Kenai River Late-Run King Salmon Management Plan (11 proposals)

PROPOSAL 104

5 AAC 21.359. Kenai River Late-Run King Salmon Management Plan.

Adopt an optimal escapement goal and amend the paired restrictions in the *Kenai River Late-Run King Salmon Management Plan*, as follows:

Adopt Kenai Late Run King Salmon Conservation and Management Plan revisions as follows:

Sustainable Escapement Goal Current 13,500 – 27,000 big fish Optimum Escapement Goal Proposed 16,500 – 30,000 big fish

Preseason Assessment

The Department shall, using all available information, provide the public with a projection of total run size of Late-Run Kenai River King Salmon at the earliest possible time. Prior to June 20 make a determination of whether projected run of Late-Run Kenai River King Salmon is large enough to support the full amount of fishing mortality provided for in the Combined Kasilof Salmon Management Plan, the Late-Run Kenai River Sockeye Salmon Management Plan and a full season of fishing with bait and retention of Kenai River king salmon of all sizes in the Kenai River sport fishery.

Early Season Conservation Regime

A. If the projected run is large enough to support full fisheries while also meeting the King OEG, then the Department may implement normal fisheries by existing regulation:

Escapement within or above OEG range (with	normal fishing)
Kenai River King Sport Fishery	Set Net Commercial Fishery
Bait allowed / Retention of all sizes allowed	Inriver goals, EO limits & windows as
	per Kenai late Run Sockeye Management
	Plan based on sockeye run size tiers

B. If the projected run is not large enough to support full fisheries, then the Department shall implement a front-end Conservation Period management strategy:

Kenai River King Sport Fishery (see note 1)	Set Net Commercial Fishery (see note 2)	
Within OEG Range		
Bait prohibited, no size restriction; or,	No more than 24 hours per week	
Bait prohibited, size restriction (36" TL); or,	No more than 18 hours per week,	
	restrictions on number and depth of nets	
	600 ft fishery	
Bait prohibited, no retention.	No more than 12 hours per week, one deep	
	or two shallow nets, 600 ft fishery exempt	
	but limited to one net per permit	
Between lower bound of SEG range & lower bound of OEG range		
Bait prohibited, no retention; or,	No more than 12 hours per week, one deep	
	or two shallow nets, 600 ft fishery exempt	
	but limited to one net per permit	
Closed	Closed	

Below SEG range

Closed

1 Kasilof regulations identical to those implemented for the Kenai River.

2 The prohibition of bait and the prohibition of retention are the triggers for paired restrictions in the Kenai and Kasilof area set net fishery effective June 25: Paired restrictions are applied to the entire Upper Subdistrict set gillnet commercial fishery (including the East Foreland Section).

<u>Personal use fishery regulation paired as per the existing plan at any point in the fishing season:</u> No bait in sport fishery triggers no retention of kings in the PU fishery.

In Season Regime

In-season assessments of Kenai king run strength are made in July by ADF&G based on a combination of sonar count, harvest and other fishery data. Confidence in estimates increases as the run progresses from the 25% point (July 17 on average) through the 50% point (July 26 on average). Based on in-season assessment of run strength using all available data, the following management actions may be taken:

A. If the projected run is large enough to support full fisheries, then the Department may implement normal fisheries according to existing regulation:

Run size forecast within or above OEG range	
Kenai River King Sport Fishery	Set Net Commercial Fishery
Bait allowed / Retention of all sizes allowed	Inriver goals, EO limits & windows as per
	Kenai late Run Sockeye Management Plan
	based on sockeye run size tiers

B. If the projected run is not large enough to support full fisheries, then the Department shall implement an in-season conservation management strategy:

Kenai River King Sport Fishery*	Set Net Commercial Fishery
Within OEG range:	
Bait prohibited, no size restriction; or,	No more than 24 hours plus net restrictions on number and depth of nets. 600 ft. exempt but only one net per permit.
Bait prohibited, size restriction (36" TL); or,	No more than 18 hours plus net restrictions on number and depth of nets. 600 ft. exempt but only one net per permit.
Bait prohibited, no retention.	No more than 12 hours plus net restrictions on number and depth of nets. 600 ft. exempt but only one net per permit.
Below OEG range	
Closed	Closed

^{*} Kasilof regulations identical to those implemented for the Kenai River.

