lake through June 30; and

(ii) from July 1 through July 14, upstream from an ADF&G regulatory marker located approximately 300 yards downstream from the mouth of Slikok Creek to an ADF&G regulatory marker located at the outlet of Skilak Lake;

(3) if the spawning escapement is projected to fall within the optimal escapement goal, the commissioner may, by emergency order, liberalize the sport fishery downstream from an ADF&G regulatory marker located at the outlet of Skilak Lake, [~~BY ALLOWING THE USE OF BAIT~~] if the department projects that the total harvest under a liberalized sport fishery will not reduce the spawning escapement below the optimal escapement goal as follows;

(i) only king salmon less than **30** [~~42~~] inches in length [~~OR 55 INCHES OR GREATER IN LENGTH MAY~~] to be retained;

(ii) only one unbaited, barbless, single-hook, artificial lure, as described in 5 AAC 57.121(1) (J), may be used when sport fishing for king salmon and;

(iii) allow one king salmon less than 30 inches to be retained per day in addition to daily and annual bag limits and allow an individual who retains a king salmon less than 30 inches to continue to fish for king salmon.

(4) if the spawning escapement is projected to exceed the optimal escapement goal, the commissioner may, by emergency order, liberalize the sport fishery downstream from an ADF&G regulatory marker located at the outlet of Skilak Lake, by one or more of the following:

(i) allow the use of bait;

(ii) allow retention of king salmon of all sizes

(iii) allow one king salmon less than 30 inches to be retained per day in addition to daily and annual bag limits and allow an individual who retains a king salmon less than 30 inches to continue to fish for king salmon.

~~(4) a person may not possess, transport, or export from this state, a king salmon 55 inches or greater in length taken from the Kenai River from January 1 through July 31, unless the fish has been sealed by an authorized representative of the department within three days after the taking; the person taking the fish must sign the sealing certificate at the time of sealing; the seal must remain on the fish until the preservation or taxidermy process has commenced; a person may not falsify any information required on the sealing certificate; in this paragraph,~~

~~(A) "sealing" means the placement of an official marker or locking tag (seal) by an authorized representative of the department on a fish and may include~~

~~(i) collecting and recording biological information concerning the conditions under which the fish was taken;~~

~~(ii) measuring the specimen submitted for sealing; and~~

~~(iii) retaining specific portions of the fish for biological information, including scales, fin rays, and vertebrae;~~

~~(B) "sealing certificate" means a form used by the department for recording information when sealing a fish.]~~

(e) In the Kasilof River, the seasons, bag, possession, and size limits, and other special provisions for king salmon are set out in 5 AAC 56.120(1) and 5 AAC 56.122(a) (8).

What is the issue you would like the board to address and why? Management plan provisions are contrary to plan goals and have produced undesirable unintended consequences.

- The size slot limit restricting harvest to fish less than 42 inches prevents managing harvest to closely approximate the size and age composition of the run by design.
- At large run sizes, the protected size slot results in escapements that exceed the optimum escapement goal.
- The size slot has failed to eliminate fishery selectivity. Harvest remains concentrated on the largest fish allowed under the slot. Smaller fish continue to be substantially under harvested relative to abundance.
- While the slot limit has eliminated the harvest of fish over 42 inches, it has failed to increase relative abundance of large fish which ADFG has determined results from ocean conditions.

PROPOSED BY: Kenai River Sportfishing Association (HQ-F16-073)

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PROPOSAL 150 - 5 AAC 57.120. General provisions for seasons, bag, possession, annual and size limits, and methods and means for the Kenai River Drainage Area. Start the Kenai River king salmon sport fisheries as unbaited, single-hook, artificial lure, no retention, as follows:

I encourage a new approach to managing King Salmon on the Kenai River that includes a proactive, conservative approach beginning with single hook, no bait, catch and release only fishing on opening day. Fisheries managers would have the ability to step up and allow bait and/or harvest as the run develops and provided more information about the true strength of the run. Catch and release fishing results in very low mortality (according to ADF&G's study), and therefore would be a great way to continue allowing opportunity, while simultaneously minimizing harvest of these special and unique fish in need of additional protection during a time of low abundance.

What is the issue you would like the board to address and why? It's no secret that the Kenai River King Salmon have had several tough years in a row, and despite the period of low abundance, the decision has been regularly made to open the river to full harvest on July 1st. Given the unpredictable and borderline-crisis status of this run, the July 1st opener is an irresponsible management practice, at best. If the fishery shows signs of a weak run, the decision can be made to further restrict, but there's no way of knowing if it's too late, and there's no way to go backwards and put back those fish that have already been harvested. So why not add some proactive strategies to our current reactive management plan? It would be a logical, conservation minded, and responsible addition to the current reactive strategies utilized by ADF&G, and widely supported by the community that cares most about the sustainability of our special fishery.

PROPOSED BY: Mark Wackler (EF-F16-128)

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PROPOSAL 151 - 5 AAC 21.359. Kenai River Late-Run King Salmon Management Plan., 5 AAC 57.121. Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area., and 5 AAC 57.160. Kenai River and Kasilof River Early-run King Salmon Management Plan. Repeal barbless hook provisions in Lower Kenai River, as follows:

I suggest the Board revisit this topic under "housekeeping" and repeal the restriction. The use of barbless hooks only penalizes a novice angler such as our youth who wishes to CATCH one Kenai River king during a Catch and Release Emergency Order. Restrictions that make it increasingly difficult to even catch a fish continue to be implemented. In the future, after correcting this dangerous precedent, I respectfully suggest that Board focus on restrictions that limit the HARVEST of said chinook, rather than hand-cuffing our future anglers with regulations that are not supported by hard data and studies. If ADF&G wishes to do a new study, and the data that the new study provides clearly shows that KR king salmon mortality is substantially reduced through the use of barbless hooks, then myself and other conservation minded anglers would support a regulation change.

What is the issue you would like the board to address and why? I would like the Board to address the highly alarming adoption of a new sport fishery regulation during the last BOF cycle that was based on emotion rather than data. Three years ago, a particular Board member stated that he desired a barbless hook restriction on Kenai River kings to be "his legacy that he left behind". Those are powerful words. The problem with the adoption of this policy is not "the legacy" per se but the precedent that this type of action sets, namely passing restrictive regulation without data or a specific study to support the change. In this particular instance, there is no data that shows that the survival rate of Hook and Release Kenai River king salmon is increased by utilizing barbless hooks. Rather, the ADF&G September 1991 Hook and Release Mortality study by Terry Bendock shows numerous variables impacting a KR kings survival rate, the foremost being the location of the hook, not the presence of a barb.

PROPOSED BY: Greg Brush (EF-F16-064)
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<u>PROPOSAL 152</u> – 5 AAC 57.121. Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area. Expand the dates to prohibit back trolling and tie to prohibition of bait, as follows:

Special Regulations

That portion of the Kenai River between ADF&G regulatory markers located at River mile 11 and River mile 12

A) May 16 - July 31

Back-trolling prohibited when bait is allowed to be used during the King salmon season. A person may not sport fish for any species from a vessel that is making upstream progress relative to the water with the aid of a motor

What is the issue you would like the board to address and why? That portion of the Kenai River between ADF&G regulatory markers located at River mile 11 and River mile 12.

A) July 1 - July 31

Back trolling prohibited. A person may not sport fish for any species of fish from a vessel that is making upstream progress relative to the water with the aid of a motor.

When this regulation was adopted it was tied with when the lower Kenai River went to bait. As the popular method to fish this area was to drift thru River mile 12 down to 11 dragging a spin n glo and eggs. There was conflict between the two different methods of fishing which led to this regulation being adopted. However, when the sport fishery is not allowed to use bait during this timeframe very few anglers choose to drift. Changing the dates for the entire King season and tying the no back-trolling to when the River goes to bait would benefit all anglers instead of the few that like to drift without bait. Remember that those that would prefer to drift can still do so in this area even without the use of bait. I would like to see the dates of July 1 - July 31 be changed to say from May 16 (this is when the Didson begins counting King salmon) - July 31 no back trolling between River mile 11 and River mile 12 only when bait is allowed.

PROPOSED BY: Kenai River Professional Guide Association (KRPGA) (EF-F16-139)
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PROPOSAL 153 - 5 AAC 57.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Kenai River Drainage Area. Prohibit fishing for king salmon from markers 300 yards below Slikok Creek upstream to Skilak Lake, as follows:

Add to "Lower Kenai River Mainstem and Skilak Lake" seasons and bag limits for King Salmon; **300 yards below Slikok Creek upstream to Skilak Lake: Closed to king salmon fishing** [300 YARDS BELOW SLIKOK CREEK UPSTREAM TO SKILAK LAKE: JANUARY 1 – JULY 14: 1 PER DAY, 1 IN POSSESSION, MUST BE LESS THAN 42 INCHES IN LENGTH OR LONGER THAN 55 INCHES. JULY 15 – JULY 31: 1 PER DAY 1 IN POSSESSION.]

What is the issue you would like the board to address and why? On the Kenai Peninsula for many decades fishing for Chinook salmon has only been allowed in the lower reaches of most streams open to fishing for Chinook salmon. The Kenai River is the one exception to that protective management practice. In the Kenai River fishing for Chinook salmon is open for fifty river miles. This area includes major spawning areas for both early run and late run fish. While there are closed areas around stream mouths to protect some components of early run fish those protected areas do not protect mainstem spawners. We propose limiting fishing for Chinook salmon to downstream from 300 yards below Slikok Creek.

In recent years we have seen a troubling pattern of near record low returns of both early and late run Kenai River Chinook salmon to the Kenai River. We believe the recent declines in statewide Chinook fisheries are largely due to marine survival issues, however, we also feel that part of our Kenai River decline can be linked to in-river harvest patterns; fishing on middle river mainstem spawning fish throughout the entire King salmon season, insufficient spawning area protections and multiple years of over-harvest of the population due to biased high sonar counts. We are also concerned that the procedure in place that counts all Chinook harvest after July 1st against the Late Run has resulted in less Early Run escapement than reported.

History seems pretty clear that factors such as population growth, increased use, commercialization and development make it almost impossible for us to sustain indigenous wild Chinook salmon populations. Unless we alter our behavior we will join the long list of streams dependent on hatchery-produced fish. We will not be able to sustain the high-density sport fishery that has developed on the Kenai River unless we consider a more conservative approach of protecting production to secure future run strength sustainability.

We believe this type of conservation measure is both prudent and necessary as we face a future of population growth and increased demands on our Kenai River King salmon resources. This regulation change would be consistent with the closures prescribed by the Department over the last several years to insure adequate Early Run escapement. It would also provide spawning area protection for mainstem Late Run fish as well. This measure would provide all spawning and staging King salmon an area where they can spawn in certain age class diversity free of selective harvest practices, catch and release mortality and spawning disruption.

The 2013 AYK Chinook Salmon Research Plan suggests that years of selective harvest of the largest fish can result in increasingly male based sex ratios, decreased size of spawners and a general decline in the return of the largest age classes. It will also result in lower than expected returns because of fecundity and egg quality of smaller females in the return. It goes on to say, that without efforts to counteract size selectivity and exploitation rates, improvements would be slow to materialize, requiring multiple generations. If we continue with the current management plan of allowing harvest all the way to Skilak Lake all season long we will severely hamper our opportunity to rectify our Kenai King salmon issues.

We believe this type of pro-active conservation measure would provide spawning certainty for insured long term sustainability of these valuable stocks while still providing for a vibrant sport fishery and harvest opportunity in the lower 18 miles of the Kenai River.

PROPOSED BY: Kenai Area Fisherman's Coalition (HQ-F16-008)

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PROPOSAL 154 - 5 AAC 57.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Kenai River Drainage Area. Expand the waters of the Kenai River closed to fishing for king salmon, as follows:

Move the finish line for chinook salmon sport fishing from the outlet of Skilak Lake (river mile 50) down to the lower boundary of the Kenai National Wildlife Refuge (river mile 45.5).

5 AAC 57.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Kenai River Drainage Area (a) Unless otherwise specified in 5 AAC 57.121 - 5 AAC 57.123 or by an emergency order issued under AS 16.05.060, the following are the general seasons, bag, possession, annual, and size limits, and methods and means that apply to sport fishing for finfish in the Kenai River Drainage Area:

(1) salmon may be landed only with the aid of a landing net or by hand;

(2) king salmon 20 inches or greater in length, as follows:

A) may be taken only from January 1 - July 31, in the Kenai River from its mouth upstream to an ADF&G regulatory marker located at **the lower boundary of the Kenai National Wildlife Refuge at river mile 45.5** [THE OUTLET OF SKILAK LAKE], with a bag and possession limit of one fish, as follows:

What is the issue you would like the board to address and why? The Middle Kenai River from the outlet of Skilak Lake downstream to the Kenai National Wildlife Refuge boundary is a known spawning area for both early and late-run chinook salmon on the Kenai River. The early-run chinook using this area to spawn are a small, biologically unique, and sensitive species group. The chinook salmon species in the Kenai River are facing a critical juncture in vitality and viability. Since Kenai River king salmon are experiencing a period of low productivity and, since 2009, below average run strength, a conservation effort to protect these fish on their spawning grounds is warranted.

PROPOSED BY: Heather Pearson (EF-F16-091)

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PROPOSAL 155 - 5 AAC 57.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Kenai River Drainage Area. Expand the waters of the Kenai River closed to fishing for king salmon, as follows:

5 AAC 57.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Kenai River Drainage Area

(a) Unless otherwise specified in 5 AAC 57.121 - 5 AAC 57.123 or by an emergency order issued under AS 16.05.060 , the following are the general seasons, bag, possession, annual, and size limits, and methods and means that apply to sport fishing for finfish in the Kenai River Drainage Area:

(1) salmon may be landed only with the aid of a landing net or by hand;

(2) king salmon 20 inches or greater in length, as follows:

(A) may be taken only from January 1 - July 31, in the Kenai River from its mouth upstream to an ADF&G regulatory marker located **approximately one mile upstream from the mouth of the Lower Killey River** [AT THE OUTLET OF SKILAK LAKE], with a bag and possession limit of one fish, as follows:

(i) from January 1 - June 30, from its mouth upstream to an ADF&G regulatory marker located at the outlet of Skilak Lake, and from July 1 - July 14, from an ADF&G regulatory marker located approximately 300 yards downstream from the mouth of the Slikok Creek upstream to an ADF&G regulatory marker located **approximately one mile upstream from the mouth of the Lower Killey River** [AT THE OUTLET OF SKILAK LAKE], only king salmon that are less than 42 inches in length or 55 inches or greater in length may be retained;

(B) king salmon 20 inches or greater in length may not be taken

(i) in the Kenai River upstream from an ADF&G regulatory marker located **approximately one mile upstream from the mouth of the Lower Killey River** [AT THE OUTLET OF SKILAK LAKE], including Kenai Lake; and

What is the issue you would like the board to address and why? Chinook Salmon that arrive in the main-stem Kenai River between the Killey River sanctuary and Skilak Lake prior to July 31 are vulnerable to harvest in a given year whereas fish that arrive after July 31 are protected from harvest. If nothing is changed, different harvest opportunities and likely different harvest rates could affect the composition and run-timing for this aggregate of early-arriving main-stem spawners. Apparent shifts in spawn timing have already been reported by the Alaska Department of Fish and Game (Department; Reimer 2013). Non-random harvest on small, discrete spawning stocks imposes risks to population sustainability, and harvest selection can eventually lead to elimination of specific spawning groups (Olver et al. 1995).

Why: Chinook Salmon abundance in the Kenai River and throughout Alaska has been decreasing since around 2007. Some stocks are also exhibiting declining trends in size and age, including Kenai River Chinook Salmon that spawn on the Kenai National Wildlife Refuge (Kenai NWR), either in tributary streams (Funny River escapement analyzed by Boersma and Gates 2016) or the main-stem Kenai River (late-run commercial harvest analyzed by Lewis et al. 2015). Several mechanisms have been identified as potential drivers of these trends (e.g., size-selective harvest, competitive interactions, and changing environmental conditions), but the evidence is not conclusive for a specific cause (Lewis et al. 2015).

The main-stem Kenai River below Skilak Lake serves as an important spawning area for Chinook Salmon. In fact, river miles 46 and 47 on the Kenai NWR represent some of the highest densities of spawners in the entire watershed (Reimer 2013). Most of the main-stem spawners in this area are part of the late run that enter the Kenai River in July and August, but a small number are part of the early run that enter the Kenai River during May and June.

Although anecdotal information from local residents indicates this early-arriving group of main-stem spawners was likely at higher levels of abundance in previous years, recent work by the Department indicates only a small number of early-run fish currently spawn in this area (Reimer 2013). Between 2010 and 2013, the Department successfully radio-tagged and tracked early-run Chinook Salmon to spawning areas, but only a small proportion (about 2.5%) spawned in the main-stem Kenai River between the Kenai NWR boundary and Skilak Lake. Regardless of the uncertainties inherent in these data, one thing is clear -- only a small number of early-run main-stem spawners are found in the area. Any Chinook Salmon sport fishery in this stretch of river during July is in large part a terminal fishery for this group of main-stem spawners, and results in harvest pressure on other fish migrating through to other parts of the watershed where they are currently protected from harvest.

The Department (McKinley et al. 2002) reported that disproportionate harvest for early-run Chinook Salmon occurred in the past, mainly early in the season during years of restrictions to the fishery. Harvest rates were disproportionately higher in May and early June compared to later in June in years when the fishery was restricted to catch-and-release or trophy fishing (Figure 24 in McKinley et al. 2002). McKinley et al. (2002) recognized that disproportionate harvest of early-run Chinook Salmon in May or June could have biological impacts such as shifts in run-timing and thus recommended managing the inriver Chinook Salmon sport fishery to avoid disproportionately harvesting either early or late arriving fish.

A similar threat currently exists for Chinook Salmon that spawn in the main-stem Kenai River between the Killey River sanctuary and the outlet of Skilak Lake. Table 16 of Reimer (2013) presents information that indicates mainstem-spawning Chinook Salmon established site fidelity in the Moose River to Skilak Lake section as early as July 7 to July 9 in 2012 and 2013 and indicates some fish likely completed spawning and died prior to July 17. These fish represent the early-arriving portion of the run and would all be vulnerable to harvest in this stretch of river in most years, whereas the vast majority of main-stem spawners in this stretch of river arrive after July 31 and are protected from harvest. Different harvest opportunities and likely different harvest rates for the early-arriving group of fish could lead to changes in composition and shifts in run timing.

Although McKinley et al. (2002) found no observable trends or other evidence for shifts in run timing for early-run Chinook Salmon, data presented by Reimer (2013) indicates spawn timing for early-run main-stem spawners has shifted and appears to be about a month later than observations in 1990. As presented in Figure 9 of Reimer (2013), the median post-spawning mortality date for early-run main-stem spawners in 1990 was about July 19 whereas the median post-spawning mortality date for early-run main-stem spawners from 2010-2013 was about August 21. Spawn timing for all main-stem spawners now appears to be similar regardless of when they enter the Kenai River and forms an overlapping continuum as noted by Reimer (2013).

The effect of this proposal will be to close approximately 4.5 miles of the main-stem Kenai River downstream of Skilak Lake to sport fishing for Chinook Salmon. This represents about 8% of the entire Kenai River downstream of Skilak Lake. This proposal will reduce the harvest of both early- and late-run Chinook Salmon by an unknown amount. There will be little change in regulatory complexity since our proposal simply extends the existing Chinook Salmon sport fishing closure for the Kenai River above Skilak Lake to an additional 4.5 miles of main-stem river below Skilak Lake.

Very few guided anglers target Chinook Salmon in this stretch of the river and very few fish are harvested. Therefore, very few anglers will likely be impacted by a closure to Chinook Salmon fishing in this stretch of river. Also, since this stretch of river has in essence been closed through in-season emergency orders since 2011, there should be no noticeable increases in use or crowding in any lower river fisheries. Since past fishery performance in regard to effort and harvest may have little or no relationship to future fishery performance (effort and harvest), managing this stretch of river to avoid differential harvest of even a small number of fish is appropriate, especially given the current small number of fish estimated to use this area during July.

Current resolution of genetic information does not allow for finer-scale management of Chinook Salmon that spawn in the main-stem Kenai River. However, given what we know about current abundance and observed declining trends in size and age, a cautionary approach to management is appropriate and prudent.

One of the principles of the Alaska Sustainable Salmon Policy is that "salmon escapement should be managed in a manner to maintain genetic and phenotypic characteristics of the stock by assuring appropriate geographic and temporal distribution of spawners as well as consideration of range, sex ratio, and other population attributes." This principle is consistent with tenets of the U. S. Fish

and Wildlife Service's policy on Biological Integrity, Diversity, and Environmental Health (601 FW 3) which directs the Service to maintain biological integrity on national wildlife refuges, defined as "Biotic composition, structure, and functioning at genetic, organism, and community levels comparable with historic conditions…" Managing the main-stem Kenai River below Skilak Lake to avoid differential harvest of Chinook Salmon will address the needs of both policies and both agencies, and promotes conservation of the overall Kenai River Chinook Salmon stock complex. Maintaining life history diversity and biocomplexity is important not only for the long-term sustainability of the overall stock, but also for the overall sustainability of the fisheries that exploit the stock (Hilborn et al. 2003).

There are other spawning areas for Chinook Salmon in the main-stem Kenai River upstream of the Slikok Creek closure area that may also benefit from regulations that restrict harvest. For example, a large proportion of early-run main-stem spawning fish located above Slikok Creek after July 15 in 2010-2013 (range 29 to 71%) were in "unrestricted" areas of the river that are normally open to sport fishing (Appendix B5; Reimer 2013). Sport fishing regulations for Kenai River Chinook Salmon above Slikok Creek also become more liberal from July 15-July 31, allowing the use of bait and removal of a protective slot limit. At this time, we believe protections for these fish can be better addressed through a different mechanism than a time and area closure. We have submitted a separate proposal to extend early-run regulations upstream of the Slikok Creek sanctuary area for the entire month of July to promote resource conservation while providing for fishery participation and opportunity.

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PROPOSED BY: U. S. Fish and Wildlife Service, Alaska Region (HQ-F16-014)

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PROPOSAL 156 – 5 AAC 57.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Kenai River Drainage Area. Replace slot limit for Kenai River king salmon with maximum size limit to prohibit retention of king salmon greater than 42 inches in length, as follows:

Change to "Lower Kenai River Mainstem and Skilak Lake" seasons and bag limits for King salmon; **Kenai River area open to King salmon fishing January 1 – July 31: 1 per day, 1 in possession, must be less than 42 inches in length.**

[KENAI RIVER MOUTH UPSTREAM TO 300 YARDS BELO SLIKOK CREEK:
JANUARY 1 – JUNE 30: 1 PER DAY, 1 IN POSSESSION, MUST BE LESS THAN 42 INCHES IN LENGTH OR LONGER THAN 55 INCHES.
JULY 1 – JULY 31: 1 PER DAY, 1 IN POSSESSION.

