

## **PROPOSAL 173**

### **5 AAC 77.525. Personal use salmon fishery; and 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.**

Reduce the annual limit for the Kenai River dip net fishery and create tiered harvest quotas, as follows:

I would like to see the board modify the personal use dip net total annual limit in the Kenai River, as follows:

5 AAC 77.525(c) In the personal use taking of salmon, unless otherwise specified in 5 AAC 77.500 – 5 AAC 77.548 the total annual limit for each personal use salmon fishing permit is 25 salmon for the head of a household and 10 salmon for each dependent of the permit holder, except in the Kenai River dip net fishery, the total annual limit for each personal use salmon fishing permit is 15 salmon for the head of a household and 5 salmon for each dependent of the permit holder, unless the department makes an inseason assessment estimating the total Kenai River sockeye salmon run will exceed 4.6 million fish, at which time the total annual limit for each personal use salmon fishing permit will be 25 salmon for the head of a household and 10 salmon for each dependent of the permit holder. With a fishery total catch limit of 90,000 sockeye, (in the two lower tiers). Also a fishery total catch limit of 150,000 sockeye, (in the upper tier).

**What is the issue you would like the board to address and why?** 5 AAC 21.360 states that the department shall manage the Kenai River late-run sockeye salmon stocks primarily for commercial uses based on abundance. While there are differences of opinion over what the term “primarily” means, I contend that the Kenai River dip net fishery is the fastest growing fishery in the UCI area, perhaps the whole state. It seems to me that the “primary” sockeye salmon harvester is shouldering quite a burden when it comes to dividing up the pie. 5 AAC 77.001(b) states that it is the intent of the board that the taking of fish under 5 AAC 77 will be allowed when that taking does not jeopardize the sustained yield of a resource and either does not negatively impact an existing resource use or is in the broad public interest.

The dip net harvest of sockeye salmon in the Kenai River can exceed 500,000 fish, which definitely has had a negative impact on commercial fishermen in UCI. In the Kasilof River dip net fishery, king salmon may not be retained and in the Kenai River dip net fishery, only 1 king salmon per household may be retained. Why can't a dip net harvester retain more king salmon? The answer is that it would have a negative impact on inriver sport fisheries. That leads me to ask, “Why is it OK to negatively impact the UCI sockeye salmon commercial fishery but it is not OK to negatively impact sport fishermen?”

I would like the board to review the UCI Personal Use Salmon Fishery Management Plan and put some side-boards on this rapidly growing fishery. Provisions to consider would include, limiting the annual harvest to 15 fish per permit holder and 5 per dependent unless the Kenai River inseason run forecast estimated the run would exceed 4.6 million fish (the upper tier). With a fishery total catch limit of 90,000 sockeye, (in the two lower tiers). Also a fishery total catch limit of 150,000 sockeye, (in the upper tier). Additionally, let's put some teeth into the regulation requiring personal use permits to be returned by August 15. From 2013-2017 (last five years), approximately 7,700 personal use permits per year were never returned, even after two mail-out reminders. The

department has the names and addresses of these folks, who by law are supposed to receive a \$200 citation for failure to report. Why are they not cited? The department says, “We don’t need all of the permits returned in order to manage the fishery or to estimate harvest.” That just isn’t right. It is widely known that the dip net fishery on the Kenai River has one of the highest non-compliance rates of any fishery in the state. I am asking the board to do whatever they can to make the department do a better job of enforcing regulations. Who is making the decision that failure to return a PU permit will not be cited? An accurate daily Fish account needs to be provided to ADF&G for a daily assessment. (Or this fishery does not open.) This can be done with four checkpoints.

**PROPOSED BY:** Chris Every

(HQ-F19-020)

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