August Regime

• Sport fishery closes after July 31.

- Continue to operate East Side Set Net Fishery under paired restrictions in place when the sport fishery ends with a bait restriction.
- Under existing SEG, continue to operate under paired restrictions unless escapement is projected to exceed 20,000 big Kenai kings (approximate midpoint of SEG range).

What is the issue you would like the board to address and why? The Board previously adopted paired restrictions in the Kenai River sport fishery and East Side Set Net commercial fishery to share the conservation burden during periods of low king abundance. However, the current regulations do not provide adequate protection of escapement or equitably share the king conservation burden – the commercial set net fishery continues to catch a large percentage of the combined sport and commercial harvest share as king runs continue to languish at low levels. During low king runs, inadequate early season limitations risk inseason closures which are disastrous to both the sport and commercial fishery. The current plan does not adequately protect late run kings during the last week of June while they are moving and staging outside of river mouths or in August when a significant proportion of the large females are returning. Finally, the current SEG is not based on maximum sustained production which is the appropriate standard for the sport priority king run – rather it is based on a lesser maximum sustained yield standard which favors an increased allocation to the commercial fishery.

PROPOSAL 105

5 AAC 21.359. Kenai River Late-Run King Salmon Management Plan.

Increase the Kenai River late-run king salmon sustainable escapement goal range to 15,000-35,000 salmon, as follows:

- (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. The department shall manage the late-nm Kenai River king salmon stocks primarily for sport and guided sport uses in order to provide the sport and guided sport fishermen with a reasonable opportunity to harvest these salmon resources over the entire run, as measured by the frequency or inriver restrictions.
- (b) The department shall manage the late run of Kenai River king salmon to achieve a sustainable escapement goal of <u>15,000-35,000</u> [13,500 27,000] king salmon 75 cm mid eye to tail fork and longer as described in this section.
- (c) In the sport fishery,
 - (1) if the sustainable escapement goal is projected to be exceeded, the commissioner may, by emergency order, extend the sport fishing season up to seven days during the first week of August;
 - (2) from July I 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 an ADF&G regulatory marker located at the outlet of Skilak Lake is open to unguided sport fishing from a 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 <u>15,000</u> [13,500] king salmon 75 cm mid eye to tail fork and longer, 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 Bluff Point 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.

What is the issue you would like the board to address and why? Continued weak returns of Kenai River king salmon. The trend towards lower numbers of returning king salmon on the Kenai River has resulted in lower escapement goals. Sustainability of these iconic fish stocks is in jeopardy.

PROPOSAL 106

5 AAC 21.359. Kenai River Late-Run King Salmon Management Plan.

Increase the Kenai River late-run king salmon sustainable escapement goal range to 15,000–35,000 salmon, as follows:

Amend - 5 AAC 21.359. Kenai River Late-Run 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. The department shall manage the late-run Kenai River king salmon stocks primarily for sport and guided sport uses in order to provide the sport and guided sport fishermen with a reasonable opportunity to harvest these salmon resources over the entire run, as measured by the frequency or inriver restrictions. (b) The department shall manage the late run of Kenai River king salmon to achieve a sustainable escapement goal of 15,000 - 35,000 [13,500 - 27,000] king salmon 75 cm mid eye to tail fork and longer as described in this section. (c) In the sport fishery, (1) if the sustainable escapement goal is projected to be exceeded, the commissioner may, by emergency order, extend the sport fishing season up to seven days during the first week of August; (2) from July 1 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 an ADF&G regulatory marker located at the outlet of Skilak Lake is open to unguided sport fishing from a 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 15,000 [13,500] king salmon 75 cm mid eye to tail fork and longer, 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 Bluff Point 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.