300 YARDS BELOW SLIKOK CREEK UPSTREAM TO SKILAK LAKE:
JANUARY 1 – JULY 14: 1 PER DAY, 1 IN POSSESSION, MUST BE LESS THAN 42 INCHES IN LENGTH OR LONGER THAN 55 INCHES.
JULY 15 – JULY 31: 1 PER DAY, 1 IN POSSESSION.]

What is the issue you would like the board to address and why? The Kenai River has long been known throughout the world for its large trophy size Chinook salmon. In recent years we have witnessed a dramatic decrease in the size of these fish. In the Kenai river it is required that all trophy Chinook over 55in in length be sealed within 3 days of harvest. Records have been kept since 2003, and prior to 2008 there was an average of 6 of these trophy fish sealed each year, however since 2007 there has only been 1 fish over 55in in length registered and that was in 2009.

This size decrease has been noted in many Chinook stocks throughout Alaskan waters and there are varying theories on why this is happening, however, fisheries scientists agree that this phenomena can be exacerbated in intense sport fisheries where selective harvest of the largest fish occurs. Neala Warren Kendall, of the University of Washington, wrote in a 2011 paper on Alaskan Pacific salmon fisheries, "I quantified and compared commercial and recreational fishery selection on Chinook salmon. I discovered that the selection by the recreational fishery, which consistently caught larger fish, but not the commercial fishery which overall caught smaller fish, has been consistent with the size trends towards smaller fish over time." She goes on to say, "Selective harvest on wild fish populations has been associated with shifts towards smaller fish, younger age distributions, and decreased age and size maturation and is linked to changes including decreased fecundity, increased sexual dimorphism, lowered reproductive rates, loss of yield, increased variability in abundance and even fishery collapses. **Numerous studies have emphasized the importance of older, larger fish for stock stability and sustainability.**"

The 2013 AYK Chinook Salmon Research Action Plan, agrees with these assumptions about Fishing Induced Evolution (FIE), or as we know it selective harvest. It states, "declines in Chinook salmon abundance, increasingly male-biased sex ratios, decreased size of spawners, declines in size at age and declines in the return of the largest age classes are consistent with expected patterns that would result from selected harvest of the largest individuals."

The Kenai river has one of the most intense sport fisheries on Chinook salmon in the world and the trophy size fish it produces are renowned, however, the fishery relies on selective harvest practices to produce these results. Recent returns clearly illustrate that this practice is not sustainable and unless we change our management approach of continuing to target our largest fish we will fail this valuable resource and continue to face challenges in both abundance and declines in the returns of our largest age classes. Many anglers seeking trophy size kings no longer recognize the Kenai as a trophy Chinook river.

We believe that if we change our management philosophy and protect our largest fish from harvest we can give ourselves the best chance to reverse this trend and propagate a better fishery than we have today. By incorporating a harvest restriction on keeping any fish over 42 in. in length we will protect almost all of our 1.5 age class and over 50% of our 1.4 age class for production purposes while still providing for a vibrant sport fishery. If mortality on these larger fish is limited to "catch and release" levels, then this portion of the return will be provided additional protection for spawning. Additionally, by being returned to the river they will provide additional angling opportunity for other anglers to catch a "trophy size" Kenai king. We understand more clearly now that we don't have to kill these larger fish to enjoy catching one, having a mount made or provide for photo opportunities. This type of conservation measure is widely accepted, throughout the world, as a favorable approach towards sustainability of our fishery resources for future generations to enjoy. Future demand on our fishery resources is certain to increase over time so it is incumbent on us to protect and provide sustainability for these resources in the best way we can as regulators looking out for their well-being. This management change would provide that protection along with balanced fishing and harvest opportunities.

PROPOSED BY: Kenai Area Fisherman's Coalition (HQ-F16-005)

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PROPOSAL 157 – 5 AAC 57.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Kenai River Drainage Area. Modify the annual limit of king salmon from the Kenai River to two fish, only one taken prior to July 1, as follows:

Change to "Lower Kenai River Mainstem and Skilak Lake" seasons and bag limits for King salmon; **Of these 5 total king salmon no more than 2 may be taken from the Kenai River and only 1 may be taken from the Kenai River prior to July 1.**

[OF THESE 5 TOTAL KING SALMON NO MORE THAN 2 MAY BE TAKEN FROM THE KENAI RIVER]

What is the issue you would like the board to address and why? In recent years we have seen a troubling pattern of near record low returns of early run (ER) Kenai River Chinook salmon to the Kenai River. We believe that a good portion of our Kenai River ER decline can be linked to in-river harvest patterns, fishing on middle river mainstem spawning fish throughout the entire King salmon season, insufficient spawning area protections and multiple years of over-harvest of the population due to biased high sonar counts. We are also concerned that the procedure in place that counts all Chinook harvest after July 1st against the Late Run has resulted in less Early Run escapement than reported.

The ER mainstem component of Kings have always been available for harvest longer than any other subspecies of Kenai River Kings because of their early run timing and lack of spawning area protections.

Please remember that these fish have only been fished on like this for about 35 -40 years, which is a relatively short time in the scheme of things, but long enough to have altered their ASL characteristics. The 2012 Yukon study identifies this as**, FIE (Fishing Induced Evolution) whereby you see changes in the genetic component resulting in declines in Chinook abundance, increasingly male-biased sex ratios, decreased size of spawners and declines in the return of the oldest age classes. They go on to say that these can be the results of selective fishing. They also say that, "If size –and age-at-maturity are highly heritable, then the effects of selection would result in a propensity of stocks to propagate more small young mature fish in subsequent generations. This mechanism could cause a long-term decline in returns per spawner."**

They conclude by saying**, "efforts to counteract declines would likely require reductions in size selectivity of gear and exploitation rates, and that improvements would be slow to materialize, requiring multiple generations under the new selection regime."**

Even though the ER does not have any Cook Inlet commercial fishing occurring during its run timing into the Kenai River it has suffered more drastically in its age / sex composition over time than the Late Run. We believe this was largely a factor of in-river over-harvest. Over time, the data illustrates that we now have only about a 20 – 25% female component and our largest age class of 1.4 fish has fallen to less than 10% of the run where the 1986 – 2013 mean 1.4 average was 42% of the run.

Research tells us that if we implement a more conservative management scheme we can reverse these trends and rebound these stocks but it will take multiple generations to do so (20 – 30 years). This proposal seeks to lower the exploitation rates on ER fish by implementing a one fish bag limit prior to July 1st. This is just one of a suite of proposals our organization is putting forth to provide conservation measures to help in the recovery of our Kenai River Chinook salmon stocks and help us achieve long term sustainability for these stocks.

PROPOSED BY: Kenai Area Fisherman's Coalition (HQ-F16-006)

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<u>PROPOSAL 158</u>- 5 AAC 57.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Kenai River Drainage Area. Modify the annual limit of two king salmon for the Kenai River to include only one large fish, as follows:

I recommend the reasonable and logical solution of implimenting an "over/under" annual bag limit for both early and late run kenai kings. Keep the bag limit at two per person annually, but only allow the possible harvest of ONE large chinook. Many anglers wish to harvest KR chinook for food fish and an over/under limit would allow for that. For example; anglers who harvest a 50 pounder and then days later harvest a 18 pounder have still provided for their table, but just as

importantly, they have achieved several worthy goals. First, as mentioned above, they have possibly allowed a larger fish to reach the spawning beds but they have also spread the harvest across a broader range of age classes (thus stregnthening the dynamics of the run) and potentially removing and NOT encouraging smaller fish to perpetuate the run. Precedent for this type of "over/under" management approach is already present in numerous fisheries. It is used in the relatively healthy Nushagak River king salmon sport fishery but not the struggling Kenai River king salmon sport fishery, which I find highly ironic. What legnth of fish would be allowed/protected is could be discussed and decided by The Board after the fact, once the proposal is adopted.

What is the issue you would like the board to address and why? An annual bag limit on Kenai kings that has not been changed for decades, despite suffering through what ADF&G calls a "period of low abundance" recently as well as trends whereas the legendary big fish of the Kenai River, specifically five ocean seven year old chinook, continue to decline. While managers may contend that they are not totally sure of the reasons for the decline of the big fish, one common sense fact remains: right now, every big fish that reaches the spawning beds improves our odds of this "big fish" resource rebounding.

PROPOSED BY: Greg Brush (EF-F16-062)
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PROPOSAL 159 - 5 AAC 57.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Kenai river Drainage Area. and 5 AAC 57.121. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area. Extend the time that the slot limit for Kenai River king salmon is in effect, as follows:

5 AAC 57.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Kenai River Drainage Area

(a) Unless otherwise specified in 5 AAC 57.121 - 5 AAC 57.123 or by an emergency order issued under AS 16.05.060 , the following are the general seasons, bag, possession, annual, and size limits, and methods and means that apply to sport fishing for finfish in the Kenai River Drainage Area:

(1) salmon may be landed only with the aid of a landing net or by hand;

(2) king salmon 20 inches or greater in length, as follows:

(A) may be taken only from January 1 - July 31, in the Kenai River from its mouth upstream to an ADF&G regulatory marker located at the outlet of Skilak Lake, with a bag and possession limit of one fish, as follows:

(i) from January 1 - June 30, from its mouth upstream to an ADF&G regulatory marker located at the outlet of Skilak Lake, and from July 1 - July **31** [14], from an ADF&G regulatory marker located approximately 300 yards downstream from the mouth of the Slikok Creek upstream to an ADF&G regulatory marker located at the outlet of Skilak Lake, only king salmon that are less than 42 inches in length or 55 inches or greater in length may be retained;

5 AAC 57.121. Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area

Unless otherwise specified by an emergency order issued under AS 16.05.060 , the following are the special provisions and localized exceptions to the general seasons, bag, possession, and size limits, and methods and means set out in 5 AAC 57.120 and 5 AAC 75 for the Lower Section of the Kenai River Drainage Area:

(1) sport fishing gear restrictions:

(A) from January 1 - June 30, in the Kenai River, and from July 1 - July **31** [14], in the Kenai River from an ADF&G regulatory marker located approximately 300 yards downstream from the mouth of Slikok Creek upstream to an ADF&G regulatory marker located at the outlet of Skilak

What is the issue you would like the board to address and why? Early-run Chinook Salmon that transit through lower Kenai River sport fisheries prior to July 1 are subject to management under conservative regulations which include a protective slot limit and no-bait restrictions. These conservative regulations continue through July 14 upstream of Slikok Creek but revert to general late-run regulations from July 15–July 31 which eliminates the slot limit and allows the use of bait. However, many early-run Chinook Salmon are still in unrestricted areas of the main-stem Kenai River after July 15. Changes to the regulations are necessary to prevent adverse effects to the composition and run-timing of this group of early-run Chinook Salmon.

Chinook Salmon abundance in the Kenai River and throughout Alaska has been decreasing since around 2007. Some stocks are also exhibiting declining trends in size and age, including Kenai River Chinook Salmon that spawn on the Kenai National Wildlife Refuge, either in tributary streams (Funny River escapement analyzed by Boersma and Gates 2016) or the main-stem Kenai River (late-run commercial harvest analyzed in Lewis et al. 2015). Several mechanisms have been identified as potential drivers of these trends (e.g., size-selective harvest, competitive interactions, and changing environmental conditions), but the evidence is not conclusive for a specific cause (Lewis et al. 2015).

Conservative regulations have been adopted by the Alaska Board of Fisheries (BOF) to protect early-run Chinook Salmon in the Kenai River, including a protective slot limit and the use of single, unbaited hooks. Recent research by the Alaska Department of Fish and Game (Department; Reimer 2013) indicates a considerable number of early-run Chinook Salmon may not receive the full protections intended by these regulations. For example, a large proportion of early-run main-stem spawning fish located above Slikok Creek after July 15 in 2010-2013 (range 29% to 71%) were in "unrestricted" areas of the river that are normally open to sport fishing (Appendix B5 in Reimer 2013). Sport fishing regulations for Kenai River Chinook Salmon from July 15-July 31 allow the use of bait and do not have a protective slot limit. Different harvest opportunities and likely different harvest rates for these fish could lead to changes in composition and shifts in run timing for early-run Chinook Salmon. This proposal seeks to conserve the unique large size early-run king salmon in the Kenai River as identified in the State of Alaska's Kenai River and Kasilof River Early-run King Salmon Conservation Management Plan (5 AAC 56.070) by extending the protective slot limit and no-bait restrictions for most early-run Chinook Salmon throughout their residency in the main-stem Kenai River.

The Department reported that disproportionate harvest for early-run king salmon occurred in the past, mainly early in the season during years of restrictions to the fishery (McKinley et al. 2002). Harvest rates were disproportionately higher in May and early June compared to later in June in years when the fishery was restricted to catch-and-release or trophy fishing (McKinley et al. 2002; Figure 24). McKinley et al. (2002) recognized that disproportionate harvest of early-run Chinook Salmon in May or June could have biological impacts such as shifts in run-timing and thus recommended managing the in-river Chinook Salmon sport fishery to avoid disproportionately harvesting either early or late arriving fish.

The effect of this proposal will be to extend early-run regulations through July 31 upstream of the Slikok Creek closure area, including a protective slot limit and single hook/no bait restrictions. This would reduce the harvest of both early- and late-run Chinook Salmon by an unknown amount and likely reduce the harvest fish between 42 and 55 inches by an unknown amount.

One of the principles of the Alaska Sustainable Salmon Policy is that "*salmon escapement should be managed in a manner to maintain genetic and phenotypic characteristics of the stock by assuring appropriate geographic and temporal distribution of spawners as well as consideration of range, sex ratio, and other population attributes.*" This principle is consistent with tenets of the U. S. Fish and Wildlife Service's policy on Biological Integrity, Diversity, and Environmental Health (601 FW 3) which directs the Service to maintain biological integrity on national wildlife refuges, defined as "*Biotic composition, structure, and functioning at genetic, organism, and community levels comparable with historic conditions…*" Managing the main-stem Kenai River below Skilak Lake to avoid differential harvest of Chinook Salmon will address the needs of both policies and both agencies, and promotes conservation of the overall Kenai River Chinook Salmon stock complex. Maintaining life history diversity and biocomplexity is important not only for the long-term sustainability of the overall stock, but also for the overall sustainability of the fisheries that exploit the stock (Hilborn et al. 2003).

This proposal promotes resource conservation by extending protections for early-run Chinook Salmon during their freshwater residency in the main-stem Kenai River above Slikok Creek while providing for fishery participation and opportunity. A separate time-and-area closure proposal has been submitted to provide protections for Chinook Salmon on their spawning grounds below Skilak Lake.

References:

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Hilborn, R., T. P. Quinn, D. E. Schindler, and D. E. Rogers. 2003. Biocomplexity and fisheries sustainability. Proceedings of the National Academy of Sciences 100:6564–6568.

Lewis, B., W. S. Grant, R. E. Brenner, and T. Hamazaki. 2015. Changes in size and age of Chinook Salmon *Oncorhynchus tshawytscha* returning to Alaska. PLoS ONE 10(6):1-17.

McKinley, T. R., B. E. King, J. J. Hasbrouck, and R. A. Clark. 2002. Biological issues of the Kenai River and Kasilof River early-run king salmon fisheries. Alaska Department of Fish and Game, Division of Sport Fish, Special Publication Number 02-02, Soldotna, Alaska.

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PROPOSED BY: U. S. Fish and Wildlife Service, Alaska Region (HQ-F16-015)

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PROPOSAL 160 - 5 AAC 57.121. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Kenai River Drainage Area. Prohibit the use of bait in the late-run Kenai river king salmon fishery until escapement goals have been met, as follows:

Kenai River – Lower Kenai River Mainstem and Skilak Lake

Change; under METHODS AND MEANS

Gear restrictions:

- From the mouth of the Kenai River to ADF&G regulatory marker at Skilak Lake:
- January 1 – **July 31** [June 30]
- Only one unbaited, single-hook lure is allowed

Delete; The rest of this section dealing with bait and unbaited requirements through July 31.

What is the issue you would like the board to address and why? The use of bait should be prohibited in the "Late Run" Kenai River Chinook fishery until the "Department" has determined escapement goals will be met. Historically the run has started with bait and if restrictions are needed bait is prohibited later in the season (although in recent years bait has been prohibited at the beginning of the late run season). The last time the season started with bait on July 1 was in 2011.

By starting the season with bait and restricting later on the harvest is disproportionably directed toward the early segment of the "Late Run" as they are vulnerable to harvest for a longer period of time. The most important justification to start the season with "no bait" is to protect "Early Run" stocks that are still moving through the lower part of the drainage in early July and are vulnerable to harvest.

Bait is already prohibited at the beginning of the "Early Run" which has been totally closed to fishing in recent years. Starting the late run with bait places additional impact on these stocks that are at historical low levels and is not a sound fishery management practice. Even if early run stocks recover and bait is allowed during the season by Emergency Order, the late run should begin without the use of bait to reduce harvest at the end of the early run. Additionally, starting the season without bait and liberalizing if warranted would provide consistency in regulation along

with predictability to local anglers, businesses and the guide industry. It is far less disruptive when an ongoing fishery is liberalized compared to when it is restricted.

The intent of this proposal is to remove mandatory dates to go to bait, during the King salmon season, and allow the department the flexibility to liberalize to bait based on scientific evaluation of run strength and run timing.

PROPOSED BY: Kenai Area Fisherman's Coalition (HQ-F16-024)
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PROPOSAL 161 - 5 AAC 57.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Kenai River Drainage Area. Start the Kenai River king salmon sport fisheries as unbaited, single-hook, artificial lure, no retention, as follows:

I recommend a "step up" management philosophy whereas the sport fishery starts with a very conservative single-hook, no bait Catch and Release fishery that (1) provides opportunity but (2) ensures maximum sustainability. According to ADF&G data, specifically the 1991 Terry Bendock study on Hook and Release Mortality, the LR Kenai King survival rate was 94.1%,. Bear in mind that this study was conducted with multiple hooks, bait, and increased handling times (stress) thus it is fair to say that present H&R survival rates would be considerably better, although there is no hard data to support this claim. Still, the translation is that hook and release fishing, which is presently very underutilized by ADF&G, is a highly effective management tool that maximizes opportunity yet minimizes harvest. For this reason, STARTING our sport fishery with this conservative management should be a given. Then, step up, with "harvest" allowed if/when the run shapes up well. Then, should the resource allow it, "bait" could be added, increasing opportunity more.

What is the issue you would like the board to address and why? The issue I would like the BOF to address is ADF&G's lack of a Kenai river king salmon management plan "step up" policy that puts conservation and sustainability of the resource at the forefront yet still allows for some reasonable amount of sport fish opportunity when possible. Presently, backwards logic during the Late Run is utilized: the KR late run sport fishery opens with full harvest, on a fishery that we do not know run stregnth. Nobody knows if it is going to make escapement, yet harvest is allowed. thus, hundreds if not thousands of LR kings are taken BEFORE before managers can assess the health of the return. consequently, the sport fishery is often stepped-down abruptly or even suddenly closed, creating for one a very unpredictable fishery but more importantly, creating a scenario where jeopardizing the sustainability of the run becomes more probable since reaching the escapement goal after the fact becomes difficult or impossible. Basically, we can't go back and UN-kill what has already been killed. While I fully understand the Politics of the Sport vs. Commercial fisheries and the implications of restricting/liberalizing one particular fishery, the health of the Kenai King runs most be put as Priority ONE or declines will continue.

PROPOSED BY: Greg Brush (EF-F16-059)
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PROPOSAL 162 - 5 AAC 21.359. Kenai River Late-Run King Salmon Management Plan. Establish an Optimum Escapement Goal for Kenai River late-run king salmon, as follows:

Establish an Optimum Escapement Goal (OEG) of 15,000 – 40,000. The corresponding change in management plan language would be:

(b) The department shall manage the late run of Kenai River king salmon to achieve **an optimal** [A SUSTAINABLE] escapement goal of 15,000 – **40,000** [30,000] king salmon…

Higher in-river runs produce tremendous sport fishery benefits with no significant impact on future production or yield for escapements up to 40,000. The proposed upper goal of 40,000 includes the historical average escapement and maintains high production and yield according the Department's recent escapement goal analysis. Returns from all historical escapements below 40,000 exceeded replacement and produced substantial yields. There was no significant correlation with returns for escapements between 22,500 and 40,000.

What is the issue you would like the board to address and why? Kings are designated primarily for sport fish use and sport fisheries are optimum at when kings are abundant. However, the top end of the new SEG for Kenai late-run king salmon (15,000 - 30,000) is less than the historical average escapement (37,000). Management to reduce in-river runs of Kenai kings at higher run sizes would inappropriately reduce sport fishery opportunity. When escapements are projected to exceed the upper end of the SEG but still fall within the range of historical average, no management action in addition to the normal fishing regulatory regime should be taken to further reduce the escapement.