What is the issue you would like the board to address and why? Continued weak returns of Kenai River king salmon. The trend towards lower numbers of returning king salmon on the Kenai River has resulted in lower escapement goals. Sustainability of these iconic fish stocks is in jeopardy.

PROPOSAL 107

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

Allow the use of bait and modify maximum size above Slikok Creek when the escapement goal range is projected to be exceeded, as follows:

~NEW LANGUAGE: 21.359 (c)(1)

- (c)In the sport fishery,
- (1) if the sustainable escapement goal is projected to be exceeded, the commissioner may, by emergency order, liberalize the sport fishery using one or more of the following methods after July 1, except for that portion from an ADF&G marker located approximately 300 yards downstream of Slikok Creek upstream to an ADF&G marker located at the outlet of Skilak Lake which can be liberalized after July 15: [extend the sport fishing season up to seven days during the first week of August]
- (i) extend the sport fishing season up to seven days during the first week of August;
- (ii) allow the use of bait;
- (iii) modify the maximum size limit allowed for retention;

What is the issue you would like the board to address and why? The issues are overcrowding of anglers in the lower Kenai River and that there is not enough opportunity available for the harvest of King salmon above Slikok Creek in years of high abundance. Currently, the lower Kenai river is overcrowded during the king fishery and allowing the department to liberalize fishing opportunity upstream of Slikok Creek would ease this congestion and thus would also provide the department additional tools for management of the fishery.

PROPOSAL 108

5 AAC 21.359. Kenai River Late-Run King Salmon Management Plan.

Reduce the number of hours the Upper Subdistrict set gillnet commercial fishery may be fished in the *Kenai River Late-Run King Salmon Management Plan* paired restrictions, as follows:

(3) in the Upper Subdistrict set gillnet commercial fishery, excluding the East Foreland Section, 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 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 <u>24</u> hours per week <u>equal</u> <u>to two 12-hour contiguous periods</u>, 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) four set gillnets that are each not more than 35 fathoms in length, 105 fathoms in aggregate 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 (1)(B) of this subsection, commercial fishing periods are open for no more **than one 12-hour contiguous period** 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? Because the *Kenai Late-Run King Salmon Management Plan* is managed primarily for sport and guided sport uses, we feel that the current restrictions put on both sport and commercial fishing on the Kenai during times of inadequate king salmon escapement are not in parity with one another. Sportfish restrictions are defined by bait and retention, the gillnet commercial fishery restrictions are defined by the opportunity time to fish.

Restricting the use of bait is a greater restriction on the sport fishery than a restricting the gillnet fishery to 48 hours per week. Likewise, restricting the use of bait and the retention of king salmon is a greater restriction on the sport fishery than restricting the gillnet fishery to 24 hours per week.

Additionally, there is no guidance for frequency or duration for fishing periods for the gillnet fishery, only a restriction in the total number of hours fished per week. This allows the gillnet fishery to fish often and for varying durations while the sport fishery is restricted around the clock to bait or retention. We would like to see the number and duration of fishing periods defined.

PROPOSED BY: Kenai River Professional Guide Association (HQ-F19-072)

PROPOSAL 109

5 AAC 21.359. Kenai River Late-Run King Salmon Management Plan.

Allow set gillnet fishing periods in the Kenai and Kasilof sections to be managed independently when under "paired" restrictions, 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 48 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 in upper Cook Inlet: We have previously submitted this proposal in the last two UCI board cycles for consideration. This proposal would modify the way restrictive hours are utilized with the current 49.85 statute miles that comprise the eastside set - net fishery. The current plan is inefficient in that it does not allow managers to allow harvesting of abundant sockeye stocks in their respective sections; In the Kasilof section when Kasilof River sockeye stocks are present early in the season; In the Kenai section when Kenai sockeye stocks are present latter. When restrictive conservation directives are in place opening all sections at once fails to consider the objective of targeting abundant sockeye while passing Kenai bound King salmon. Therefore managers are reluctant to open either section which results in lost sockeye harvest opportunities for either section. We are asking for more flexibility in that managers would be able to manage the hours in a more targeted manner. Affording a limited opportunity to sustain an economically viable setnet fishery.

PROPOSED BY: South K-Beach Independent Fishermen's Association/Paul A. Shadura II
(EF-F19-130

PROPOSAL 110

5 AAC 21.359. Kenai River Late-Run King Salmon Management Plan.

Modify "paired" restrictions to limit gear in the Upper Subdistrict set gillnet fishery only when retention of king salmon is prohibited in the Kenai River sport fishery, as follows:

- (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 use of bait <u>and the retention of king salmon are</u> prohibited in the Kenai River sport fishery under (1)(A) of this subsection, commercial fishing periods are open for no more than 48 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) four set gillnets that are each not more than 35 fathoms in length, 105 fathoms in aggregate 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

What is the issue you would like the board to address and why? At the 2014 Upper Cook Inlet BOF paired restrictions were established for the Kenai River Late-Run King Salmon Management Plan. The paired restrictions were introduced when there was a SEG for ALL sizes of King Salmon. In 2017 ADF&G changed the SEG for Late-Run King Salmon to only include chinook 75cm METF and longer.

From 2005 to 2018 the In-River Sport fishery has been the primary harvester of 75cm and longer chinook salmon. During that time, the In-River sport fishery took 71% of the harvest of large kings and the ESSN took 29%.

The Policy for the management of sustainable salmon fisheries states when it is necessary to restrict fisheries on salmon stocks where there are known conservation problems, the burden of conservation shall be shared among all fisheries in **close proportion** to each fisheries' respective use.

With the In-River Sport fishery being the primary harvester of large chinook they should be the first to be restricted in times of conservation. There should be NO ACTION in the set gill net commercial fishery UNTIL the In-River sport fishery is restricted to no retention.

PROPOSAL 111

5 AAC 21.359. Kenai River Late-Run King Salmon Management Plan.

Remove "paired" restrictions in the Upper Subdistrict set gillnet fishery, as follows:

Eliminate "paired restrictions" 5 AAC 21.359 (d)(2) drift (3) set gillnet fishing (e)(3) (A) and (B) subsections

What is the issue you would like the board to address and why? I want the board to address the "Paired Restrictions". Basing the management of commercial sockeye fishing on the sport fishing king run unfairly and unscientifically ties the biologists hands to correctly manage either, according to the "best scientific information available". The "best scientific information available" is a federal mandate. "The best interests of the economy and well being of the people of the state, consistent with the sustained yield principle" is a charge to the commissioner by Alaska State Statute. The "Paired Restrictions" on the drift fleet and the set gillnet sockeye fishery are both unscientific, unfair and most likely illegal. The biologists agree, and I can produce published articles from the local biologists if needed, that these restrictions have resulted in the over escapement of sockeye salmon in both the Kenai and Kasilof Rivers. Over escapement means poor future runs and smaller fish, according to these same local biologists.

PROPOSED BY: Karen McGahan (HQ-F19-013)

PROPOSAL 112

5 AAC 21.359. Kenai River Late-Run King Salmon Management Plan.

Remove gear restrictions in the Upper Subdistrict commercial set gillnet fishery when the use of bait is prohibited in the sport fishery, as follows:

- 5 AAC 21.359 (e) (3) (A)
- (i) DELETE
- (ii) DELETE
- (iii) DELETE

What is the issue you would like the board to address and why? The current restriction to set net gear have not been used and are unproven. When openings are warranted all setnet gear is needed to harvest a limited opening. A reduction of 3.5 feet of linear gear does little to conserve king salmon when they are present.

PROPOSED BY: South K-Beach Independent Fishermen's Association/Paul A. Shadura II (EF-F19-131)

PROPOSAL 113

5 AAC 21.359. Kenai River Late-Run King Salmon Management Plan; and 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.

Establish paired restrictions to close personal use fisheries when commercial fisheries are closed, as follows:

The illegal personal use fishery is not part of the MSA. The personal use fishery should be closed if the commercial fishery is closed.