PROPOSED BY: Kenai River Sportfishing Association (HQ-F16-071)
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PROPOSAL 163 - 5 AAC 21.359. Kenai River Late-Run King Salmon Management Plan. Prohibit bait on runs less than 22,000 and eliminate 12-hour fishing period restriction, as follows:

5 AAC 21.359. Kenai River Late-Run King Salmon Management Plan

…

(c) In the sport fishery,

(1) if the sustainable escapement goal is projected to be exceeded, the commissioner may, by emergency order, **open the fishery to the use of bait, and** extend the sport fishing season up to seven days during the first week of August;

…

(e) From July 1 through July 31, if the projected inriver run of late-run king salmon is less than 22,500 fish, in order to achieve the sustainable escapement goal and provide reasonable harvest opportunity, the commissioner may, by emergency order, establish fishing seasons as follows:

(1) in the Kenai River sport fishery,

[(A) THE USE OF BAIT IS PROHIBITED; OR]

(A)[(B)] the [USE OF BAIT AND] retention of king salmon **is** [ARE] prohibited, and only one unbaited, barbless, single-hook, artificial lure, as described in 5 AAC 57.121(1)(J), may be used when sport fishing for king salmon;

(2) [IN THE KENAI RIVER PERSONAL USE FISHERY, IF THE USE OF BAIT OR RETENTION OF KING SALMON IS PROHIBITED IN THE KENAI RIVER SPORT FISHERY UNDER (1) OF THIS SUBSECTION,] the retention of king salmon is prohibited in the personal use fishery;

(3) in the Upper Subdistrict set gillnet commercial fishery, notwithstanding the provisions of 5 AAC 21.360(c)(1)(B), (2)(B), and (3)(B), based on the abundance of sockeye salmon returning to the Kenai and Kasilof Rivers,

(A) if the **retention of king salmon** [USE OF BAIT] is prohibited in the Kenai River sport fishery under (1)(A) of this subsection, commercial fishing periods are open for no more than 36 hours per week, with a 36-hour continuous closure per week beginning between 7:00 p.m. Thursday and 7:00 a.m. Friday, during which the number of set gillnets operated may also be restricted to either

(i) three set gillnets that are each not more than 35 fathoms in length and 29 meshes in depth or two set gillnets that are each not more than 35 fathoms in length and 45 meshes in depth; set gillnets used that are not more than 29 meshes in depth must be identified at the end of the gillnet with an attached blue buoy that is not less than nine and one-half inches in diameter; or

(ii) two set gillnets that are each not more than 35 fathoms in length and 29 meshes in depth or one set gillnet that is not more than 35 fathoms in length and 45 meshes in depth; set gillnets used that are not more than 29 meshes in depth must be identified at the end of the gillnet with an attached blue buoy that is not less than nine and one-half inches in diameter; or

[(B) IF THE USE OF BAIT AND THE RETENTION OF KING SALMON ARE PROHIBITED IN THE KENAI RIVER SPORT FISHERY UNDER (L)(B) OF THIS SUBSECTION, COMMERCIAL FISHING PERIODS ARE OPEN FOR NO MORE THAN 12 HOURS PER WEEK, WITH A 36-HOUR CONTINUOUS CLOSURE PER WEEK BEGINNING BETWEEN 7:00 P.M. THURSDAY AND 7:00 A.M. FRIDAY.]

What is the issue you would like the board to address and why? Currently, the Kenai Late Run King plan allows for the use of bait in the inriver sport fishery anytime the inriver run of King Salmon is above 22,500, or the midpoint of the escapement goal. Any time bait is not allowed, severe restrictions are placed on other fisheries out of interest for parity. This proposal seeks to establish no bait as the "normal" setting for the inriver fishery, allowing for bait to be used as a liberalization when runs are expected to exceed escapement. It also seeks to eliminate the 12 hour restrictions placed on the setnet fishery, as 12 hours is not practical for managing escapements into 2 rivers over 80 miles of beach.

We feel this change will help ensure adequate passage of Kenai Late Run Kings into the Kenai River, and will make Kenai Late Run Sport regulations consistent with Kenai Early Run sport regulations by allowing the use of bait when escapements are projected to be exceeded. It will also help to ensure adequate opportunity in the sport, personal use, and commercial fisheries while giving ADFG the flexibility to make yield tradeoff decisions in our mixed-stock fisheries.

PROPOSED BY: Kenai Peninsula Fishermen's Association (HQ-F16-077)

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PROPOSAL 164 - 5 AAC 21.359. Kenai River Late-Run King Salmon Management Plan. Repeals and readopts the *Kenai River Late-Run King Salmon Management Plan*, as follows:

(REPEAL AND READOPT *5* AAC 21.359)

5 AAC 21.359. Kenai River Late-Run Mainstem King Salmon Management Plan

(a) The purposes of this management plan are to ensure an adequate escapement of late-run king salmon into the Kenai River system and to provide management guidelines to the department.

(b) The department shall manage the late run Mainstem stock of Kenai River king salmon to achieve a sustainable escapement goal of 12,000-27,000 king salmon beginning June 23 as described in this section.

(c) In the sport fishery, not withstanding 5 AAC 57.120-5AAC 57.123

(1) from June 23 through July 31 only that portion of the Kenai River downstream of the river mile 14 sonar counter is open for King salmon fishing;

(2) from June 23 through July 31, a person may not use more than one single hook in the Kenai River downstream from an ADF&G regulatory marker located at the outlet of Skilak Lake;

(3) that portion of the Kenai River downstream from the river mile 14 sonar counter is open to unguided sport fishing from nonmotorized vessel on Mondays in July; for purposes of this paragraph, a nonmotorized vessel is one that does not have a motor on board.

(d) If the projected late-run king salmon escapement is less than 12,000 king salmon, the department shall

(1) close the sport fisheries in the Kenai River and in the salt waters of Cook Inlet north of the latitude of Cape Douglas to the taking of king salmon;

(2) close the commercial drift gillnet fishery in the Central District within one mile of the Kenai Peninsula Shoreline north of the Kenai River and within one and one-half miles of the Kenai Peninsula shoreline south of the Kenai River; and

(3) close the commercial set gillnet fishery in the Upper Subdistrict of the Central District.

(e) The provisions of this section do not apply to provisions of the Kasilof River Salmon Management Plan contained in 5 AAC 21.365(f) that pertain to the Kasilof Special Harvest Area.

(f) The department will, to the extent practicable, conduct habitat assessments on a schedule that conforms to the Board of Fisheries (board) triennial meeting cycle. If the assessments demonstrate a net loss of riparian habitat caused by noncommercial fishermen, the department is requested to report those findings to the board and submit proposals to the board for appropriate modifications of this plan.

(g) The commissioner may department from provisions of the management plan under this section as provided in 5 AAC 21.363(e)

What is the issue you would like the board to address and why? In 1988 when the first management plan for Kenai River Late-run Kings was made the Department did not have the genetics technology they have now. July first was erroneously set as the demarcation of early and late-run king salmon (McKinley 2013). We now know that setting the escapement goals based on run timing was incorrect and that the goals should have been set based on biology (Reimer 2016) as Tributary (prior to June 22) and Mainstem (after June 22). Because of this error the Tributary stocks have been getting shorted by the counting of 20 to 30 percent of the escapement actually being of mainstem origin. In addition McKinley found that over 50 percent of the harvest from July 1 to July 15 above the Soldotna Bridge is actually Tributary stocks which are erroneously subtracted from the mainstem escapement. This means that the escapement of tributary bound stocks is much reduced from what the Department has been reporting. Because of this and the prosecution of the fishery, tributary stocks bound for Beaver Creek, Soldotna Creek, Slikok Creek and Juneau Creek are gone or going to extinction from overharvest**.**

Additionally the Department found that the sonar counts from 1986 to 2011 (26 years) were not correct and recreated them using a Bayesian model of unknown performance. In 2012 ADF&G began counting with DIDSON sonar which was supposed to be the solution, but by 2013 a CIP was submitted to replace DIDSON with AIERS because of insurmountable problems with the DIDSON counts (Swanton 2013). This CIP included funding for 2 years of SSART (mark/Recap) which was supposed to assess this new counting technology, reports of this study were to be completed by the spring of 2014 and 2015. Reports from the in-river gillnetting, in-river creel and SSART projects mention the bias and errors associated with these programs as well as the statewide harvest survey which are used with the mixture model to determine a daily sonar count. When the escapement from the weirs operated by FWS and the age/sex composition are compared to the sonar count at either location, river mile 8.6 or 14 it is quite obvious that the sonar counts are well below the estimates produced by the weirs, mark/recapture or by the SSART method. The same is true when you compare the age/sex composition from the weirs to the numbers produced from the netting program. While we are still waiting for the Assessment Reports from the 1.8 million dollar CIP from 2013 which are already 1-2 years late, we are left with fisheries with many restrictions which are not necessary or productive. The department has been counting the first 7 days of the late-run as early-run stocks, misallocating the upriver harvest to the late run when much of it is really early run stocks. In addition the netting program is biased and does not catch anything near a representative sample of age 1.1 or 1.2 age Chinook. And by underestimating the number of small fish in the escapement they are overestimating the number of older age fish by a significant but unknown proportion. Additionally when the department did the run reconstruction they added an additional 3000 fish to the upper and lower escapement goal which is unnecessary, allocative, and outside of their discretion. These fish should be taken off the escapement goal as unnecessary. Because of all of these unsolved problems the department has allowed the fisheries harvesting late-run mainstem stocks to be over restricted and placed the early-run tributary stocks in jeopardy. Additionally when the department did the run reconstruction they failed to utilize the in-river genetics which could significantly alter the escapement goals of both tributary and mainstem stocks.

Many other restrictions were put in place in the commercial fishery which are unwarranted and lead to excessive over-escapements which ADF&G seems unable to address either

with a proposal or in-season actions. In 2014 the BOF put in place 29 mesh restrictions which the department advised against. After the meeting ADF&G sent a letter to the journal publishing this "study", why they didn't do something more reasonable prior to its use and publication is odd at best. The Bethe study which first suggested this ridiculous 29 mesh restriction failed to mention that the 29 mesh nets in his study caught significantly more kings than the 45 mesh nets. This is nothing but a veiled reallocation from offshore nets to the beach nets near the river where most kings are likely caught. To institute a projection of 22,500 king salmon in-river run or else restrictions are possible is again ridiculous. In 2015 ADF&G managed on a forecast which was 50 percent in error which caused them to put in place restrictions which were unnecessary for all users all the way until July 25. Even though the projection from July 1 on was for an in-river run much in excess of 22,500. Of course on August 1 they again went off the reservation and put in restrictions which caused yet another Unconstutional and unsustainable over-escapement. The department is unable to function with such complexities and the plan needs to be simplified. The fish must come first which means that the escapement goals are all that should be important, not just for kings but for sockeye too.

PROPOSED BY: Dan Ducker (HQ-F16-112)

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PROPOSAL 165 - 5 AAC 21.359. Kenai River Late-Run King Salmon Management Plan. Decrease the trigger for management actions on Kenai River late-run king salmon from 22,500 to 16,500, as follows:

I would like to see (f) be deleted from the plan, but I don't think this will happen, therefore:

To err on the side of conservation, I would like the 22,500 number of projected king salmon escapement lowered to 16,500 in this regulation (f).

The regulation would read something like this:

(f) From August 1 through August 15, if the projected escapement of king salmon into the Kenai River is at least **15,000, but less than 16,500** [16,500, but less than 22,500], notwithstanding ...

What is the issue you would like the board to address and why? In the Kenai River Late-Run King Salmon Management Plan (KRLRKSMP) the sustainable escapement goal (SEG) is 15,000-30,000 king salmon. The mid point of the SEG is 22,500 king salmon. From August 1 through August 15 if the projected escapement of king salmon into the Kenai River is less than 22,500, the Upper Subdistrict set gillnet fishery can fish no more than 36 hours.

22,500 kings is far to liberal. There is no biological reason or data, that can justify for this number. 22,500 puts unnecessary restrictions on the ESSN fishery. In the Kenai-East Forelands sections, where in some years up to 25% of their harvest can occur in August, the current regulation is very devastating.

If 15,000 is the minimum goal, and the minimum escapement goal is projected, why are there any time restrictions put on the set net fleet?

PROPOSED BY: Gary L. Hollier (EF-F16-015)
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PROPOSAL 166 - 5 AAC 57.121. Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area. Modify season dates and area for Kenai River late-run king salmon management, as follows:

Add to Kenai River – Lower Kenai River Mainstem and Skilak Lake

King Salmon

- **Kenai River mouth upstream to RM 13.8 (Sonar Site)**

  July 1 – July 7: 1 per day , 1 in possession

Change:

Kenai River mouth upstream to 300 yards below Slikok Creek:

- **July 8 – July 31: 1 per day, 1 in possession**

[JULY 1 – JULY31: 1 PER DAY, 1 IN POSSESSION]

300 yards below Slikok Creek upstream to Skilak Lake:

- **January 1 – June 30** [JANUARY 1 – JULY 14]

- **July 8 – July 14** [JANUARY 1 – JULY 14)

What is the issue you would like the board to address and why? The current season dates and area for the Kenai king late run (LR) provide inadequate protection for late returning early run (ER) fish , which are still present when the LR opens on July 1.We propose limiting the Chinook fishery to downstream from the sonar counter at RM 13.8 from July 1 through July 7. This proposal would also offer some protection for early returning LR kings, as well as main stem spawners that spawn above the new king counter at mile 13.8.

Pass through king fisheries have successfully occurred on nearly all of the Kenai Peninsula king rivers for the past 30 plus years. The Anchor, Deep Creek, and Ninilchik Rivers are only open on select weekends for the lower (approximate) two miles. The Kasilof River is closed above the bridge, at mile (approximate) eight. The Kenai River, which receives the most intense pressure of all king rivers in Alaska, is open on regular years up to the outlet of Skilak Lake, about fifty miles upriver. Almost all spawning of main stem kings occurs in the lower fifty miles.

Telemetry data shows that in some years, up to 40-50% or the ER main stem spawners are still below the Soldotna bridge on July 1. Most of these fish move above the Soldotna bridge by July 10, so this would provide a measure of protection to these main stem ER spawners, who are the most noticeable missing component of our recent ER king escapements. Essentially, all kings above the king counter at mile 13.8 on July 1 are ER fish. Fishing above the counter on July 1 makes no sense, especially when looking at all of the conservation measures that we have seen with the ER over the past several years.

PROPOSED BY: Kenai Area Fisherman's Coalition (HQ-F16-010)

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PROPOSAL 167 – 5 AAC 21.359. Kenai River Late-Run King Salmon Management Plan. Close the Kenai River personal use fishery when the late-run king salmon sport fishery is closed, as follows:

The personal use dip net fishery in the Kenai River is paired with the LR king salmon sport fishery. If the LR king salmon sport fishery in the Kenai River is completely closed then the personal Use dip net fishery in the Kenai River is completely closed.

What is the issue you would like the board to address and why? Dip netters should have paired restrictions with the sport fishery for LR king salmon in the Kenai River. The mortality for king salmon tangled in the gill net of a PU dip net and then released has not been determined. Using the precautionary principle, if the LR king salmon sport fishery in the Kenai River is completely closed then the PU dip net fishery is completely closed.

PROPOSED BY: Steve Vanek (EF-F16-083)

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PROPOSAL 168 – 5 AAC 21.359. Kenai River Late-Run King Salmon Management Plan. Remove restrictions to the Kenai River sport and personal use fisheries and the Upper Subdistrict commercial set gillnet fishery in July and August, as follows:

Repeal 5 AAC 21.359 (e) and (f)

What is the issue you would like the board to address and why? Delete provisions (e) and (f) from the Kenai River Late-Run King Salmon Management Plan.

The current provisions in 5 AAC 21.359(e) and (f), which were adopted in 2014, have essentially created an optimal escapement goal (OEG) for Kenai River late-run king salmon bore disproportionately by the Upper Subdistrict set gillnet fishery. For example, the current management plan places the entire burden of conservation for this stock in August solely on the set gillnet fishery.

The sustainable escapement goal (SEG) for Kenai River late-run king salmon is 15,000–30,000 fish. The current management plan states that from July 1 through July 30, both the commercial fishery and the inriver sport fishery are managed to the same objectives. Specifically, if the Kenai

River king salmon inriver run exceeds 22,500 fish, both fisheries are prosecuted without restrictions; however, if the inriver run is projected to be less than 22,500 fish, restrictions to both fisheries are required. Beginning August 1, however, the inriver sport fishery for king salmon closes and the management target for king salmon switches from achieving a projected inriver run of 22,500 fish to achieving a projected escapement of 16,500 to 22,500 fish. The restrictions triggered by being below a projected escapement of 22,500 fish falls exclusively on the Upper Subdistrict set gillnet fishery. To change a management target from a projected inriver run to a projected escapement objective, and then to have that higher burden of conservation fall completely on one user group, is highly unusual and even draconian in nature.

The late-run of Kenai River king salmon has never failed to meet its minimum escapement objective since enumeration began in 1986. Furthermore, the upper end of the escapement goal has been exceeded in 15 of 28 years. This proposal simply advocates for the department to do what they have already shown they will, that is, use their emergency order authority to adjust harvest rates of the sport and commercial fisheries on Kenai River late-run king salmon in order to meet the SEG for this stock. Mandated restrictions on the Upper Subdistrict set gillnet fishery in order to achieve the mid-point of the SEG for Kenai River king salmon puts management of the sockeye salmon fishery in jeopardy. In the past 10 years (2006-2015), the Kenai River sockeye salmon inriver goal has been exceeded 7 times, while the Kasilof River sockeye salmon BEG has been exceeded 9 times. This proposal seeks some balance in managing these two very important stocks of fish. Why is managing to the mid-point of the escapement goal for king salmon more important than not exceeding the upper end of sockeye salmon management objectives? This proposal seeks to provide ADF&G with more flexibility to allow for the harvest of surplus sockeye salmon while still achieving the SEG for late-run Kenai River king salmon.

PROPOSED BY: Joel Doner (EF-F16-103)

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PROPOSAL 169 – 5 AAC 21.359. Kenai River Late-Run King Salmon Management Plan. Remove restrictions to the Kenai River sport and personal use fisheries and the Upper Subdistrict commercial set gillnet fishery in July and August, as follows:

5 AAC 21.359
(e) [DELETE]
(f) [DELETE]

What is the issue you would like the board to address and why? Current Late Run Kenai River King Salmon Plan does not work. The restrictions in place are to static and will not allow any flexibility to managers. The question of pairing is not fundamentally possible in a fisheries with

so many different moving parts. SOKI is committed in modifying the language to address glaring inequities.We especially challenge the restriction to mesh size. The ADF&G has challenged the study that board members accepted as being valid science and the author continues to submit bad science that is bias and contrived.

PROPOSED BY: Paul Shadura, spokesperson for South K-Beach Independent Fishermen's Association (SOKI) (EF-F16-172)

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PROPOSAL 170 – 5 AAC 21.359. Kenai River Late-Run King Salmon Management Plan. Reconsider "paired" restrictions to the Kenai River sport and personal use fisheries and the Upper Subdistrict commercial set gillnet fishery, as follows:

The Board should reconsider the "parity" issue to encourage: in-river reduced hours to one-third of time available per week, harvest by age in proportion to the run, harvest age 1.1 and 1.2 king salmon under 30 inches in length in the same proportion as ESSN fishery (50% of harvest), and forego all sockeye salmon fishing opportunity when the ESSN hours are restricted when going to no bait, and fairly compensated the commercial fisheries time on lost benefit and yield recruitment declines and offset the reallocation of sockeye salmon during the month of July with a comparable commercial fishery that is presently unavailable in order to be allocatively neutral.

What is the issue you would like the board to address and why? Provisions within the Kenai late-run king salmon management under the premise of parity unduly restricts the commercial fisheries and severely contains the ability and duties of the department to manage for established sockeye salmon escapement goals within the UCI mixed socks fisheries.

However, in-river directed sport fisheries are normally managed with bait and no bait provisions.

Disrupting two major sockeye salmon plans that already contained conservation and development and coupled to a parity based provisions plan – that exceeds the minimum spawning goal on a king salmon stock in a directed fishery. An indiscriminate application of fisheries management of state fishery resources. And, inconsistent with the policy for the management of mixed-stock fisheries over the sustained yields of sockeye salmon stocks with defined BEG and SEG escapement goal ranges.

PROPOSED BY: Brandie Ware (HQ-F16-095)

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PROPOSAL 171 – 5 AAC 21.359. Kenai River Late-Run King Salmon Management Plan. Remove the commercial set gillnet fishery in the Kasilof Section from "paired" restrictions in the *Kenai River Late-Run King Salmon Management Plan*, as follows:

Amend (h) to include the Kasilof Section within the Kasilof River Salmon Management Plan and KRSHA.

What is the issue you would like the board to address and why? The inability of the Department to manage and distribute escapements evenly within the Kasilof river sockeye salmon escapement goal. The Kasilof Section should not be coupled to 21.359 plan as the incidental harvest of Kenai bound late-run king salmon is minimal. The genetic harvest data in the Kasilof Section supports the minimal harvest levels per opening, per net CPUE in-season, by CPUE on age composition stratified in July and before July 8th, and after July 31.

268 - 283 permits operate in the Kasilof Section and the Kenai Section 164 permits. The net ratio is 1.71:1 and harvest ratio is 1:7 with the CPUE per net harvest levels in July. For example in July when comparing both Kasilof Section to Kenai Section the Kasilof Section harvests less than one-fourth that of Kenai Section average per opening: 67 vs. 309. In addition, significant numbers of 1.1 (12 – 14 inches in length) male king salmon within the Kasilof Section harvest that are not counted by sonar. During the entire opened fishing season from June 22nd through August 10th 2015 fishing with 28 days, the average per net harvest of Kenai river late-run king salmon was only 1.4 kings per net per entire "season" with 1.1 jacks adjusted for.

In all likelihood, the Kasilof Section harvest level on Kenai late-run king salmon for ages 1.2 or above is comparable or less than the Lower Sport Marine king salmon fishery.

PROPOSED BY: Jeff Goodman (HQ-F16-098)

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PROPOSAL 172 – 5 AAC 21.359. Kenai River Late-Run King Salmon Management Plan. Remove "paired" restrictions in the Kenai River sport and personal use fisheries and the Upper Subdistrict commercial set gillnet fishery, as follows:

Paired restrictions are not necessary in times of abundance. In times of shortage, managers can make in-season adjustments. We have many capable biologists on staff.

What is the issue you would like the board to address and why? Eliminate paired restrictions (ESSN and In-River fishery). The only similarity in these fisheries is the mutual antagonism which paired restrictions have only enhanced. This in 2014 was a board-generated allocation proposal.

PROPOSED BY: John McCombs (HQ-F16-086)

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PROPOSAL 173 – 5 AAC 21.359. Kenai River Late-Run King Salmon Management Plan. Decrease the projected inriver run goal of late-run king salmon to 19,000 fish and remove the Upper Subdistrict commercial set gillnet fishery from "paired" restrictions, as follows:

(c) amend From July 1 through July 31, if the projected inriver run of late-run king salmon is less than 19,000 [22,000], in order to achieve the sustainable escapement goal and provide reasonable harvest opportunity, the commissioner may, by emergency order, **under AS 16.05.060 use this authority to achieve established salmon escapement goals described and directed under (j).** Delete [establishing fishing seasons as follows]; delete : (e) (3) (A), (e) (3) (A) (i), (ii); (e) (B).

(f) repeal (delete)

What is the issue you would like the board to address and why? Difficulty in the management of large runs of sockeye salmon due to inability of ADFG to distribute escapements evenly within the SEG and BEG sockeye salmon ranges established by the Department and Board. Yield / Recruitment - lost harvest and future lost benefit on Kasilof sockeye salmon and Kenai River late-run sockeye estimated at over 5 million sockeye salmon within the last five years.

The 2014 (2015 in-season) Kenai late run chinook projected inriver goal of 22,500 from July 1 – July 31 does not "benefit Cook Inlet fisheries." The 7500 chinook 'allocation' above the minimum goal was subjectively written that impeded commercial fisheries management. The projected mid-point of the Kenai River late-run king salmon changed from July 20th to July 28th while the directed in-river sport fishery closes July 31. However, the mid-point on Kenai late-run sockeye salmon is July 23rd and July 14th for Kasilof River sockeye salmon escapements.

Kenai late-run Chinook salmon SEG goal of 15,000 – 30,000 included 3,000 fish above the 90% MSY range of 12,000 – 27,000 in the escapement goal review (run reconstruction / Fleischman and McKinley 2013). Yet, 'sustained yield is maximized between 15,000 – 19,000 spawners'. Escapement of 15,000 represent returns (R) of 50,060 with Sustained Yield (SY) of 35,060. Escapement of 19,000 represents return (R) of 55,670 with Sustained Yield (SY) of 36,670, "Conservation" includes the 'full utilization' of salmon harvest levels and incorporates 90% MSY rule under escapement goals. Overfishing (OF) definitional standards – less than 80% MSY (9,600 escapements) produces 29,000 Sustained Yields (SY) with median returns of 38,000.

Furthermore, from August 1 through August 15th when the minimum goal of 15,000 been met – instead, a capricious spawning goal of 22,000 now in effect with closure times on the commercial eastside sockeye salmon fishery if between 16,500 – 22,000 is estimated by July 31 even when the directed inriver sport fishery normally is ended. There is no other escapement goal within the state that operates this way. In fact, by default directs commercial fishery managers to manage for an escapement goal of 22,000 instead of in-river goal during the month of July. Instead, Chinook goals elsewhere are stated by the Department as "achieved when the minimum goal is met within the escapement goal range (SEG, BEG, or SET)."

PROPOSED BY: Jeff Beaudoin (HQ-F16-104)

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(Proposal 174 was submitted by two proposers. The proposal and justification for each proposer is listed below.)

<u>PROPOSAL 174</u> – 5 AAC 21.359. Kenai River Late-Run King Salmon Management Plan. Remove provisions (e)(3)(A)(i) and (ii) that restrict the number and/or depth of commercial set gillnets fished by a Commercial Fisheries Entry Commission limited entry permit holder in the Upper Subdistrict if the use of bait is prohibited in the Kenai River sport fishery, as follows:

(A) If the use of bait is prohibited in the Kenai River sport fishery under (1)(A) of this section, commercial fishing periods are open for no more than 36 hours per week, with a

36-hour continuous closure per week beginning between 7:00 p.m. Thursday and 7:00 a.m. Friday, [, DURING WHICH THE NUMBER OF SET GILLNETS OPERATED MAY ALSO BE RESTRICTED TO EITHER

(i) THREE SET GILLNETS THAT ARE EACH NOT MORE THAN 35 FATHOMS IN LENGTH AND 29 MESH IN DEPTH OR TWO SET GILLNETS THAT ARE NOT MORE THAN 35 FATHOMS IN LENGTH AND 45 MESHES IN DEPTH; SET GILLNETS USED THAT ARENOT MORE THAN 29 MESHES IN DEPTH MUST BE IDENTIFIED AT THE END OF THE GILLNET WITH AN ATTACHED BLUE BUOY THAT IS NOT LESS THAN NINE AND ONE HALF INCHES IN DIAMETER; OR

(ii) TWO SET GILLNETS THAT ARE EACH NOT MORE 35 FATHOMS IN LENGTH AND 29 MESHES IN DEPTH OR ONE SET GILLNET THAT IS NOT MORE THAN 35 FATHOMS IN LENGTH AND 45 MESHES IN DEPTH; SET GILLNETS USED THAT ARENOT MORE THAN 29 MESHES IN DEPTH MUST BE IDENTIFIED AT THE END OF THE GILLNET WITH AN ATTACHED BLUE BUOY THAT IS NOT LESS THAN NINE AND ONE HALF INCHES IN DIAMETER]

What is the issue you would like the board to address and why? Eliminate (i) and (ii) in 21.359(e)(3)(A). These restrictions were implemented using seriously flawed data as evidenced in the Department of Fish and Game's response to the Kintama conclusions. In the State of Alaska's Article titled "Oversimplification of complex harvest modeling issues outlined in Welch *et al.* (2014), the conclusions of Kintama “"paints an unrealistic picture of how simply changing gillnet dimensions would translate into a viable management approach to preserve or increase sockeye salmon harvests while minimizing catch of Chinook salmon”". It is worth noting that prior to these restrictions the department never, in the history of enumerating Chinook salmon on the Kenai River, has failed to achieve the minimum escapement goal. Manage with time and area restrictions instead.

PROPOSED BY: Anchorage Fish and Game Advisory Committee (EF-F16-042)

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What is the issue you would like the board to address and why? The 29 meshes in depth provisions oversimplify problems associated with estimating changes in chinook and sockeye salmon harvests. Simply put a subjective, misleading and contentious experiment with significant costs association. It was rejected four times prior by the BOF.

29 mesh depth presented numerous unintended consequences that arise from unrealistic “solutions.”

After the 2014 Board meeting ADFG published a response that did not support the 29 mesh restrictions and “committed to providing the best information possible to the Alaska Board of Fisheries as they deliberate regulatory changes.”

PROPOSED BY: Jeff Beaudoin (HQ-F16-102)
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PROPOSAL 175 – 5 AAC 21.359. Kenai River Late-Run King Salmon Management Plan. Clarify the length and depth of set gillnets that may be used in the Upper Subdistrict commercial salmon fishery, if the use of bait is prohibited in the Kenai River sport fishery, as follows:

A change of wording along the following lines.

5 AAC 21.359 (e)(3)(A)

(i) [THREE SET GILLNETS THAT ARE EACH NOT MORE THAN 35 FATHOMS IN LENGTH] **up to four set gillnets that are each not more than 35 fathoms in length with more than 105 fathoms in the aggregate and 29 meshes in depth or two set gillnets that are each not more than 35 fathoms in length** and 45 meshes in depth; set gillnets used that are not more than 29 meshes in depth must be identified at the end of the gillnet with an attached blue buoy that is not less than nine and one-half inches in diameter; or ...
Alternatively as some have thought the above confusing

(i) [THREE SET GILLNETS THAT ARE EACH NOT MORE THAN 35 FATHOMS IN LENGTH AND] **a full complement of gear with a maximum** 29 meshes in depth or two set gillnets that are each not more than 35 fathoms in length and 45 meshes in depth;...
Both are functionally the exact same as "a full complement of gear" is described elsewhere

What is the issue you would like the board to address and why? When the King Salmon Conservation Plan was introduced at the 2014 BOF meeting, I believe it was the original intent of the regulation in question to allow for fishing a full complement of 29 mesh deep nets during the first tier of "step-downs". This is generally three 35 fathom gillnets as listed. However, there are provisions elsewhere in the regulations for breaking your gear group into “shorter nets”.
5 AAC 21.331

(d) A set gillnet may not be longer than 35 fathoms in length… …A person may not operate more than four set gillnets with more than 105 fathoms of set gillnet in the aggregate…

There are fishermen in the Cook Inlet East Side set net fishery that utilize this option to fish four “short” nets rather than three 35 fathom nets. In the case where the king salmon management plan is instituted in this fashion, as was done in 2014, they were forced to take a further 25% gear reduction even when fishing “shallow” 29 mesh deep nets and fish only three of their “short” nets. This was pretty clearly unintended when the board action was taken and is merely the result of poor wording of the RC/proposal that produced the new regulation and a reluctance to tamper with it further. It appears unavoidable that in the further step-downs of the plan (the ones that actually reduce the number of nets) “short” net users will take a larger restriction than those who fish standard 35 fathom nets and I am willing to accept this being a consequence of choosing to break your gear up this way, but in the initial tier that exists solely to incentivize fishing shallow nets for king salmon conservation it seems appropriate that they be able to fish a full complement of gear like everyone else when making the sacrifice of fishing 29 mesh deep nets.

PROPOSED BY: Joseph Person (EF-F16-075)
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PROPOSAL 176 – 5 AAC 21.359. Kenai River Late-Run King Salmon Management Plan. Allow commercial set gillnet fishing periods in the Kenai and Kasilof sections to be managed separately, with regard to "paired" restrictions, if the use of bait is prohibited in the Kenai River sport fishery, as follows:

5 AAC 21.359 (e) (3) (A) if the use of bait is prohibited in the Kenai River sport fishery under (1) (A) of this subsection, commercial fishing periods **in the Kenai and Kasilof sections may be managed independently based on abundance and** are open for no more than 36 hours per week **within each section,** with a 36-hour continuous closure per week beginning between 7:00 p.m. Thursday and 7:00 a.m. Friday, during which the number of set gillnets operated may also be restricted to either

What is the issue you would like the board to address and why? 5 AAC 21.363 Upper Cook Inlet Management Plan (a) (3) in adopting the specific management plans described in (2) of the subsection the board will consider: (a) (3) (C) the various needs and demands of the user groups of the salmon resources of upper Cook Inlet: We have attempted several times in three years to get this slight requested modification in place. This would be a major improvement and an opportunity for maintaining a economically viable ESSN fishery in times of hourly restrictions. A modified plan that will maximize true abundance while still remaining in a very restrictive management plan. The current regulation does nothing for managing 49.85 statute miles of beach in a productive manner.

PROPOSED BY: Paul Shadura, spokesperson for South K-Beach Independent Fishermen's Association (SOKI) (EF-F16-168)

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PROPOSAL 177 – 5 AAC 21.359. Kenai River Late-Run King Salmon Management Plan. Allow commercial fishing periods in the Kasilof and Kenai/East Forelands sections to be opened separately, with regard to "paired" restrictions, if the use of bait is prohibited in the Kenai River sport fishery, as follows:

> A) If the use of bait is prohibited in the Kenai River sport fishery under (1)(A) of this section, commercial fishing periods are open for no more than 36 hours per week in the combined Kenai/East Foreland Section or separately in the Kasilof Section, with a 36 hour continuous closure per week beginning between 7:00 p.m. Thursday and 7:00 a.m. Friday, during which the number of set gillnets operated may also be restricted to either (i), or (ii)

What is the issue you would like the board to address and why? Decouple The Kenai/East Foreland Section from the Kasilof Section in regards to 36 hour limit for fishing under 5 AAC 21.359. Allow each section to be managed independently so that when one section is open it does not count towards the other section's 36 hour limit. In order to manage to existing escapement objectives in both the Kenai and Kasilof rivers, ADFG should have more flexibility to fish the 36 hours independently in each section. There are approximately 35 miles of beach in the Kasilof Section and 25 miles of beach in the Kenai/E. Foreland sections. Localized concentrations of fish in the 60 miles of beach can occur, but if one section of beach is opened to harvest this abundance,

the hours used count toward the 36 hour allotment for the entire beach. Allowing ADF&G to independently use the 36 hours in each beach will make meeting the objective of maximizing sockeye salmon harvest more effective, and thus, more efficient

PROPOSED BY: Anchorage Fish and Game Advisory Committee (EF-F16-047)
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PROPOSAL 178 - 5 AAC 57.121. Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area. Increase the number of days only non-motorized vessels may fish on the lower Kenai River, as follows:

An extra day of fishing from an non-motorized boat from January 1 to December 31. An example is Monday and Thursdays will be non-motorized boats only fishing on the Kenai River.

What is the issue you would like the board to address and why? The issue is overcrowding on the lower Kenai River from Skilak to the mouth and the poor quality of the fishing experience to lots of people. This will also cut down on the erosion along the banks of the river.

PROPOSED BY: Tom Corr (EF-F16-113)
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PROPOSAL 179 – 5 AAC 57.121. Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area. Add Thursdays as a day only non-motorized vessels may fish on the Kenai River downstream of Cunningham Park, as follows:

The purpose of this change is to add a Thursday Drift-only day on the lower portion of the Kenai River in addition to the already existing Drift-only Monday.

Change Drift only section header to read:

Drift-only days (downstream of Skilak Lake):

[DRIFT-ONLY MONDAYS (DOWNSTREAM OF SKILAK LAKE)

Add to Drift –only section;

- **Thursdays, May 1 – July 31 (except Memorial Day)**
- **Between the Sterling Hwy bridge and the mouth of the Kenai River:**
- **Closed to fishing from any motorized vessel that has on board more than one single motor greater than 10hp. A motor 10hp or less may be used only downstream of an ADF&G marker at Cunningham Park, and only after fishing from the vessel has stopped for the day.**

What is the issue you would like the board to address and why? Heavy, high density motorized vessel use is responsible for excessive turbidity, increased erosion, and safety issues. There are other social issues associated with crowding that are compounded by motorized vessel use in the current configuration of the fishery. Another drift day on the river, open to both guided and unguided anglers with no time restrictions, will help address hydrological and social issues and may promote more folks to invest in resource friendly drift boats. This would also reduce the exploitation of Late Run (LR) Chinook on the Kenai and allow more fish to move upriver and disperse during subsequent days. A 2011, ADF&G memo regarding driftboat harvest states, **"The creel estimates for late-run Mondays were approximately 4.2% of the total late-run harvests in both 2009 and 2010."** New boat use patterns indicate that most of the Chinook fishing is now taking place in the lower portion of the river.

Our proposal seeks to offer an additional day of drift boat use below the Soldotna Bridge while still allowing for motorized use for the majority of the river above the bridge. This "split-use philosophy is in keeping with conclusions in the 2010 DNR Kenai River Recreational Study that says, " **The majority of driftboat users (80%), drift boat guides (85%), and bank anglers (55%) support additional "drift-only" days on the lower and middle river, while the majority of powerboat users (50%) and powerboat guides (70%) are opposed. Opinions about "drift-only" days on one segment at a time suggest "compromise" options may be workable. There is little consensus about the best times for "drift-only" days, but support is greatest in higher density periods."**

PROPOSED BY: Kenai Area Fisherman's Coalition (HQ-F16-004)

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PROPOSAL 180 – 5 AAC 57.180. Riparian Habitat Fishery Management Plan for the Kenai River Drainage Area. Establish two Kenai River riparian habitat areas equal to approximately nine-tenths of a mile that will be closed to fishing from shore within 10 feet of the waterline from July 1 – August 15, as follows:

5 AAC 57.180(d) is amended by adding new paragraphs to read:

(26) on the north bank of the Kenai River, between ADF&G regulatory markers located at river mile 13.3 and river mile 14.0;

(27) on the north bank of the Kenai River, between ADF&G regulatory markers located at river mile 13.0 and river mile 13.2.

What is the issue you would like the board to address and why? Management authority of these state-owned parcels of land along the Kenai River was assigned to the Alaska Department of Fish and Game to implement the *Exxon Valdez* Oil Spill Trustee Council's objective to restore, enhance, and rehabilitate natural resources injured by the oil spill. The parcels are also subject to a third-party conservation easement. The warranty deed and conservation easement include restrictive

covenants that prohibit public access, including sport fishing, along the Kenai River shoreline of this parcel. This proposal would implement warranty deed and conservation easement restrictions for the parcels through regulation rather than by annual issuance of an emergency order.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F16-142)
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PROPOSAL 181 - 5 AAC 57.120. General provisions for seasons, bag, possession, annul, and size limits, and methods and means for the Kenai River Drainage Area. and 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan. Only non-motorized vessels may be used when fishing on the Kenai River, as follows:

Make Kenai River drift boat only. Supposedly the whole river is a park.

What is the issue you would like the board to address and why? Habitat report shows habitat loss. No action has been taken since 1997 zero net loss of habitat Dr. White. Guides, dipnetters, and in-river traffic all remain unlimited. Why? No kings.

PROPOSED BY: John McCombs (HQ-F16-089)
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PROPOSAL 182 - 5 AAC 57.140. Kenai River guiding and guided fishing requirements in the Kenai River Drainage Area. Prohibit all guiding from 6 p.m. to 6 a.m., as follows:

I recommend applying the hourly limitations to all guided fishing. Hence, guides would be limited to the hours of 6:00 am to 6:00 pm regardless of whether the fishing takes place from a guide vessel or on the bank. I suggest a regulation stating: All guided fishing shall be limited to the hours of 6:00 a.m. to 6:00 p.m.

Local residents and unguided non-guided anglers would then have a fair chance to access the sockeye salmon fishery before 6:00 a.m. or after 6:00 p.m.

What is the issue you would like the board to address and why? Commercial fishing guides are blocking access to the sockeye fishery for local residents and non-guided anglers. The sockeye fishery is primarily a bank fishery and excessive numbers of fishing guides are occupying all fishing spots in the Kenai Middle Section of the River from as early as 4:00 am until 10:00 pm. The 6:00 am to 6:00 pm limitation of 5 AAC 57140(c) only applies to fishing from guide vessels. Further, some guides actually use non-fishing personnel to hold spots while they bring up new clients. This prevents local residents and non-guided anglers from having a chance to access the fishery during reasonable hours..

PROPOSED BY: Ted Wellman (EF-F16-021)
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PROPOSAL 183 - 5 AAC 57.140. Kenai River guiding and guided fishing requirements in the Kenai River Drainage Area. Allow guided anglers to fish on Mondays in August, as follows:

Allow guided anglers to fish from a guide boat on the Kenai River on Mondays in August.

What is the issue you would like the board to address and why? Guided anglers were restricted to no fishing on Mondays years ago, during a conservation concern for Coho salmon this conservation concern does not exist anymore and should be overturned, an additional 4 days of guided angler fishing will not put this stock in jeopardy.

PROPOSED BY: Mel Erickson (EF-F16-129)
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PROPOSAL 184 - 5 AAC 57.140. Kenai River guiding and guided fishing requirements in the Kenai River Drainage Area. Relax guiding restrictions when king salmon fishing is closed by emergency order, as follows:

If King salmon fishing is closed on the Kenai River, Regulations & restrictions intended for King salmon fishing are not in effect. & 1. allow fishing from a guide vessel on sunday's

2. Allow guided & non- guided fishing on mondays in a power boat, 3. allow fishing from 6pm to 6am for guided anglers, 4 allow 5 anglers in a guide vessel.

What is the issue you would like the board to address and why? when King salmon fishing has been closed on the Kenai River, many rules that are intended only for conservation and social reasons have remained in effect, Many anglers want to fish for other species but cannot do it because of the king salmon rules in place when king fishing is open, Anglers would like to fish for trout, pinks silvers, reds on sundays, mondays, and between 6pm & 6am

PROPOSED BY: Mel Erickson (EF-F16-132)
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PROPOSAL 185 - 5 AAC 57.140. Kenai River guiding and guided fishing requirements in the Kenai River Drainage Area. Modify language referencing fishing from guide boats on the Kenai River to include all guided fishing, as follows:

In the regulations referencing SOUTHCENTRAL ALASKA GUIDING REGULATIONS under the heading KENAI RIVER change the language to; **FISHING GUIDES ON THE KENAI RIVER. [**FISHING FROM GUIDE BOATS ON THE KENAI RIVER**].**

What is the issue you would like the board to address and why? The intent of the current regulation was to limit guiding to 6:00am to 6:00pm Tuesday–Saturday so that private anglers could enjoy some time on the river where they wouldn't have to compete with guide activity. During the predominant King fishery of the 1990s and early 2000s the guide industry built up to around 400 guides and the volume of activity, crowding and competition for fishing spots became too much for many private anglers and they left the King fishery figuring they would be satisfied with fishing for Sockeye and Silvers.

Since the collapse of the King fishery after around 2011, the guide industry shifted its efforts towards Sockeye and Silvers. This was an understandable business adjustment but it has had unintended consequences on private anglers once again. When this adjustment occurred the guides soon realized that they could fish 24/7 with their clients for Sockeye since it was a bank fishery and they were no longer restricted under the "Guides fishing from a boat" requirement.

Now it has reached the point where private fishermen are now being displaced from the Sockeye fishery just like they were from the King fishery. It is common practice now for many guides to homestead the best Sockeye fishing locations all day long and well into the evening hours shuttling groups of clients in and out throughout the day. People wanting to fish after work or with their families in the evening are having increased difficulty trying to find a suitable place to fish because of the increasing guided effort in the Sockeye fishery.

I fully appreciate the guide's needs to adapt to changes in the fisheries for their financial wellbeing, but I would ask that their time of guiding efforts be limited to 6am - 6pm so that private fishermen can have a time of the day where they don't have to compete with the guides and they can once again find the level of enjoyment they once knew in the Sockeye sport fishery.

PROPOSED BY: Douglas Wilson (HQ-F16-058)

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PROPOSAL 186 - 5 AAC 57.121. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area. Only barbless hooks allowed in the Kenai River upstream of the Lower Killey River, as follows:

Regulation should read as follows: In the Kenai River upstream of the Lower Killey River only barbless hooks, or hooks with the barb completely pinched are allowed from August 21- May 1

What is the issue you would like the board to address and why? Damage to Rainbow Trout in the Kenai River Catch and Release Fishery

Rainbow trout and dolly varden in the Kenai River typically show mouth damage from poor fish handling practices in the Kenai River. This degrades the fishery because a majority of fish from the Kenai are extremely ugly, in a fishery for wild trout it is very important for many anglers seeking a near wilderness experience to catch undamaged fish. Gill lice are very common throughout the stock of rainbow trout on the Kenai River. Gill lice have been shown to lower a trout's fitness, it has also been shown that rainbow trout can only be infected by lice while under stress. The intense fishery on the Kenai causes stress to nearly every fish. Barbless hooks have been shown to greatly reduce handling time and greatly reduce mouth/lip damage to released fish while having minimal to a positive effect on landing rates.

Other solutions include a year round barbed hook ban, which while optimal likely has little support amongst salmon anglers and the status quo.

PROPOSED BY: Patrick McCormick (EF-F16-126)

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PROPOSAL 187 - 5 AAC 57.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Kenai River Drainage Area. Allow only barbless, unbaited, single-hook gear on the Kenai River from January 1 – August 1, as follows:

Only a single, unbaited barbless hook, lure, fly, or attractant may be used from January 1 through August 1 on the Kenai River.

What is the issue you would like the board to address and why? The issue I would like to address is the continual low escapement of Kings into the Kenai River. The measures that have been implemented have not worked.

PROPOSED BY: Tom Corr (EF-F16-112)
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PROPOSAL 188 - 5 AAC 57.121. Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area. Allow only one single-hook or one single-hook lure, as follows:

Kenai River – Lower Kenai River Mainstem and Skilak Lake

Add; under METHODS AND MEANS
Gear restrictions:

- **In flowing waters, Only one single – hook or one single – hook lure may be used**

Delete; All other mention of hook types in this section.

What is the issue you would like the board to address and why? On the Kenai River there are multiple and confusing regulations concerning when single or multiple hooks may be used and where on the river multiple hooks are allowed.

Multiple hooks cause unnecessary damage to fish caught incidentally and to those deemed to small to keep, resulting in increased mortality, especially when bait is also allowed. Multiple hook plugs used in the trout fishery cause a lot of mouth, gill-plate and eye injury and using multiple hooks on Coho increases mortality on lost and released fish, with a species that is already known to have very high mortality rates anyway.

Single hooks are all that are needed for anglers to successfully catch all species of fish on the Kenai River. Single hooks make it easier to release fish. We are facing uncertain times in our fisheries abundance cycles and user demands on our resources are expected to increase. Catch and release methods are already the mainstay of our successful trout fishery and they are becoming more prevalent as a step up measure in our King fishery, so any measure that makes it easier to release fish and reduce mortality just makes since in these changing times.

PROPOSED BY: Kenai Area Fisherman's Coalition (HQ-F16-009)
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PROPOSAL 189 - 5 AAC 57.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Kenai River Drainage Area. Allow fishing from shore after harvesting a bag limit of coho salmon, as follows.

Allow fishing from shore for sockeyes on the Kenai River after catching a limit of coho from a boat.

language should read no fishing from a boat after retaining a limit of coho.

What is the issue you would like the board to address and why? as the regulations are currently an anglers can not go fish for sockeyes from shore after they have have caught a limit of silvers from a boat, a simple solution is to change the language to no fishing from a boat after catching a limit of coho.

PROPOSED BY: Mel Erickson (EF-F16-136)

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PROPOSAL 190 - 5 AAC 57.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Kenai River Drainage Area. Expand the waters open to fishing after harvesting a bag limit of coho salmon in the lower Kenai River, as follows:

Coho Salmon Lower Kenai River

*After taking a limit of coho (silver) salmon from the Kenai River a person may not fish in the Kenai River downstream of the Pillars State Recreational Site on that same day.

What is the issue you would like the board to address and why? After taking a bag limit of coho salmon from the Kenai River a person may not fish in the Kenai River downstream of the Soldotna Bridge on that same day. I would like to see the regularity marker moved down to the pillars boat launch (from the Soldotna Bridge) which is a easily identifiable marker just above the tidal zone.This would allow those that would like to continue to fish to be able to do so without having to travel upstream of the Soldotna Bridge. It would decrease crowding in other parts of the Kenai River by allowing anglers to switch gear to pursue other species in this area. What happens now is anglers either catch and release coho until they are ready yo stop fishing for the day or they are forced to travel to another part of Kenai River to continue to fish on that day.

PROPOSED BY: Kenai River Professional Guide Associatiom (EF-F16-142)

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PROPOSAL 191 - 5 AAC 57.170. Kenai River Coho Salmon Management Plan. Increase Kenai River coho salmon bag limit from two fish to three, as follows:

Increase coho daily bag and possession limit in the Kenai River from two fish to three fish beginning on the day after the closure of the set net fishery in the Upper Subdistrict.

Corresponding regulatory changes are:

(C) from July 1 through **the day upon which the set net fishery in the Upper Subdistrict is closed for the season** [AUGUST 31], the daily bag and possession limit for coho salmon 16 inches or greater in length is two fish;

(D) from **the day after the set net fishery in the Upper Subdistrict is closed for the season** [SEPTEMBER 1] through November 30, the daily bag and possession limit for coho salmon 16 inches or greater in length is three fish;

What is the issue you would like the board to address and why? For nearly 40 years, the daily bag and possession limit for coho salmon in the Kenai River was 3 fish, 16 inches or greater in length. In response to low coho abundance during the late 1990's, bag and possession limits were reduced to 2 fish as part of a comprehensive plan that included restrictions on commercial fisheries. Since that time, abundance has improved. Commercial fisheries are no longer restricted specifically to conserve Kenai River coho salmon, yet the sport fishery still operates under the lowered bag and possession limit for the first part of the run in August. Increasing the bag and possession limit from 2 to 3 fish in August would not jeopardize the sustained yield for the resource, would provide increased opportunity for harvest and would produce additional economic value for the fishery.

PROPOSED BY: Kenai River Sportfishing Association (HQ-F16-068)

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PROPOSAL 192 - 5 AAC 57.122. Special Provisions for the seasons bag, possession, and size limits, and methods and means for the Middle Section of the Kenai River Drainage Area. Shorten the Kenai River coho season by closing October 31, as follows.

Lower Kenai River Mainstem

September 1 - October 31, 3 coho per day

November 1 - June 30 No retention of coho salmon

What is the issue you would like the board to address and why? Currently fishing for coho salmon in the Kenai River is allowed downstream of Skilak Lake July 1 - November 30. There is a growing fishery in the middle Kenai River during the later part of the coho salmon season. Many of these late arriving coho salmon spawn in the area from Bings Landing upstream to Skilak Lake and they do not have adequate protection in this area during a time of year when the water flow drops drastically which in turns exposes the areas that they are congregating in. Simply moving the season closing date to October 31 would go a long ways to protect these coho stocks. With more anglers enjoying the fall fishing season it seems prudent to do what we can to ensure the sustainability of the late arriving Kenai River coho.

PROPOSED BY: Kenai River Professional Guide Association (EF-F16-146)

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PROPOSAL 193 - 5 AAC 57.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Kenai Peninsula Area. and 5 AAC 57.150. Russian River Sockeye Salmon Management Plan. Create an archery fishery for sockeye salmon in a section of the Russian River, as follows:

5 AAC 57.150. Russian River Management Plan. Amend the plan to include the following:

5 AAC 57.150(g) (NEW) The Department is authorized to set aside a section of the river (*e.g.*, above the Falls that has not been opened to salmon fishing previously) designated as a bow-fishing only area. For purposes of this provision, "bow-fishing" means that Sockeye salmon may be taken by bow and arrow; the arrow must have a barbed tip and be attached by a line to the bow; for the purposes of this provision, "bow" means a long bow, recurve bow or compound bow. (*See e.g.*, 5 AAC 57.120(9).) A struck fish shall be considered taken and be counted in the bow-fisherman's daily limit. In addition to a valid fishing license, a bow-fisherman must have passed a bowhunter certification course.

The Fisheries Board could further consider amending the following sport fishing sections as follows:

5 AAC 57.120(a)(4)(A)(vi) Sockeye salmon may be taken by bow and arrow in a section of the Russian River as designated by the Department in the Russian River Management Plan. For the purposes of this provision, "bow" means a long bow, recurve bow or compound bow; the arrow must have a barbed tip and be attached by a line to the bow.

5 AAC 57.123 (9) Russian River in a designated area, Sockeye salmon may be taken by bow and arrow in a section of the Russian River as designated in the Department's Russian River Management Plan. For the purposes of this provision, "bow" means a long bow, recurve bow or compound bow; the arrow must have a barbed tip and be attached by a line to the bow.

What is the issue you would like the board to address and why? The sport fishery of bow-fishing should be expanded to include salmon.

Recreational value. More than 21.6 million Americans of all ages enjoy archery. Young and old alike enjoy shooting their bows. Anchorage, Fairbanks, Eagle River, Wasilla, Juneau and Kenai and other communities offer static ranges for the public that are maintained by non-profit archery associations. Those in Southcentral include Screaming Eagle, Cook Inlet Archers, NW Archers, black Sheep (JBER) and Kenai Archers. Other regions have clubs as well : Golden North Archery Association (Fairbanks), Prince of Wales Archery (Thorne Bay), Prince William Sound College-Archery club (Valdez). This underscores the [popularity of archery throughout the state.

The State maintains shooting ranges at the Rabbit Creek Shooting Park, Fairbanks Indoor Shooting Range and Hunter Ed Facility and the Juneau Hunter Ed Facility and Indoor Shooting Range. These would likely experience greater use by archers of all ages, a benefit to the youth and adults of our communities.

Educational value. The National Archery in the Schools Program, (NASP) is a Nationwide Youth Archery program developed in Kentucky in 2002. Here in Alaska the program is a joint venture between NASP, the Department of Education and the Division of Wildlife Conservation. Several archery equipment manufacturers and local sportsman's organizations are also program partners. The program promotes self-confidence, team work, discipline, physical fitness and participation in the life-long sport of Archery. The program provides Archery instruction in a physical education environment to *all* boys and girls grades 4 – 12. Millions of kids across America participate in this great program.

The Division of Wildlife Conservation offers Alaskan hunters opportunities to become certified bowhunters. Bowhunting classes certify more than 800 Alaskan hunters each year. Beginning July 1, 2016, an NBEF/IBEP bowhunter certificate will be required for all big game hunters in Alaska. The Alaska Bowhunter education program meets the National Bowhunter Education Foundation, (NBEF) and International Bowhunter Education Program, (IBEP) certification requirements. Bowhunter education classes are taught by dedicated volunteer instructors who commit valuable time and offer years of experience.

Economic value. To the State: The Pittman-Robertson Wildlife Restoration Act places an 11% excise tax on the sale of archery equipment including bow-fishing gear. This money is shared with Alaska and other states for use in Wildlife Restoration (i.e., building structures or improving lands or waters as wildlife habitat) and basic/enhanced hunter education and safety programs, as well as construction, operation and maintenance of archery ranges for public use. 50 CFR 80.50. In a Clarion newspaper report, the State has received more that $38 million in Pittman-Robertson funds since 2000. It is submitted that this program could enhance sales of archery equipment – bowfishing as a form of hunting that supports stream enhancement programs - and add an element to the ADFG conservation plan that would help increase the State's share of the Pittman-Robertson funds.

To the local economy: All major box stores sell archery equipment and larger communities have archery specialty stores. Allowing salmon to be bow-fished would likely increase sales of archery equipment significantly. Most major archery companies sell one or more models of specialty bows designed for bowfishing. Adopting this change in the regulations would likely be economically beneficial to these Alaska businesses and to local economies.

PROPOSED BY: J. Michael Robbins (EF-F16-008)
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<u>PROPOSAL 194</u> - 5 AAC 57.122. Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Middle Section of the Kenai River Drainage Area. Create a size limit for lake trout in Hidden Lake, as follows:

In Hidden Lake, the bag and possession limit for lake trout is one fish **<u>under 16 inches of length</u>** [with no size limit}

What is the issue you would like the board to address and why? Lake Trout are an extremely slow growing fish with a long life span that need a substantial amount of time to naturally grow.

These fish are easily susceptible to population declines through changes in the environment and over-fishing. Hidden Lake was a top destination on the Kenai Peninsula for Lake Trout fishing that is in a steady decline in fishing quality, especially with fish in the 24 to 30-inch classes during the last couple of decades.

There has been little biological data available to manage the Lake Trout population within Hidden Lake. It would be more prudent to manage this fishery conservatively until further research and studies can be done to more accurately measure the overall population and sustainability of this fishery.

With the continued harvest of the largest fish within Hidden Lake the breeding stock will continue to be heavily diminished. This hardship on the overall Lake Trout population has resulted in a lower sustainable yield for recreational sport fishing purposes.

By allowing current regulations to continue the Lake Trout population will have very unfavorable conditions for older fish to properly grow and propagate. Without changes to the current regulations there is almost no chance to have a positive outcome in future Lake Trout populations within Hidden Lake.

PROPOSED BY: Will Lee (EF-F16-012)

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PROPOSAL 195 - 5 AAC 77.540 Upper Cook Inlet Personal Use Salmon Fishery Management Plan. Remove the commissioner's emergency order authority to extend the Kenai River personal use fishery hours, as follows:

5 AAC 77.540 (c)(1)(A) from July 10 through July 31, seven days per week, from 6:00 a.m. to 11:00 p.m.;

What is the issue you would like the board to address and why? Eliminate the Commissioner's authority to extend, by emergency order, the personal use fishery to 24 hours per day on the Kenai River.

The City of Kenai undertakes a substantial effort to respond to the personal use fishery, most of which takes place on or over the uplands, tidelands, and submerged lands owned by the City of Kenai. A component of the City's efforts to respond to the personal use fishery includes utilizing heavy equipment to rake fish-waste from tidelands, and to service beach-located solid waste dumpsters, during the period that the fishery is closed, 11PM - 6AM. There are inherent safety conflicts between personal use fishery participants and the operation of heavy equipment in a confined area during a dark period of the night/morning, during 24 hour openings of the fishery.

PROPOSED BY: Rick Koch - City of Kenai (EF-F16-106)

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PROPOSAL 196 - 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan. Prohibit dip nets from being attached to a vessel, as follows:

Dip nets operated from a boat may not in any way be physically attached to the boat. They must be operated by hand.

What is the issue you would like the board to address and why? Clarify hand operated dip net.Stop dip nets being turned into trawl nets.The definition of a trawl net is "a bag shaped net towed through the water to capture fish..." The dip net regulation states "the frame (of a dip net must be attached to a single rigid handle and **Operated by Hand.** When it is attached to a boat it is not being operated by hand.

PROPOSED BY: steve vanek (EF-F16-082)
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PROPOSAL 197 - 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan. Prohibit dipnetting from a vessel that is not anchored in the Kenai and Kasilof river personal use fisheries, as follows:

In the Kenai and Kasilof Rivers boats carrying personal use dip netters must be anchored, Otherwise they are trawling.

What is the issue you would like the board to address and why? Stop trawl fishing with PU dip nets in the Kenai and Kasilof Rivers. The definition of a trawl is "a bag shaped net towed through the water to capture fish..." This is how dip netting on the rivers is done.Trawl fishing results in a higher mortality for king salmon. King salmon released from a trawl are more likely to die because they are tangled in the gill net of a dip net. This also gives an unfair advantage over beach dip netting.

PROPOSED BY: Steve Vanek (EF-F16-084)
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PROPOSAL 198 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan. Prohibit webbing in personal use dip nets that exceeds 2.5 inch stretched measure, as follows:

No portion of the bag of a personal use dip net may be constructed of webbing that exceeds a stretched measurement of 2.5 inches.

What is the issue you would like the board to address and why? The use of gill nets in the PU dipnet fishery in the Kenai and Kasilof fisheries. The majority of responders opposed gill nets in these rivers. 4.5 inch mess size is a gill net. The Board of Fish sanctions the use of gill nets in these rivers. Many people oppose this. The dip net should have the same size mess as a landing net.

PROPOSED BY: Steve Vanek (EF-F16-085)
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PROPOSAL 199 - 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan. Prohibit dipnetting on the Kasilof River from a vessel with a motor on board greater than 10 horsepower, as follows:

5AAC77.540 (c) Salmon may be taken by dipnet

(2)In the Kasilof river as follows

(D) A person may not dip net fish from a vessel that has on board a motor that is more than 10 horsepower, and a motor may be used only between the mouth of the Kasilof River and Trujillo's Landing.

What is the issue you would like the board to address and why? The increased use of powerboats for dipnetting on the Kasilof river, which has traditionally been a drift fishing river. Alaska DNR is constructing a large new parking lot at the Kasilof river mouth, and DNR Parks has purchased the Trujillo drift boat pull-out site - and adjacent lot, and plans to construct a full launch and parking lot. The Kasilof river has sport fishing regulations limiting the use of powerboats, however there are currently no general limitations as to boat size, horsepower, or 2/4 stroke for anything other than rod/reel fishing. This regulation would implement similar limitations on powerboat use for both sport and PU fishing, protecting habitat and preserving the quiet nature of the Kasilof river fishery.

PROPOSED BY: Kenai / Soldotna Fish and Game Advisory Committee (HQ-F16-080)

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PROPOSAL 200 - 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan. Amend the number of king salmon that may be retained in the Upper Cook Inlet personal use fishery to 10 king salmon under 20 inches, as follows:

5 AAC 77.540 Upper Cook Inlet Personal Use Salmon Fishery Management Plan (c) (1) (B) the annual limit is as specified in 5 AAC 77.525, except that only **10** [ONE] king salmon **under 20 inches** may be retained per household.

What is the issue you would like the board to address and why? The Kenai River Personal Use (PU) fishery has been at times restricted from the harvesting of king salmon for conservation reasons. The current language allows a one king retention. There are very few restrictions for the harvesting of up to 10 kings less than 20 inches in salt and fresh waters of the state. PU fishers need consistency in there regulations. This proposal would allow up to 10 kings under 20 inches to be retained under most management plans. This proposal would apply an intensive management objective in culling the jack king from the genetic pool. In addition, defining the size of kings for retention would aid in conservation and sustainable yields.

PROPOSED BY: Paul A. Shadura II (EF-F16-155)

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PROPOSAL 201 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan. Amend the area open to dipnetting from shore in the Kenai River personal use dip net fishery, as follows:
5 AAC 77.540(c)(1)(D) is amended to read:

(c) Salmon may be taken by dip net in the Kenai and Kasilof Rivers as follows:
(1) in the Kenai River, as follows:
…
(D) from shore, in the area from ADF&G regulatory markers located on the Cook Inlet beaches outside the terminus of the river **to a line at the mouth of the Kenai River from No Name Creek on the north shore to an ADF&G regulatory marker on the south shore** [UPSTREAM TO THE DOWNSTREAM SIDE OF THE WARREN AMES BRIDGE, EXCEPT DIPNETTING IS CLOSED ON THE NORTH SHORE FROM AN ADF&G REGULATORY MARKER LOCATED BELOW THE END OF MAIN STREET, UPSTREAM TO AN ADF&G REGULATORY MARKER LOCATED NEAR THE KENAI CITY DOCK];

What is the issue you would like the board to address and why? To implement existing personal use dip net boundary regulations near the mouth of the Kenai River, Alaska Department of Fish and Game (department) markers are placed on the shore line at the base of the north shore bluff below the end of Main Street, which is a short distance upstream of the Kenai River - No Name Creek confluence. Markers are frequently lost in tidal currents or removed by participants who fish above No Name Creek. Designating a natural/physical feature instead of a department marker will create a permanent marker to clarify the upstream boundary of the personal use dip net fishery. Participation in the shore-based personal use fishery in the area just downstream of the Warren Ames Bridge has increased. Use occurs on both the north and south shores. On the south shore, access is supported by the Kenai Flats Day Use Area operated by the Alaska Department of Natural Resources, Division of Parks and Outdoor Recreation (DNR-DPOR) which is designed with 32 vehicle parking stalls. On the north shore, no designated parking is available. Participants in the dip net fishery access this section of river by crossing over, as well as fishing from, and staging equipment on, vegetated tides lands. Use of the these lands for personal use fishing has increased to the extent that the number of vehicles at the Kenai River Flats Day Use Area parking area may often exceed capacity for the 22-day fishery. Often vehicles are parked in the right of way along both sides of the roadway, on both sides of the Warren Ames Bridge. Impact to the vegetated tide lands has not been assessed; however, it is evident that dip net fishing from the vegetated tide lands downstream of the Warren Ames Bridge may be negatively impacting the riparian habitat in the lower Kenai River.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F16-153)
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PROPOSAL 202 - 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan. Extend the Cook Inlet personal use dip net fisheries to the 2nd Sunday of August, as follows:

By extending the "Personal" use Dip Net fishing to the 2ed Sunday of August it would allow A better safer use of the Cook Inlet and river salmon fisheries.

What is the issue you would like the board to address and why? Safer dip net fishing.

PROPOSED BY: Ronald Jordan (EF-F16-031)
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PROPOSAL 203 - 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan. Extend season and liberalize the bag limit in the Kenai River personal use fishery when the sonar estimate is projected to exceed 1.2 million sockeye salmon, as follows:

When the Kenai River sockeye salmon escapement can be projected to exceed 1,200,000 fish, the Commissioner may open, by emergency order, the Kenai River personal use dip net season through August 10, and the Kenai River personal use limit may be increased by 10 salmon. During August all king salmon must be immediately released.

What is the issue you would like the board to address and why? Allow personal use dip netting during August when the Kenai River sonar count is projected to exceeds 1,200,000 sockeye salmon. This allows all Alaskan residents longer opportunity to harvest their personal use fish during times of large abundance. It also provides an additional tool for keeping Kenai River sockeye salmon spawning escapements within the escapement goal range. Harvest of all species except king salmon should be allowed. This would give anglers a choice of dip netting or sport fishing. Dip netting is a valued opportunity to those who are poor at or don't have the time for lining sockeye. If there is enough salmon to have emergency commercial fishing, there is also enough salmon to allow additional dip netting opportunity for all Alaskans.

PROPOSED BY: Alaska Outdoor Council (EF-F16-101)
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PROPOSAL 204 - 5 AAC 77.540 Upper Cook Inlet Personal Use Salmon Fishery Management Plan. Extend the boundary of the Kenai River personal use dip net boat fishery upsteam to Cunningham Park, as follows:

Extend the Kenai River personal use boat fishery farther upstream (to Cunningham Park).

What is the issue you would like the board to address and why? Provide additional area for personal use fishing from a boat.

Currently, little sport fishing occurs below Cunningham Park without bait with current low participation. The king sport fishery in this area is only viable in years when water conditions just right. This area is within the Kenai River Special Management Area, where boat motors while fishing are restricted to 50 hp or less. Extending the PU boat fishery up to Cunningham Park would provide additional area for boats with the hp restriction to fish and reduce congestion in the area from the Kenai City Dock up to the KRSMA boundary at RM 4.

PROPOSED BY: Kenai River Sportfishing Association (HQ-F16-069)
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<u>PROPOSAL 205</u> - 5 AAC 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan. Allow shore-based personal use dipnetting in the Kenai River upstream to Skilak Lake, as follows:

In that portion of the Kenai River from a regulatory marker located at the outlet of Skilak Lake downstream to the downstream side of the Warren Ames Bridge when the bag and possession limit in the sport fishery for late-run sockeye salmon is increased from 3 to 6 fish, 5 AAC 77.540 (c)(1) would be amended such that, the department may, by emergency order, allow personal use fishing with a dip net as follows:

1. Only on private land from a previously approved shoreline habitat protective structure.
2. A permit must be acquired from the Kenai River Center attesting to the authenticity of the habitat protective structure; and
3. The permit must be displayed at all times that personal use dip net fishing is taking place.

What is the issue you would like the board to address and why? There is not enough access being made available to the shore based Personal Use Dip Net fishery in the Kenai River during years of exceptionally large runs of late-run sockeye salmon. During years when the SEG for Kenai River late-run sockeye salmon is assured the Department may increase the bag limit in the sport fishery from 3 to 6 fish. In addition if the Department determines that the abundance of Kenai River late-run sockeye salmon is greater than 2,300,000 fish they may extend by emergency order, the personal use fishery in the Kenai River from 17 to 24 hours per day. At the same time, the Commercial fishery is fishing the maximum number of hours allowed unless under restriction due to the conservation of late-run king salmon. Under these circumstances, the sonar count of these fish often exceeds the upper bound of the in-river goal leaving significant numbers of these fish, which are already in the river, above the current geographic boundaries of the personal use fishery and in excess of the capacity of the sport fishery are available for harvest.

Shore based dipnetting along the Kenai River is currently restricted to areas below the Warren Ames Bridge. Opening up shore based dipnetting to property owners along the Kenai River who have fish habitat friendly structures on their property would allow those property owners to partake in the dipnet fishery from fish habitat friendly structures to protect bank habitat, and reduce crowding in the current areas on the Kenai where dipnetting is allowed.

PROPOSED BY: South Central Alaska Dipnetters Association (SCADA) (HQ-F16-074)

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<u>PROPOSAL 206</u> - 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 downsteam 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 conflics 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)

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<u>PROPOSAL 207</u> – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan. Amend the boundary description language for the area open to dipnetting in the Kasilof River personal use salmon fishery, as follows:

5 AAC 77.540(c)(2)(C) is amended to read:

(c) Salmon may be taken by dip net in the Kenai and Kasilof Rivers as follows:

…

(2) in the Kasilof River, as follows:

…

(C) from **a line across the** [ADF&G REGULATORY MARKERS LOCATED ON THE COOK INLET BEACHES] outside **of** the terminus of the river **beginning from an ADF&G regulatory marker on the north shore beach at 60° 23.25' N. lat., 151° 17.98' W. long. to an ADF&G regulatory marker on the south shore beach at 60° 23.27' N. lat., 151° 18.64' W. long.** upstream for a distance of one mile.

What is the issue you would like the board to address and why? The seaward boundary outside of the terminus of the Kasilof River is not clearly defined as a straight line between two Alaska Department of Fish and Game markers. As a consequence personal use dip net fishery participants may unknowingly dip net in waters closed to personal use fishing during lower stages of the tide because the seaward boundary as currently defined is difficult to enforce.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F16-154)

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PROPOSAL 208 - 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan. Allow 10 Dolly Varden/Arctic char per household in Cook Inlet Personal Use Fisheries, as follows:

10 Dolly Varden/Artic Char allowed per household in Cook Inlet Personal Use Fisheries

What is the issue you would like the board to address and why? Allow Dolly Varden/Artic Char to be retained while dipnetting on the Kasilof and Kenai Rivers.

Every year I dipnet the Kenai river multiple days and hundreds of hours whether for myself or taking others. Every year we incidentally catch on average 20-30 dolly varden/artic char incidentally. In my estimate due to the size of the fish and the mesh size of the dipnets these fish are sustaining mortality rates up to 90%. Excessive bleeding from the gills and/or the body entanglement damaging internal organs is the most common injuries. Thru my angler experience of handling thousands of fish I know when a fish is more likely or not to survive a release and it doesn't take a study to know that thousands of dolly varden/artic char are being incidentally killed in this fishery as well as in the commercial setnet fishery off the beach.

Every year I get the same questions on board. I would love to eat a dolly varden why can't I keep it? If the fish is just gonna die why should we release it? This is such a waste why are we not allowed to keep it again? If flounder are ok to keep why isn't a Dolly? I explain to them that it is currently not legal to keep a dipnetted dolly varden/artic char but if you really want one you could try with a rod and reel in this same spot and it would be legal.

Like in many commercial fisheries wasted bycatch is thrown overboard to die this is what is happening to dolly varden in this personal use fishery. We can due better than this and allow residents to utilize these fish for food instead of throwing them unnecessarily overboard to die. Currently there is no evidence that the stock is in endanger or sustainability is an issue. I feel like a high percentage of dipnetters like myself if a dolly varden/artic char is not severely injured will

voluntary release the fish back but if the fish appears to be bleeding/mortally wounded than will make the choice to keep the fish instead of wasting it overboard.

If nothing is done thousands of dying edible fish will continue to be wasted when they could have been put to good use by resident dipnetters as food. Additionally those dipnetters who morally and ethically decide to retain a mortally injured dolly varden/artic char illegally will continue to be cited by law enforcement.

Who will benefit: Alaska residents

Possible Negative impacts: An unknown additional number of dolly varden/artic char that were not mortally wounded that would have survived release will be harvested.

PROPOSED BY: Jon Madison (EF-F16-006)
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PROPOSAL 209 – 5 AAC 21.366. Northern District King Salmon Management Plan. Repeal the *Northern District King Salmon Management Plan*, as follows:

Repeal 5AAC 21.366 Northern District King Salmon Management Plan in its entirety.

What is the issue you would like the board to address and why? The Northern District King Salmon Management Plan was drafted in 1986 in response to a projected return of Northern District king salmon so large that the sport fishery did not have the ability to harvest all the surplus king salmon using the regulations in place at the time. It is the only Upper Cook Inlet commercial fishery targeting early run king salmon, and the purpose of the plan is:

"The purpose of this management plan is to ensure an adequate escapement of king salmon into the Northern District drainages and to provide management guidelines to the department. The department shall manage the Northern District king salmon stocks primarily for sport and guided sport uses in order to provide sport and guided sport fishermen with a reasonable opportunity to harvest these salmon over the entire run as measured by the frequency of inriver restrictions."

For the past 5 years, as evidenced by the department closing or severely restricting sport king salmon harvest in all Northern District drainages where the sport fishery targets wild king salmon, the plan provisions allowing targeted commercial openings to harvest surplus king salmon no longer fit the stated purpose of the plan. It simply does not make sense to allow extra harvest by a small special interest group (only 40 - 60 registered Northern District permit holders) at the expense of all other Alaskans and visitors who would like to harvest a few king salmon, but have been shouldering more severe conservation restrictions and total harvest closures. Having already gone 4 years or more with sport king salmon harvests closed by emergency order starting in May on 13 of the 17 Northern Management Area streams with established king salmon spawning escapement goals, and emergency restrictions on the remaining 4 streams with king salmon escapement goals as well, it is long past time to remove the commercial opportunity to target Northern District king salmon before June 24 at a time when few other salmon are available for harvest. This would more closely align the Northern District commercial season with most other

commercial fisheries in Upper Cook Inlet. Northern District commercial fishermen could still participate in the sport and subsistence king salmon fisheries, and would still be able to harvest Northern District king salmon after June 24.

PROPOSED BY: Matanuska Valley Fish and Game Advisory Committee (EF-F16-057)
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PROPOSAL 210 – 5 AAC 21.358. Northern District Salmon Management Plan. Repeal and readopt management plan to fully utilize surplus salmon stocks based on the abundance of salmon returning to the Northern District, as follows:

(Repeal and Readopt)

5 AAC 21.358. 5 AAC 21.358. Northern District Salmon Management Plan

(a) The purposes of this management plan are to provide the department direction for management of Northern District of upper Cook Inlet salmon stocks. The department shall manage these chum, pink, and sockeye salmon stocks utilizing fishing time in *5* AAC 21.320(a)(1).

(b) The department shall manage the Northern District commercial salmon fisheries based on the abundance of sockeye salmon counted through the weirs on Larson, Chelatna, and Judd Lakes or other salmon abundance indices as the department deems appropriate.

(c) From July 20 through August 6, if the department's assessment of abundance indicates that restrictions are necessary to achieve the escapement goal, the commissioner may, by emergency order, close the commercial set gillnet fishery in the Northern District and immediately reopen a season during which the number of set gillnets that may be used is limited to the following options selected at the discretion of the commissioner, except that from July 31 through August 6, the commissioner may allow the use of two set gillnets in that portion of the General District south of the Susitna River:

(1) three set gillnets that are not more than 105 fathoms in aggregate length;

(2) two set gillnets that are not more than 70 fathoms in aggregate length;

(3) one set gillnet that is not more than 35 fathoms in length.

(d) In addition to the provisions specified in (b) and (c) of this section, the department shall manage the Northern District commercial salmon fisheries under the following constraints:

(1) additional fishing periods, other than the weekly fishing periods described in 5 AAC 21.320(a)(l), may not be provided when coho salmon are expected to be the most abundant species harvested during that period; additional fishing periods may not be provided based on the abundance of Northern District coho salmon;

(2) after August 15, the department shall limit the harvest of coho salmon in the Northern District by limiting commercial fishing time to the weekly fishing periods described in 5 AAC 21.320(a)(l).

(e) The department shall, to the extent practicable, conduct habitat assessments on a schedule that conforms to the board's triennial meeting cycle. If the assessments demonstrate a net loss of riparian habitat caused by noncommercial fishermen, the department is requested to report those findings to the board and submit proposals to the board for appropriate modification of this management plan.

What is the issue you would like the board to address and why? The board, ADF&G and sport fishing enthusiasts have continued to interpret the "minimize" language in this and other plans as if each year it is necessary to again restrict the commercial harvest of all coho stocks as if it were a half life determination to get to zero. This was never the intent of this language, rather minimize was meant to indicate that the commercial fishery would not be given additional fishing periods targeting coho but that their catch during regular periods was not only permissible but expected. The departments own studies indicate that the Northern District commercial harvest of all stocks is extremely small and that the stocks of coho they are trying to protect Susitna and Little Susitna Rivers are through the Central District by August 1 and the Northern District a few days later. The Board has put punitive restrictions on the Northern District which benefit no one. What this continued myopic view has lead to large unharvested surpluses in many of the streams that are against the Alaska Constitution mandating that surplus renewable resources be made available to the public. The Alaska Supreme Court just weighed in on this subject stating that the salmon stocks in Cook Inlet had to be managed for escapement goals and sustained yield and that the Boards plans were nothing more than guidelines which should be ignored inseason by the department.

Unharvested surplus salmon describes those salmon in excess of escapement needs that are not harvested by commercial, sport or personal use fisheries. UCI has some of the largest wild, native salmon returns in Alaska. ADF&G does not enumerate the return of all stocks but based on the actual harvest and research data, the 2014 returns of all UCI salmon stocks could be estimated at around 30,000,000 fish. After escapement needs (7,000,000), there were approximately 23,000,000 salmon available for harvest. Of the 23 million salmon available for harvest, only around 4.5 million were utilized.

These abundant salmon stocks should be available for harvest; however, the effects of current BOF and ADF&G management plans and policies result in over 80% of these stocks going unharvested. In 2014, about 88% of the Chinook, 19% of the sockeyes, 84% of the coho, 96% of the pinks and 87% of the chums were in excess of all harvests or escapement needs and not utilized.

Unharvested surplus salmon also cause much more variability in returns. These erratic returns are more difficult to predict, more difficult to manage to achieve escapement goals and, as ADF&G reports assert, are not sustainable (SP 07-17, FMS 14-06).

Fisheries management needs to be focused on fully utilizing these abundant renewable resources with the understanding that allocation and daily management decisions have direct economic consequences to the welfare of the state.

The unharvested surplus stocks represent millions of lost tax revenue dollars to the State Treasury, tens of millions of dollars in lost economic benefit to the regional economies, loss of food products and by-products, and lost jobs. These same non-utilized salmon represent an opportunity for growth and diversification in local, regional and state economies.

The commercial sector is the only user group that has the capacity or the ability to harvest and monetize these surplus stocks, has over a 100 year history of doing so and all stocks remained healthy during this timeframe.

PROPOSED BY: Earl Young (HQ-F16-109)

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PROPOSAL 211 – 5 AAC 21.366. Northern District King Salmon Management. Close the Northern District commercial set gillnet fishery until the first regular period after June 24, if the Susitna River sport fishery is restricted by emergency order, as follows:

Adjust the Northern District King Salmon Management Plan by adding:

(12) if the Susitna River drainage King salmon sport fishery is restricted by emergency order, the commissioner shall close by emergency order, the Northern District commercial set net fishery until the first regular period after June 24.

What is the issue you would like the board to address and why? The King Salmon sport fishery in the Susitna drainage has been highly restricted in the sport fishery due to low forecasts and returns. Based on King Salmon escapement surveys area wide, additional conservation measures outside of the sport fishery, are needed to ensure the perpetual sustainability of this run.

The Susitna Drainage contains 3 King Salmon stocks of concern- two of them sport fishing is no longer allowed, and the other harvest is prohibited.

PROPOSED BY: Ben Allen (EF-F16-115)

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PROPOSAL 212 – 5 AAC 21.310. Fishing seasons. Close the commercial set gillnet fishery in the Northern District on August 15, as follows:

Amend the Northern District season to read:

(b) salmon may only be taken as follows:
(1) Northern District: from June 25 until [CLOSED BY EMERGENCY ORDER] **August 15;**

What is the issue you would like the board to address and why? The Northern District commercial fishing season should be more aligned with the Central District

Eastside. A season that runs through August 15 provides plenty of opportunity to harvest Northern District salmon stocks, identified in management plans, to be managed primarily for commercial uses. A season through August 15 would still allow a substantial Northern District commercial coho salmon harvest, but would be more consistent with intent language contained at in the Northern District Salmon Management Plan:

"(a) The purposes of this management plan are to minimize the harvest of coho salmon bound for the Northern District of Upper Cook Inlet and to provide the department direction for management of salmon stocks. The department shall manage the chum, pink, and sockeye salmon stocks primarily for commercial uses to provide commercial fisherman with an economic yield from the harvest of these salmon resources based on abundance. The department shall also manage the chum, pink, and sockeye salmon stocks to minimize the harvest of Northern District coho salmon, to provide sport and guided sport fisherman a reasonable opportunity to harvest these salmon resources over the entire run, as measured by frequency of inriver restrictions, or as specified in this section and other regulations." Consistent with the Eastside Central District set net seasons, a Northern District season through

August 15 would allow harvest of commercial stocks through the heart of the Northern District runs. Closing after August 15, would better minimize coho salmon harvest with less economic impact on harvests of primary commercial species.

If the Board is concerned about reasonable yields for ALL Upper Cook Inlet user groups, wouldn't it be more consistent with Upper Cook Inlet management plans and seasons to pass more salmon of all species into Northern District waters for harvest, rather than running Northern commercial harvests into September and taking a high proportion of coho?

PROPOSED BY: Alaska Outdoor Council (EF-F16-105)

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PROPOSAL 213 – 5 AAC 21.358. Northern District Salmon Management Plan. Close commercial fishing within one mile of Little Susitna River when the Little Susitna River sport fishery is restricted to no bait, as follows:

Amend section (d) of the Northern District Salmon Management Plan by adding a new provision:

(3) when the Little Susitna River sport fishery is closed to use of bait, commercial fishing shall be closed within one mile of the Little Susitna River confluence with Knik Arm.

What is the issue you would like the board to address and why? Although the Northern District Salmon Management specifies that:

The Department shall also manage the chum, pink, and sockeye salmon stocks to minimize the harvest of Northern District coho salmon, to provide sport and guided sport fishermen a reasonable opportunity to harvest these salmon resources over the entire run, as measured by the frequency of in river restrictions,

the Little Susitna River sport fishery is restricted to artificial lures only from October 1 - August 5 as a conservation measure to ensure adequate escapement of king salmon, coho salmon, and in river species. At the same time commercial fishing is allowed to within 500 yards of the Little Susitna River confluence with Knik Arm. While the sport fishery is restricted by a bait closure for most of the season, the commercial fishery enjoys a more liberal harvest opportunity than exists around the confluences of most other significant Upper Cook Inlet salmon streams. This occurs despite the fact that ADF&G only manages for abundance of king salmon and coho salmon in the Little Susitna River, with no established goals for other salmon species, and with annual sockeye salmon weir counts of less than 1,600 sockeye per year in 2013, 2014, and 2015. Liberal commercial fishing near the Little Susitna River confluence with Knik Arm should not cause or contribute to restriction of the sport king salmon and sport coho salmon fisheries, which according to management plans, are to be managed to provide sport and guided sport fishermen a reasonable opportunity to harvest salmon resources. Liberal commercial harvest opportunity near the Little Susitna River confluence should also not contribute to depressed Little Susitna River sockeye salmon escapements. .

PROPOSED BY: Mat-Su Borough Fish and Wildlife Commission (EF-F16-034)

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PROPOSAL 214 – 5 AAC 21.366. Northern District King Salmon Management Plan. Close commercial fishing within one mile of the Little Susitna River when more than half of Northern District streams with king salmon escapement goals are closed to sport harvest of king salmon or when the Little Susitna River sport fishery is restricted by emergency order, as follows:

Amend the Northern District King Salmon Management Plan by adding the following provisions:

(12) if more than half of the Northern District streams with king salmon escapement goals are closed to king salmon sport harvest; the commissioner shall close by emergency order, the Northern District commercial set net fishery until the first regular period after June 24.

(13) if the Little Susitna River sport fishery is restricted by emergency order: the commis-sioner shall close, by emergency order, commercial fishing within one mile of the Little Susitna River confluence with Knik Arm.

What is the issue you would like the board to address and why? The purpose of this plan is to ensure an adequate escapement of king salmon into the Northern District drainages and to provide management guidelines to the department. The department shall manage the Northern District king salmon stocks primarily for sport and guided sport uses in order to provide sport and guided sport fishermen with a reasonable opportunity to harvest these salmon over the entire run as measured by the frequency of inriver restrictions.

During times of king salmon shortages in 2013, 2014, and 2015 the Matanuska Sustina Borough Fish & Wildlife Commission discovered the above preamble language within the Northern District King Salmon Management Plan did not adequately address how ADF&G shall manage the commercial fishery at times when: #1. More than half of the Northern District streams with ADF&G established king salmon es-capement goals were closed to king salmon sport harvest for

the entire year, yet the Northern District commercial fishery was allowed to continue harvesting kings salmon bound for all drainages, and all emergency restrictions to the Northern District king salmon fishery were removed whenever bait fishing was allowed in the Deshka River. #2. the Little Susitna River sport fishery was restricted by emergency regulation but the commercial fishery was allowed to continue harvesting king salmon within a mile of the Little Susitna River confluence with Knik Arm. When the Little Susitna River sport fishery is restricted, why does the commercial fishery retain a liberal harvest opportunity on the same stock that the management plan stipulates be managed primarily for sport and guided sport uses?

PROPOSED BY: Mat-Su Borough Fish and Wildlife Commission (EF-F16-035)
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PROPOSAL 215 – 5 AAC 21.366. Northern District King Salmon Management Plan. Close commercial fishing within one mile of the Little Susitna River, if the Little Susitna River king salmon sport fishery is restricted to harvest less than 7 days per week and artificial lures by emergency order, as follows:

Amend the Northern District King Salmon Management Plan by adding the following provisions:

> **(13) if the Little Susitna River sport fishery is restricted to harvest less than 7 days a week and artificial lures by emergency order: the commissioner shall close, by emergency order, commercial fishing within one mile of the Little Susitna River confluence with Knik Arm.**

What is the issue you would like the board to address and why? The Little Susitna River King Salmon sport fishery is bearing the greatest burden of conservation during times of low abundance. During times of low abundance, King Salmon are being harvested within a mile radius of the Little Susitna River at the same time the Little Susitna River King salmon sport fishery has been under emergency order restriction.

Harvest in the Little Susitna River Sport fishery has been dramatically reduced since 2009. Opportunity and chance of catching and harvesting a King Salmon has been seriously altered. Significant efforts have been made in river in the sport fishery to reduce harvest under emergency order, by restricting harvest at least 3 days/week (4 days prior to 2016), mandating single hooks, reducing the annual limit 60% (only 2 fish), and increasing the weir boundary three more holes down the river to protect staging fish.

The one mile radius of the Little Susitna River's at its confluence with Knik Arm, is a major staging area, for King Salmon migrating up the Little Susitna River. Highest King Salmon abundance within the one mile radius of the Little Susitna River occurs in the first 3 weeks of June. Scientific studies on the Kenai Peninsula suggest King salmon behavior at the confluence in this one mile radius zone, would be to swim back and forth increasing susceptibility to commercial harvest in a set net.

With in season weir monitoring and Little Susitna King Salmon behavior, the Department of Fish and Game cannot accurately assess run strength until the third or fourth week June, depending on river conditions and King salmon behavior.

PROPOSED BY: Ben Allen (EF-F16-118)
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(Proposal 216 was submitted by two proposers. The proposal and justification were the same and are listed below, along with the proposers.)

PROPOSAL 216 – 5 AAC 5AAC 21.350. Closed waters. Close waters within one-statute mile of the Little Susitna River to commercial fishing, as follows:

amend closed waters as follows:

(c) Northern District
(1) within one statute mile of the terminus of the following salmon streams:
(A) Swanson Creek
(B) Bishop Creek
(C) Three-mile Creek
(D) Chuit River
(E) Nikolai Creek
(F) McArthur River
(G) Little Susitna River

What is the issue you would like the board to address and why? The Little Susitna River sport fishery is without doubt one of the most heavily used and economically important coho salmon / king salmon sport fisheries draining into the Northern District of Upper Cook Inlet, yet sport fishing opportunities and the economic benefit from those opportunities must be restricted, in part, because of liberal commercial set net harvest area near the river terminus.

Other Northern District streams, of significantly less sport and economic importance than the Little Susitna River, have one statue mile closed waters around their terminus', and within the Northern District Salmon Management Plan direction is given that: "The department shall also manage the chum, pink, and sockeye salmon stocks to minimize the harvest of Northern District coho salmon, to provide sport and guided sport fishermen a reasonable opportunity to harvest these salmon resources over the entire run, as measured by the frequency of inriver restrictions, or as specified in this section and other regulations."

It should be noted:

#1 The use of bait is closed by regulation in the Little Susitna River sport fishery from October 1 through August 5, and this greatly reduces participation in the sport fishery, reduces sport harvest, and retards economic impact from the sport fishery.

#2 ADF&G manages the Little Susitna River for king salmon and coho salmon abundance, and both species are noted in management plans to be managed primarily for sport and guided sport users.

#3 Even with a salmon counting weir in Little Susitna River, the department has no Little Susitna River spawning escapement goal for any salmon species other than king and coho.

#4 Little Susitna River is located further up Cook Inlet, so salmon bound for the Little Susitna River must already swim past more commercial nets than all the other Central District and Northern District streams which have one mile closed waters around their terminus'.

#5 Management of Little Susitna salmon stocks is primarily paid for with funds collected from the sale of sport fishing licenses, king salmon stamps, and federal matching moneys collected from taxes on fishing tackle, outboard motors, and fuel. In times of state economic down turn it is fiscally important to maintain or grow this stream of funding.

Therefore, to better follow Northern District Salmon Management Plan direction, to more equally share the conservation burden of Little Susitna king salmon and coho salmon stocks, and consistent with closed waters around other Northern District streams, Susitna Valley Fish and Game Advisory Committee requests that the board establish a one statute mile closed waters around the terminus of Little Susitna River .

PROPOSED BY: Matanuska Valley Fish and Game Advisory Committee & (EF-F16-056)
Alaska Sport Fishing Association (HQ-F16-002)
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PROPOSAL 217 – 5 AAC 21.358. Northern District Salmon Management Plan. Remove the Eastern Subdistrict of the Northern District from commercial set gillnet restrictions that apply July 20–August 6, as follows:

5 AAC 21.358 Northern District Salmon Management Plan

(c) From July 20 through August 6, if the department's assessment of abundance indicates that restrictions are necessary to achieve the escapement goal, the commissioner may, by emergency order, close the commercial set gillnet fishery in **the General District of** the Northern District and immediately reopen a season during which the number of set gillnets that may be used is limited to the following options selected at the discretion of the commissioner, except that from July 31 through August 6, the commissioner may allow the use of two set gillnets in that portion of the General District south of the Susitna River:

(1) three set gillnets that are not more than 105 fathoms in aggregate length;
(2) two set gillnets that are not more than 70 fathoms in aggregate length;
(3) one set gillnet that is not more than 35 fathoms in length.

Other solutions considered:

1) Break down the GSI data further by each Northern District statistical area and de-couple specific statistical areas that catch a minority of Susitna sockeye stock. There are data reported in *Genetic Stock Identification of Upper Cook Inlet Sockeye Salmon Harvest, 2010* (Barclay, Habicht, Tobias, Willette. pp 12-13), showing that statistical areas 247-41, 247-42, and 247-43 in the General District (all three adjacent, and to the northeast of the mouth of the Susitna River) also harvest a minimal percentage of Susitna sockeye, as low as 3% of their annual catch. However, I only found these data reported for 2010.

2) Repeal subsection (c) of the NDSMP completely, based on the GSI data that show the very small percentage of Susitna drainage sockeye stocks harvested by all Northern District commercial fishermen (Total Harvest, Table 1).

3) Change the language of subsection (c) to give the commissioner more specific direction regarding the use of options (1), (2), and (3), so that option (2) may be a more realistic possibility - seeing as how it has never been used. This specific direction may come from specific conditions being met at the three weirs (JCL) the year before, or some averaging or combinations of several years past. And/or, it may need to involve specific direction from "other salmon abundance indices" as stated in the preamble to the NDSMP.

What is the issue you would like the board to address and why?

Background: The Alaska Department of Fish and Game (ADF&G) manages the Northern District commercial set gillnet fishery primarily through provisions found in 5 AAC 21.358, Northern District Salmon Management Plan (NDSMP). The preamble of this plan states that the department shall manage the chum, pink, and sockeye salmon stocks primarily for commercial uses while at the same time minimizing the harvest of Northern District coho salmon. Furthermore, the plan states that the department shall manage the Northern District commercial sockeye salmon fisheries based on the abundance of sockeye salmon counted through the weirs on Larson, Chelatna, and Judd lakes (in the Susitna River drainage), or other salmon abundance indices as the department deems appropriate.

Currently, the entire Northern District setnet fishery, both the Eastern Sub-district and the General (western) Sub-district (AKA General District) (Figure 1), with all of their many distinct statistical areas, are generally both lumped together for most management actions. In other words, if the department needs to close or restrict one statistical area in the Northern District for conservation purposes, the regulations are such that the restriction or closure will be enforced for the entire Northern District set gillnet fishery.

(Point for clarification: Set gillnetting is the only commercial salmon fishery allowed in the Northern District. There is no drift gillnet fishery in the Northern District.)

The Issue and Proposal: In 2008, Susitna River sockeye salmon were classified as a stock of yield concern. As a result of this designation, the Board adopted the Susitna River Sockeye Salmon Action Plan that contained restrictive provisions to commercial fisheries to conserve this stock. These actions were later placed into subsection (c) of the NDSMP (5AAC 21.358 (c)). Every year since the adoption of subsection (c), the entire Northern District has been subject to gear

restrictions from July 20th to August 6th, which is the peak of the sockeye salmon run. Here is the current version of subsection (c).

> From July 20 through August 6, if the department's assessment of abundance indicates that restrictions are necessary to achieve the escapement goal, the commissioner may, by emergency order, close the commercial set gillnet fishery in the Northern District and immediately reopen a season during which the number of set gillnets that may be used is limited to the following options selected at the discretion of the commissioner, except that from July 31 through August 6, the commissioner may allow the use of two set gillnets in that portion of the General District south of the Susitna River:
>
> (1) three set gillnets that are not more than 105 fathoms in aggregate length;
> (2) two set gillnets that are not more than 70 fathoms in aggregate length;
> (3) one set gillnet that is not more than 35 fathoms in length.

Since the adoption of this plan, the most restrictive option (3), the one-net-per-permit restriction, has been implemented every season. This 2/3 gear reduction occurs during the peak of the sockeye salmon run, negatively impacting the economic viability of the fishery for all Northern District fishermen.

Based on Genetic Stock Identification (GSI) data from sockeye salmon harvests in the Northern District which show the very low percentages of Susitna River sockeye harvested in the Eastern Sub-district (Table 1), this proposal seeks to provide ADF&G with more flexibility in their management of the Northern District setnet fishery by allowing them to de-couple the Eastern Sub-district from the General Sub-district for management actions, specifically with regard to 5AAC 21.358 (c).

Supporting Information and Data:

Table 1. GSI estimate of the number of Susitna River sockeye commercially harvested in the Eastern Sub-district of the Northern District, 2006-2013.

Year	Eastern Sub-district				General Sub-district				Total
	SusYen/JCL	Total Harvest	%	Harvest Rate	SusYen/JCL	Total Harvest	%	Harvest Rate	Susitna Run
2006	1,716	9,305	18%	0.40%	ND	3,159	30%	-	476,723
2007	1,260	9,222	14%	0.20%	ND	8,265	30%	-	595,276
2008	3,612	16,652	22%	0.80%	3,044	9,578	32%	0.70%	462,179
2009	1,139	18,057	6%	0.30%	5,866	22,595	26%	1.80%	332,279
2010	1,219	15,051	8%	0.40%	4,981	25,126	20%	1.60%	311,265
2011	696	9,945	7%	0.10%	10,610	25,515	42%	1.90%	548,799
2012	1,399	10,765	13%	0.40%	2,035	11,815	17%	0.60%	327,150
2013	1,205	11,037	11%	0.30%	5,526	12,386	45%	1.30%	426,647
Averages	1,531	12,504	12%	0.36%	5,344	14,805	30%	1.32%	435,040

The Susitna River is at the head of the General (western) Sub-district, entering Cook Inlet in its north-western corner. The Eastern Sub-district is on the other side of the inlet and is not geographically aligned with the Susitna river. This has long led Eastern sub-district fisherman to believe that they catch a minority of Susitna fish. GSI data of the commercial sockeye salmon harvest from 2006-2013 (Table 1) confirm this.

From 2006 to 2013 the average annual harvest of Susitna River sockeye salmon in the Eastern Sub-district of the Northern District was approximately 1,500 fish, representing only 12% of the Eastern Sub-district's total harvest. This means 88% of the fish caught in the Eastern Sub-district are bound for streams other than the Susitna - the system upon which the entire Northern District is currently being managed.

The same GSI data show that in the General Sub-district the average annual harvest of Susitna sockeye was approximately 5,300 fish – about 3.5 times the harvest of the Eastern Sub-district. However, within the NDSMP, restrictive actions to conserve Susitna River sockeye salmon lump the Eastern Sub-district together with the General Sub-district.

Additionally, and perhaps more pertinent, the GSI data show that on average, the Eastern Sub-district's total catch of Susitna River sockeye represents only 0.36% of the Susitna River's annual sockeye return (see Harvest Rate, Table 1).

Conclusion: Based on these GSI data, there should be allowance within the NDSMP for ADF&G to manage the Eastern and General sub-districts independently from each other, specifically with regard to subsection (c) of the plan. Since its adoption, this regulation has been used each season to require the Eastern Sub-district to be restricted to fishing with only 1 net/permit from July 20th through Aug 6th, which is the peak of the sockeye salmon run. The reason for this restriction is to conserve Susitna River sockeye salmon. However, as just noted, the GSI data in Table 1 show that the Eastern Sub-district harvests a statistically small number of sockeye salmon bound for the Susitna River, both as measured against Eastern Sub-district total harvests, or as the Harvest Rate of the total Susitna run.

The data are clear: The majority of the sockeye harvested by Eastern Sub-district fishermen are bound for other systems (88%) and the impact of the Eastern Sub-district on the Susitna sockeye run is miniscule (0.36%).

Therefore, Eastern Sub-district fishermen should not be held to the restrictions outlined in subsection (c) to conserve a stock of which they harvest only a very small portion.

This is why I am proposing that with regard to subsection (c), the Eastern Sub-district should be de-coupled from the General Sub-district, removing this restriction and allowing these fishermen to simply continue to fish their two, regularly scheduled 12-hr periods per week with a full complement of gear.

PROPOSED BY: Trevor E. Rollman (HQ-F16-081)
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PROPOSAL 218 – 5 AAC 21.366. Northern District King Salmon Management Plan. Allow a holder of more than one Commercial Fisheries Entry Commission set gillnet limited entry permit to fish with one set gillnet per permit held in the Northern District, as follows:

Amend 5 AAC 21.366 (5) to read "No CFEC permit holder may operate more than one set gillnet **per permit** at a time.

What is the issue you would like the board to address and why? When the Northern District King Salmon Management Plan was adopted in November 1985, it contained language limiting the number of nets a person could operate in that fishery to one set net per permit. At that time, a person could only own and operate one S0H4 permit. In 2011, the Board of Fisheries allowed for a Cook Inlet set netter to own and operate two set gillnet permits (SOH4), making the current language in 5 AAC 21.366 (5) confusing and inconsistent with the intent of the regulation allowing a person to own and operate two set gillnet permits.

The current language in 5AAC 21.366 (5) states that "No CFEC permit holder may operate more than one set gill net at a time."

This proposal is a bookkeeping measure to eliminate confusion in wording in the management plan, make the current language consistent with the original intent of the gear restriction, and make the two regulations consistent.

PROPOSED BY: Northern District Set Netters of Cook Inlet (EF-F16-114)
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PROPOSAL 219 - 5 AAC 61.114. Special provisions for the seasons, bag, possession, and size limits, and methods and means for Unit 2 of the Susitna River Drainage Area. Allow a unbaited, single-hook, artificial lure, no retention fishery on resident species when waters of Montana Creek are closed to fishing for king salmon, as follows:

Special provisions for the seasons, bag, possession, and size limits, and methods and means for Unit 2 of the Susitna River Drainage Area. (1) and (10)

The solutions proposed would be to amend 5 AAC 61.114 in such a matter as to open that portion of Montana Creek upstream of the Alaska Railroad bridge upstream to the ADFG marker located one-half mile upstream of the Parks Highway to fishing for resident species during those days now closed to all fishing. Regulations currently in place upstream of the marker include catch and release of rainbow trout and Arctic grayling and methods and means are limited to only one unbaited, single-hook artificial lure. No retention (catch and release only) of rainbow trout and Arctic grayling and the unbaited, single-hook artificial lure provisions would govern fishing in the now closed waters if this proposal were to be adopted. In addition it should be made clear that a person may not sport fish for king salmon in these waters except when the waters are specifically open to sport fishing for king salmon. That portion of Montana Creek downstream of the Alaska Railroad bridge and including all flowing waters within a one-half mile radius of its confluence with the Susitna River would remain closed as currently described in regulation. This proposal is

not meant to change any aspect of the regulations within the times and areas currently open to fishing for king salmon.

What is the issue you would like the board to address and why? Montana Creek from an ADFG marker located one-half mile above the Parks Highway downstream and including all flowing waters within one-half mile radius of its confluence with the Susitna River is closed to all fishing except when open to fishing for king salmon from mid-June through July 13. In 2016 this closure consists of a total of 17 days. Within the area described, the opportunity to fish for resident species and the conservation of king salmon can be accomplished during this time period in most of the area described in regulation. It is not meant to change any aspect of the regulations within the times and areas currently open to fishing for king salmon.

PROPOSED BY: Joe Mathis/ Montana Creek Campground (HQ-F16-039)
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PROPOSAL 220 - 5 AAC 61.120. Special provisions for the seasons, bag, possession, and size limits, and methods and means for Unit 5 of the Susitna River Drainage Area. Establish sport fishery closure times in the Larsen Creek drainage, as follows:

Larsen Creek including all waters within a ¼ mile radius of its confluence with the Talkeetna River closed to fishing from 11:00 pm to 6:00 am from July 1 to August 15.

What is the issue you would like the board to address and why? Establish a more organized fishery at the confluence of Larsen Creek and the Talkeetna River. Susitna River drainage sockeye salmon are currently designated as a Stock of Yield Concern. Larsen Creek is one of three indicator/ index lakes used to assess sockeye production in the Susitna Valley. ~~Larsen Lake is the only monitored and index lake used by ADF&G to assess the sockeye production and spawning success on the main stream of the Susitna River. It has barely made escapement goals in the last 5 years and has had to be closed twice during that time due to low escapement numbers early on.

The area where people fish is a concentrated area at the confluence of the Talkeetna River and Larsen creek. Access into the mouth of Larson creek and the Talkeetna river confluence can be crowded with people wading shoulder to shoulder in the creek making fish passage difficult.

Rod and reel fishermen who would normally fish till 11:00 pm then sleep at the creek and fish at 1:00 am will be less likely to spend the night. Guides will still arrive at 6: 00 am to bring their clients through. This may intensify fishing during that period of the day, but it would allow a reprieve during the night for escapement.

PROPOSED BY: Mat-Su Borough Fish and Wildlife Commission (EF-F16-033)
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PROPOSAL 221 - 5 AAC 61.114. Special provisions for the seasons, bag, possession, and size limits, and methods and means for Unit 2 of the Susitna River Drainage Area., 5 AAC 61.116. Special provisions for the seasons, bag, possession, and size limits, and methods and means for Unit 3 of the Susitna River Drainage Area., 5 AAC 61.120. Special provisions for the

seasons, bag, possession, and size limits, and methods and means for Unit 5 of the Susitna River Drainage Area., and 5 AAC 61.122. Special provisions for the seaons, bag, possession, and size limits, and methods and means for Unit 6 of the Susitna River Drainage Area. Prohibit harvest of king salmon in units 2, 3, 5, and 6, except Willow Creek, as follows:

Change general season of all streams currently (by regulation, not EO) open to king salmon harvest in units 2, 3, 5 and 6 to catch and release only, except Willow Creek which should remain open to harvest of marked hatchery produced chinook. Harvest of 1 chinook salmon per day and two per year is allowed on sunday and monday of the last two weekends of the season (these weekend only fisheries have changing dates) allowing for a small amount of harvest by regulation. This will also allow managers to monitor progress of the chinook run to ensure conservation.

When in-season monitoring shows a harvestable surplus open these streams to more liberal harvest regulations by emergency order, and allow catch and release fishing midweek after the 3rd weekend in June (by allowing catch and release fishing, not only is the high quality experience provided by recent emergency orders maintained, but poaching can be reduced by having more conservation minded eyes on the river, it would also allow fishing for trout and other species).

What is the issue you would like the board to address and why? Susitna River Chinook Salmon.

Recent low performance of chinook salmon returns to the Susitna River drainage has prompted emergency orders closing units 2, 3, 5 and 6 to harvest of chinook salmon. This has created excellent opportunities for different user groups to have outstanding opportunity for a mostly uncrowded sport fishing experience. The Parks Highway streams have become a world class catch and release fishery for those who prefer a quieter fishing experience. By codifying these changes in regulation it will bring stability to this sector of fishermen, and allow for better trip planning, better planning for local businesses and guides to meet the needs of this user group.

If nothing changes, managers will have to continue to use emergency orders to close the fishery to harvest, and fishing opportunities will be lost by all user groups.

Other solutions:
Closing the Susitna Drainage to fishing: This would allow no fishing and is undesirable.

Closing units 2, 3, 5, and 6 to harvest: This would allow no consumptive uses of the fishery, even though some systems have harvestable surpluses, and hatchery produced fish.

PROPOSED BY: Patrick McCormick (EF-F16-124)
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<u>PROPOSAL 222</u> - 5 AAC 61.120. Special provisions for the seasons, bag, possession, and size limits, and methods and means for Unit 5 of the Susitna River Drainage Area. Prohibit fishing for king, sockeye, and coho salmon in the Larson Creek drainage, as follows:

Larson Creek drainage

The Larson Creek drainage, including all waters within a 1/4 –mile radius of its confluence with the Talkeetna River:

Closed to king, coho and sockeye salmon fishing [Closed to king salmon fishing.]

What is the issue you would like the board to address and why? In the Larson Creek drainage include sockeye and coho salmon to the area closed to king salmon fishing which is the ¼ mile radius of its confluence with the Talkeetna River. This area has been discovered and grown in popularity as a sockeye and coho fishing hole. The increased fishing pressure, harvest and catch and release mortality is not sustainable and jeopardizes meeting Larson Lake sockeye escapement goal. This is a staging area, as all confluences are, and the salmon should be protected. A quarter mile protection zone still leaves anglers a reasonable opportunity to harvest salmon. With global warming the smaller streams have warmer water temperatures that are sometimes above the lethal temperature for salmon to survive. Salmon tend to stag in the confluences longer waiting for cooler temperatures and are more likely to be caught. The warmer water temperature also increases the mortality from catch and lease because of the added stress on the salmon in addition to the lack of oxygen the warmer water creates. Coho are extremely susceptible to catch and release mortality. The 1993 ADF&G report on the "Mortality of coho salmon caught and released using sport tackle in the Little Susitna, Alaska-ADF&G documented a 69% mortality on coho salmon in the lower 10 to 15 miles, of fresh water systems. This lower section is where salmon are the most stressed and the majority of catch and release occurs. The lower section of fresh water systems is the highest for catch and release mortality because the salmon's body is undergoing chemical changes to acclimate from salt water to fresh water. The Susitna drainage is very susceptible to warmer water and the negative impacts on adult and juvenile salmon. With the prediction of a continuing global warming trend it would be prudent for ADF&G to restrict more confluences to ensure escapements into spawning streams and lakes. There are many examples where the confluences were left opened to fishing too long and the systems either took a long time to recover or don't recover at all.

PROPOSED BY: Central Peninsula Fish and Game Advisory Committee (EF-F16-163)

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PROPOSAL 223 - 5 AAC 61.114. Special provisions for the seasons, bag, possession, and size limits, and methods and means for Unit 2 of the Susitna River Drainage Area. Prohibit king salmon fishing in Unit 2 if no retention is allowed, as follows:

All King Salmon fishing will be closed in the Parks Highway Streams Of Unit 2 of the Susitna River any time retention of King Salmon is not allowed.

What is the issue you would like the board to address and why? The issue I would like the board to address is that the retention of King Salmon has been denied on the Parks Highway streams in unit two of the Susitna river, yet, catch and release has been allowed. If nothing is done this tactic will increase the period of time until the run is restored and retention allowed.

PROPOSED BY: Paul Warta (EF-F16-088)

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PROPOSAL 224 - 5 AAC 60.122. Special provisions for the seasons, bag, possession, annual, and size limits, and methods and means for the Knik Arm Drainages Area. Restrict hours and dates open to fishing on Jim Creek, as follows:

Amend Jim Creek drainage fishing season as follows:

Daily limits are the same as shown under general season and limits on page 43, except that from **July 20 - December 31, fishing is only open from 5 a.m. until 10 p.m. daily, and from August 10 - December 31,** [THE SECOND SATURDAY IN AUGUST (AUGUST 13) THROUGH DECEMBER 31,] sport fishing for any species is closed on Mondays and Tuesdays.

What is the issue you would like the board to address and why? Inadequate escapement opportunity for salmon migrating up the Jim Creek system throughout the coho and sockeye salmon runs should be addressed. Even though the Board adopted regulations that closed two days to all fishing in the Jim Creek drainage later in August, the coho salmon spawning escapement goal was, once again, not attained in 2014. In 2015 the McRoberts Creek / Jim Creek goal was attained, but only after a sport fishing season closing emergency order was issued. Although sockeye salmon provide an important component of sport harvest, the Department has no established sockeye salmon spawning escapement goal.

The Jim Creek system is an extremely productive salmon producer, that provides a 7 - day per week sport salmon fishery until the August reduction to a 5-day per week fishery. Participation and harvests are amongst the highest in the Knik Arm Management Unit. In light of recent low spawning escapements of coho (and possibly sockeye) salmon, it appears a more precautionary management approach may be appropriate inorder to ensure adequate spawning escapements of both coho and sockeye salmon. It would be advantageous to consider more precautionary management that also maintains the 7-day per week sport fishing opportunity during the earlier portion of the season.

Although a member of the public expressed his concerns of declining Jim Creek salmon returns to the Matanuska Valley Fish and Game Advisory Committee, neither he nor the advisory committee developed a proposal to submit before the submittal deadline. This proposal provides an opportunity for the public and the advisory committee to consider and develop an acceptable precautionary management option(s) that better ensures sustainability of highly valued Jim Creek salmon runs.

Reducing fishing hours would create a more orderly fishery, while providing a daily opportunity for salmon to migrate unmolested through the shallow Jim Creek flats. Perhaps better options may also be developed.

PROPOSED BY: Andy Couch (EF-F16-080)

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PROPOSAL 225 - 5 AAC 60.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the know Arm Drainages Area. Reduce the bag limits for salmon, other than king salmon, and prohibit releasing coho salmon, as follows:

5 AAC 60.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Knik Arm Drainages Area
(2) salmon, other than king salmon,

(A) 16 inches or greater in length may be taken from January 1 - December 31; bag and possession limit is **two** [THREE] fish, of which no more than **one** [TWO] per day and one [TWO] in possession may be coho salmon; if retention of coho salmon is allowed under this chapter, **all coho salmon must be retained and there will be no catch and release fishing for coho salmon;** [A COHO SALMON 16 INCHES OR GREATER IN LENGTH THAT IS REMOVED FROM THE WATER MUST BE RETAINED AND BECOMES PART OF THE BAG LIMIT OF THE PERSON ORIGINALLY HOOKING IT; A PERSON MAY NOT

What is the issue you would like the board to address and why? The Little Susitna coho salmon escapement of 10,100 to 17,700 has exceeded the goal in 14 of 25 years by an average of 14,000 coho and only achieved the goal in 7 years. This system can not be managed with restrictions in the commercial fishery to pour more and more coho into this stream to achieve the escapement goal. It is obvious that the commercial restrictions are unnecessary and unwarranted in well over half of the years wasting hundreds of thousands of coho as well as sockeye, pink and chum salmon. In only 5 of 25 years of data was the goal not achieved, missing the lower end by an average of only 3,300 coho. This system is basically unmanaged and this needs to change. By reducing the bag limit back to one until the run is assessed and then liberalizing the goal to two or three coho and allowing for a more liberal harvest in the commercial fisheries all stocks will benefit without undue hardships being applied to any one group. Since the catch and release mortality is 70 percent catch and release should be illegal as it is really wanton waste. When you consider the fact that the Little Susitna is and index of other coho stocks, most with much less of an inriver exploitation the amount of overescapement, lost harvest and reduced production is staggering. A companion proposal has been submitted under commercial regulations.

PROPOSED BY: Earl Young (HQ-F16-106)
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PROPOSAL 226 - 5 AAC 61.114. Special provisions for the seasons, bag, possession, and size limits, and methods and means for Unit 2 of the Susitna River Drainage Area. Create a bag limit of one hatchery king salmon in the Susitna River drainage, as follows:

Amend the Northern District King Salmon Management Plan by adding the following provisions:

> **(12) In the Susitna drainage, allow the retention of 1 hatchery produced King salmon greater than 20 inches per day. Hatchery produced King Salmon are part of the seasonal and daily bag and possession. Hatchery produced King salmon are to be tagged immediately upon retention.**

What is the issue you would like the board to address and why? Inadequate opportunity to harvest King Salmon in the Susitna drainage. The road accessible east side streams in Unit 2 have been closed to King Salmon harvest by emergency restriction consistently since 2009.

Adult hatchery produced King Salmon are present in fishable numbers in the east side streams within Unit 2.

There is a reasonable opportunity to catch a hatchery produced King salmon, that is missing an adipose fin within Unit 2. I have personally witnessed several get caught. I even witnessed at least 10 get caught in one day.

Hatchery produced King salmon should only be present for the purposes of adding additional harvest opportunity.

PROPOSED BY: Ben Allen (EF-F16-116)
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PROPOSAL 227 - 5 AAC 61.114. Special provisions for the seasons, bag, possession, and size limits, and methods and means for Unit 2 of the Susitna River Drainage Area. Allow harvest of hatchery king salmon when emergency orders restrict the sport fishery, as follows:

Add the following to the Northern District King Salmon Management Plan:

Continue to allow the retention of adult hatchery fin clipped King Salmon in unit 2 of the Susitna drainage on years of low abundance when emergency order restrictions are implemented on the sport fishery.

What is the issue you would like the board to address and why? Adult hatchery King salmon present in Willow and Little Willow Creek, have not been allowed to be harvested under emergency order restrictions, issued throughout the last decade. Hatchery King salmon should be managed differently than wild stocks. I have observed several fin clipped Kings caught below the Parks Highway bridge on both Willow and Little Willow Creek. Additionally, I have heard of fin clipped fish caught at other Parks Highway streams.

Allowing harvest of hatchery fin clipped King salmon would have a minimal impact on wild stocks and provide an additional opportunity for Alaskans and tourists to harvest fish, in a region where harvest has been seriously restricted.

This is the same protocol that is successfully practiced throughout the Northwestern United States.

PROPOSED BY: Amber Allen (EF-F16-121)
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PROPOSAL 228 - 5 AAC 60.122. Special provisions for the seasons, bag, possession, annual, and size limits, and methods and means for the Knik Arm Drainages Area. Increase the hours open to fishing in Fish Creek, as follows:

Amend hours in both general and youth only fishery to read:

Fishing is allowed only on Saturday and Sundays and only between hours of (6 A M. and 6 P.M.) to **5 A.M. and 10 P.M.**

What is the issue you would like the board to address and why? According to the last few years of Alaska Department of Fish and Game weir escapements, Fish Creek coho salmon are abundant enough to allow a few more hours of daily fishing time. The area where sport salmon fishing is allowed on Fish Creek is extremely short, and the salmon fishery is only open two days per week, so there is plenty of time for salmon to swim through the area when fishing is closed.

PROPOSED BY: Julie Busch (EF-F16-086)
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PROPOSAL 229 - 5 AAC 61.122. Special provisions for the seasons, bag, possession, and size limits, and methods and means for Unit 6 of the Susitna River Drainage Area. Reduce the maximum legal size for rainbow trout in Byers Creek from 20 to 16 inches, as follows:

The solution we propose to the current regulation allowing individuals to keep one Rainbow Trout over 20 inches during the times in which it is permitted is to: reduce the authorized size to no longer than 16 inches, while still maintaining a 2 fish per day limit.

What is the issue you would like the board to address and why? We would like to address the issue of Rainbow Trout that are of maturity to reproduce, i.e. 16 inches or longer, being kept on Byers Creek. If changes are not made to the current regulations set in place, depletion of a **NATURAL** trout stock will be the consequence. Depletion being defined as: reduction of average size, a decrease in the overall population, as well as having an adverse effect on the genetics of the fishery (if a large fish is kept, the genetics go with it). There is an alternative solution we had considered, but rejected due to the fact it would not be correct. To make the creek catch and release would only infringe on the right to keep a fish if they choose to, something all fisherman have done. However keeping a fish over 16 inches in length is significant because when you remove such a specimen from the population, you are not only taking that fish, but of all its potential offspring, and their potential offspring..and so on.

PROPOSED BY: Todd Hallsten, Parker Wallace, Thys Grogan, Austin Gibbs (EF-F16-007)
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PROPOSAL 230 - 5 AAC 61.XXX. Deshka River King Salmon Management Plan. Create a Deshka River King Salmon Management Plan, as follows:

Adopt a Deshka River King Salmon Management plan as follows:

The purpose of this plan is to direct the Department to manage the Deshka River sport king salmon fishery to attain spawning escapements within the SEG range of 13,000 - 28,000 fish, while encouraging adaptive management to attain the escapement objective in a manner which avoids inseason closures and restrictions when possible, and thereby maximizes benefit as much as practical. If the Department's annual Deshka River king salmon outlook calls for a total return of less than 21,000 king salmon, then effective starting May 16, the

Department may use, in preferential order, one or more of the following tools to precautionarily increase king salmon escapement through the sport fishery: restrict anglers to use of one single hook only, restrict the fishery to use of artificial lures only, restrict harvest to one bag limit per day (either personal or proxy, but not both), reduce the number of days per week king salmon may be harvested.

Once the Department can project a king salmon escapement of 17,000 king salmon past the Deshka River Weir or when 13,000 king salmon have swum past the weir (whichever comes first), the Department may return the fishery to normal fishing regulations the following day.

The commissioner may depart from the provisions of the management plan under this section as provided in 5AAC 21.363(e).

What is the issue you would like the board to address and why? For 5 consecutive years (starting in 2012) the Deshka River sport king salmon fishery has been managed by preseason emergency orders setting the regulations to be used at the start of each season. From discussions the Commission has scheduled with the Alaska Department of Fish & Game it has come to our attention the Department seems to have no clear plan as to when and what emergency regulations may be appropriate at specific projected king salmon return levels. This creates several additional problems, a significant one of which is for the past 5 years regulations published in the Southcentral Alaska Sport Fishing Regulations Summary have been inconsistent with preseason emergency regulations issued by the Department. Every time this occurs the Department must spend considerable time and money (consequentially) to publicize these changes. We believe sport anglers may be better served with a Deshka River king salmon management plan printed in the regulations book, and clarifying what anglers might expect under specific king salmon outlook and return levels. This is even more appropriate during these times of state financial downturn.

In addition, when the fishery is managed by emergency regulation there is no clear way for the public to weigh in on an ineffective emergency regulation or propose a regulation change, since all emergency orders expire after 90 days. For example for the past two years ADF&G has been implementing emergency Little Susitna River and Susitna River drainage king salmon regulations starting May 1, but since there is no significant king salmon harvest until after May 15, the primary result of implementation on May 1 is to minimize benefit for hardly any, and in some years, zero biological gain.

Another dubious emergency regulation is the reduction in annual king salmon limit from 5 to 2 fish throughout the Susitna River drainage and Little Susitna River combined. On the Deshka River and Little Susitna River, in particular, there is enough angling effort that a reduction in annual bag limit likely has little positive affect on king salmon escapement — especially considering that

many Alaskans simply take up proxy fishing to sidestep a decreased annual limit. In these times of state economic hardship wouldn't it be more cost effective if the Department simply kept the annual limit at 5 king salmon and, thereby, reduced the need for proxy permits and proxy fishing? During times of king salmon shortage, wouldn't king salmon escapements be more positively increased by restricting daily harvest to one bag limit (either personal or proxy, but not both)?

PROPOSED BY: Mat-Su Borough Fish and Wildlife Commission (EF-F16-032)

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PROPOSAL 231 - 5 AAC 61.XXX. Susitna River King Salmon Management Plan. Create a Susitna River King Salmon Management Plan, as follows:

Develop a Susitna River King Salmon Recovery Plan as follows:

(a) The purpose of this plan is to ensure adequate king salmon spawning escapements into mainstream Susitna River drainage tributary streams upstream of Unit 1 and provide management guidelines for the department. The department shall manage Susitna River king salmon sport harvest as follows:

(b) From May 1 - May 31 the department may allow sport king salmon harvest In all waters of Unit 2 open to king salmon fishing, that did not fail to attain king salmon escapement within the appropriate goal range the previous year.

(c) From May 1 - June 15 the department may allow sport king salmon harvest in all waters of Unit 5 open to king salmon fishing, that did not fail to attain king salmon escapement within the appropriate goal range the previous year.

(d) From May 1 - June 20 the department may allow sport king salmon harvest in all waters of Unit 3 and Unit 6 open to king salmon fishing, that did not fail to attain king salmon escapement within the appropriate goal range the previous year.

(e) each following year that the appropriate king salmon escapement goal(s) are attained for waters in that particular Unit and / or Unit(s) further upstream, the department may incrementally add up to another week of harvest opportunity until the full season of harvest opportunity is restored or an escapement goal is not attained.

(f) after failing to attain a specific king salmon escapement goal range, the department may reduce up to a week of harvest time for that specific water and / or a portion of downstream waters the following year.

(g) the department may identify and use other king salmon abundance indices it deems appropriate.

(h) The Commissioner may depart from the provisions of the recovery plan under this section as provided in 5AAC 21.363

What is the issue you would like the board to address and why? All Unit 2, Unit 3, Unit 5, and Unit 6 waters of the Susitna River drainage, sport king salmon harvest has been closed for a period of 4 -5 years. Even though most waters are open to catch and release king salmon fishing, and even though some Unit 2 streams have been attaining escapement goals, the department has not developed any plan on when or how to determine if king salmon stocks have recovered enough to once again allow some harvest. This proposal seeks to develop conservative options in which sport king salmon harvest may once again be allowed. The proposed starting seasons under (b), (c), and (d) when king salmon harvest might be allowed are all scheduled early enough in the

season that only limited king salmon harvests would likely occur in each management unit. The public, user groups, advisory committees, and department are all welcome to weigh in with suggestions and options that might be agreeable.

PROPOSED BY: Andy Couch (EF-F16-130)

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PROPOSAL 232 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan. Modify the Fish Creek personal use fishery to accommodate a new Sustainable Escapement Goal (SEG) range, as follows:

5 AAC 77.540(d)(1) is amended to read:

(d) Salmon may be taken by dip net in Fish Creek only as follows:

(1) the commissioner may open, by emergency order, the personal use dip net fishery in Fish Creek from **July 15** [JULY 10] through July 31, if the department projects that the escapement of sockeye salmon into Fish Creek will be more than **35,000** [50,000] fish; **fishing periods will be daily from 6:00 a.m. to 11 p.m.;**

What is the issue you would like the board to address and why? The department recently recommended lowering the SEG for sockeye salmon from 20,000-70,000 fish to 15,000-45,000 fish. Under current regulations, the dip net fishery may be opened by emergency order between July 10 and July 31 upon a projection of 50,000 fish. This proposal would set a new trigger point to complement the new goal range, change the start date to align with historical run strength levels needed to open the fishery, and change daily fishing times to reflect what has been written into emergency orders in past years to spread harvest over the run.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F16-155)

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PROPOSAL 233 – 5 AAC 60.122. Special provisions for the seasons, bag, possession, annual, and size limits, and methods and means for the Knik Arm Drainages Area. Extend the area closed to sport fishing downstream of the Little Susitna weir, as follows:

5 AAC 60.122(a)(9) is amended by adding a new subparagraph to read:

(9) in the Little Susitna River drainage,

…

(M) the waters within approximately 1,500 feet downstream of the Little Susitna weir are closed to sport fishing as indicated by ADF&G regulatory markers.

What is the issue you would like the board to address and why?

5 AAC 75.050 designates a 300-foot area around any fish weir as closed to sport fishing in order to provide uninterrupted passage for fish and minimize vulnerability of salmon and potential for

overharvest of fish that can become concentrated prior to passing a weir. Increasing the area closed to sport fishing downstream of the Little Susitna River weir is necessary to protect salmon staging in several pools downstream of the weir.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F16-147)
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PROPOSAL 234 – 5 AAC 60.122. Special provisions for the seasons, bag, possession, annual, and size limits, and methods and means for the Knik Arm Drainages Area. Open waters in a closed area on Wasilla Creek within 300 feet of Palmer Fishhook Road to sport fishing, as follows:

5 AAC 60.122(a)(11)(A) is repealed:

(11) the Wasilla Creek drainage, including Rabbit Sough,

(A) **repealed / /2017** [IS CLOSED TO SPORT FISHING WITHIN 300 FEET OF PALMER-FISHHOOK ROAD];

What is the issue you would like the board to address and why?
King salmon used to hold downstream of the highway in a deep pool that was created over time by perched culverts. The board adopted regulations to protect those salmon from harassment and poaching. Those culverts were replaced and the stream bed returned to a natural state, thereby eliminating the large hole and the holding behavior of king salmon. Fishing opportunity for Dolly Varden char, particularly by children, was lost when the closure went into effect. Repeal of this regulation would result in the area within 300 feet of Palmer Fishhook Road remaining closed to salmon fishing by a separate regulation while allowing opportunity to fish for other species.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F16-148)
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PROPOSAL 235 - 5 AAC 60.122. Special provisions for the seasons, bag, possession, annual, and size limits, and methods and means for the Knik Arm Drainages Area. Increase the hours open to fishing on Cottonwood Creek, as follows:

Amend the daily hours where salmon fishing is allowed as follows:

. . . , but fishing is allowed only on Saturdays and Sundays and only between the hours of [6:00 A.M. AND 6 P.M.] **5 a.m. and 10 p.m.**

What is the issue you would like the board to address and why? Silver and sockeye salmon stocks in Cottonwood Creek are healthy enough that they can once again support a few more hours fishing time in the sport fishery. The fishery is currently open to salmon fishing only in a small section nearly all of which is intertidal. Longer hours of daily fishing time allow anglers to fish

throughout the day under less crowded fishing conditions. This fishery is currently open only two days per week, so there is adequate time for salmon to migrate upstream into waters closed to salmon fishing.

PROPOSED BY: Frede Stier (EF-F16-081)

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PROPOSAL 236 - 5 AAC 60.122. Special provisions for the seasons, bag, possession, annual, and size limits, and methods and means for the Knik Arm Drainages Area. Increase the hours open to fishing in the Wasilla Creek/Rabbit Slough drainage, as follows:

Amend hours in the area below the Alaska Railroad Bridge to read:

. . . , but fishing is allowed only on Saturdays and Sundays and only between the hours of [6 A.M. AND 6 P.M.] **5 a.m. and 10 p.m.**

What is the issue you would like the board to address and why? Wasilla Creek / Rabbit Slough drainage coho salmon are abundant enough to allow a few more hours of daily fishing time. The area where sport salmon fishing is allowed is a small portion of the drainage located on the Palmer Hay Flats. The salmon fishery is only open two days per week, so there is plenty of time for salmon to swim through the area when fishing is closed. Having more hours of daily fishing time on the two days per week when the fishery is open allows more participation to occur without crowding other anglers. For people that have other commitments on Saturdays and Sundays this would give more time to participate earlier and later.

PROPOSED BY: Paul Warta (EF-F16-087)

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PROPOSAL 237 – 5 AAC 59.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Anchorage Bowl Drainages Area. Amend the regulations for the Anchorage Bowl Drainages to allow harvest of salmon, other than king salmon, that are less than 16 inches in length, as follows:

5 AAC 59.120(2) is amended to read:

(2) salmon, other than king salmon,

(B) less than 16 inches in length

(i) may **be taken** [NOT BE RETAINED OR POSSESSED] in flowing waters and unstocked lakes and ponds **from January 1 – December 31; bag and possession limit of 10 fish**; [NO OPEN SEASON; SALMON OTHER THAN KING SALMON, LESS THAN 16 INCHES THAT ARE CAUGHT MUST BE RELEASED IMMEDIATELY;]

What is the issue you would like the board to address and why? The current regulation does not provide a bag or possession limit for sockeye and pink salmon that are less than 16 inches in length. If adopted, in the flowing waters and unstocked lakes and ponds in the Anchorage Bowl Drainage that are open for salmon fishing, the bag and possession limit for sockeye, pink, and chum salmon that are less than 16 inches in length, would be 10 fish. The bag and possession limit for sockeye,

pink, coho, and chum salmon 16 inches or greater would remain at 3 fish, and the bag limit for king salmon would also not be changed.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F16-130)
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PROPOSAL 238 – 5 AAC 59.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Anchorage Bowl Drainages Area. Add Lower Sixmile Lake to the list of stocked lakes, as follows:

5 AAC 59.120(3)(A) is amended to read:

(3) rainbow/steelhead trout may be taken from January 1 – December 31 in

(A) stocked lakes and ponds; bag and possession limit of five fish, of which only one may be 20 inches or greater in length; for the purpose of this subparagraph, "stocked lakes and ponds" include Alder Pond, Airstrip/Willow Pond, Beach Lake, Campbell Point Lake, Cheney Lake, University Lake (Behn or APU Lake), Clunie Lake, Delong Lake, Dishno Lake, Edmunds Lake, Fish Lake, Green Lake, Gwen Lake, Hillberg Lake, Jewell Lake, Lake Otis, Lower Fire Lake, **Lower Sixmile Lake,** Mirror Lake, Otter Lake, Rabbit Lake, Sand Lake, Spring Lake, Taku Campbell Lake, Triangle Lake, Upper Sixmile Lake, and Waldon Lake;

What is the issue you would like the board to address and why? Currently, Upper Six Mile Lake is listed in the stocked lakes list but Lower Six Mile Lake is not. Fish are stocked into Upper Sixmile Lake and are able to move freely between the two lakes. Currently these lakes have different regulations even though they are connected by a culverted road crossing that remains passable all year. These lakes should be managed as a single unit. With the proximity of these bodies of water to each other it will also simplify regulations and make enforcement easier.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F16-133)
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PROPOSAL 239 - 5 AAC 59.122. Special provisions for the seasons, bag, possession, annual, and size limits, and methods and means for the Anchorage Bowl Drainages Area. Create a youth-only fishery on Ship Creek, as follows:

5 AAC 59.120. (14) in the Ship Creek drainage,

(X) A person 16 years of age or older may not sport fish in the Ship Creek youth fishery zone, established by ADF&G regulatory markers to include a portion of the Ship Creek between the upstream side of the C Street Bridge and upstream to the downstream side restaurant bridge, during designated youth fishery days, which occur from 6:00 a.m. until 6:00 p.m. on the third Saturday in June.

What is the issue you would like the board to address and why? Establish a youth-only fishery on a section of Ship Creek to allow anglers 15 years of age and younger the ability to fish for king salmon.

PROPOSED BY: Dustin D. Slinker (EF-F16-090)

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PROPOSAL 240 – 5 AAC 59.122. Special provisions for the seasons, bag, possession, annual, and size limits, and methods and means for the Anchorage Bowl Drainages Area. Close all fishing on a portion of Campbell Creek when that portion is not open to coho salmon fishing, as follows:

5 AAC 59.122(a)(2)(A) is amended by adding a new sub-subparagraph to read:

(2) in the Campbell Creek drainage,

(A) sport fishing is closed from

(iv) the downstream side of the Lake Otis Parkway Bridge to an ADF&G marker at the forks near Piper Street from October 2 – July 13;

What is the issue you would like the board to address and why? This section of Campbell Creek has been identified by law enforcement as a section that is heavily utilized by poachers targeting king and sockeye salmon migrating to their spawning grounds. This regulation would decrease poaching and aid law enforcement of unlawful fishing in this area.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F16-131)

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PROPOSAL 241 – 5 AAC 59.122. Special provisions for the seasons, bag, possession, annual, and size limits, and methods and means for the Anchorage Bowl Drainages Area. Extend the area closed to sport fishing on Ship Creek, as follows:

5 AAC 59.122(a)(14) is amended to read:

(14) in the Ship Creek drainage,

…

(F) the waters from the cable 100 feet downstream of the Chugach Power Plant dam upstream to ADF&G regulatory markers located **300 feet above the Elmendorf Power Plant Dam** [100 FEET UPSTREAM OF THE CHUGACH POWER PLANT DAM] are closed to sport fishing;

(G) **repealed / /2017** [FROM ADF&G REGULATORY MARKERS LOCATED 100 FEET UPSTREAM OF THE CHUGACH POWER PLANT DAM TO THE UPSTREAM SIDE OF THE REEVE BOULEVARD BRIDGE,

(i) ONLY ONE UNBAITED, SINGLE-HOOK, ARTIFICIAL LURE MAY BE USED;

(ii) RAINBOW/STEELHEAD TROUT MAY NOT BE RETAINED; RAINBOW/STEELHEAD TROUT CAUGHT MUST BE RELEASED IMMEDIATELY AND RETURNED TO THE WATER UNHARMED;

(iii) SPORT FISHING IS CLOSED FROM APRIL 15 — JUNE 14];

(H) **repealed / /2017** [THE WATERS UPSTREAM OF THE UPSTREAM SIDE OF THE REEVE BOULEVARD BRIDGE TO ADF&G REGULATORY MARKERS LOCATED 300 FEET ABOVE THE ELMENDORF POWER PLANT DAM ARE CLOSED TO ALL SPORT FISHING];

…

What is the issue you would like the board to address and why? This section of Ship Creek is already closed to salmon fishing, but open to trout (catch-and-release) and Arctic char/Dolly Varden (harvest) fishing. It has been identified by law enforcement as a section that is heavily utilized by salmon poachers. The salmon in this area are critical to the salmon broodstock at William Jack Hernandez Hatchery. This regulation would aid law enforcement staff and assure more fish would be able to make it to the hatchery.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F16-132)

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