What is the issue you would like the board to address and why? Paired restrictions. This proposal would allow for uniform harvest throughout the run. Sharing the burden of conservation should include all users. The personal use fishery is unlimited and unsustainable.

PROPOSAL 114

5 AAC 21.359. Kenai River Late-Run King Salmon Management Plan.

Modify the Kenai River Late-Run King Salmon Management Plan, as follows:

LR King Salmon Management Plan

Goals

SEG 13,500 – 27,000 (midpoint 20,250) OEG 15,500 – 27,000 (midpoint 21,250)

Lower River (Downstream from the Slikok Sanctuary July 1 – July 31)

1) If the preseason forecast projects the inriver run to be less than the lower bound of the SEG:

Closed

- 2) If the preseason forecast projects the inriver run will exceed the lower bound of the SEG, the department may begin the season:
 - a) Closed, or
 - b) With no bait / no retention of king salmon except for king salmon less than 20in. in length, or
 - c) With no bait / retention if projected inriver run is within the OEG range. Maximum size 36 inches in length
- 3) If the preseason forecast projects the inriver run will exceed the OEG range:
 - a) All sizes may be retained
 - b) May be opened to the use of bait
- 4) At such time that the run strength can be assessed in-season:

If the projected spawning escapement is less than the lower bound of the OEG range: Closed

If the projected spawning escapement is within the OEG range:

- a) No retention of king salmon except for king salmon less than 20in. in length, or
- b) With no bait / retention maximum size limit 36 inches in length, or
- c) May be opened with the use of bait. All sizes may be retained
- * Dependent on where the projected escapement is within the OEG range

If the projected spawning escapement exceeds the OEG range:

- a) May be opened to the use of bait
- b) All sizes may be retained
- 5) Quit fishing when a fish is retained.
- 6) No change in seasonal limit.
- 7) Middle River restrictions remain in place.
- 8) Any size restrictions will apply to the PU fishery as well.

What is the issue you would like the board to address and why? I am proposing two new elements to the Kenai River Chinook Late Run (LR) Management plan that will help conserve and rebuild abundance and diversity of Kenai LR salmon following a recent period of historical low abundance by implementing a precautionary management strategy that recognizes the large uncertainty in the historical stock assessment information and the recent productivity of low runs

and escapements. The purpose of this plan is to provide for adequate escapements that result in more sustainable, reasonable and predictable fishery opportunities based on abundance.

I believe this plan will help increase escapements of kings, particularly large kings, at low to moderate run sizes. This plan gives us a better chance at distributing escapements throughout the entire range by managing for higher escapements that will reduce the risks of future low returns and help the LR become more stable and sustainable.

Proposed OEG 15,500 – 29,000

Between 1986 – 2008 the Kenai LR average escapements were around 35,000. Since 2008 the average escapement is around 16,000. Many of these lower escapements were achieved by the virtue of intensive management and harvest limitations. This level of low escapements puts us in the lower quartile of the SEG range and has failed to produce run strengths adequate enough to accomplish returns throughout the mid to upper levels of the range. Something has to change or we will continually struggle with opportunity limitations in all associated fisheries and mixed-stock fisheries because of low production and future king salmon returns. Ideally, we should strive to target escapements closer to the MSY of the SEG range which would be around 19,000 fish.

By establishing this precautionary OEG range, we believe it will raise the escapement levels and production over time. By rebuilding run abundance we not only help this valuable resource recover but we provide a better opportunity to achieve more predictable fishing opportunities with less restrictions for all users.

The lower bound of this OEG (15,500) is in keeping with the Department's suggested target buffer as presented in their 2017, Kenai River King Salmon Management Targets and OEG memo. In this memo they stated, "A similar margin of error (10%) for LF escapement projections is 1,350 fish. This additional 10% buffer to the lower bound of the recommended LF SEG range results in an escapement buffer target of 14,850 large king salmon." Then for simplicity, they suggest an increase of 1,500 resulting in a target of 15,000 (13,500 plus 1,500)

The 36in. Harvest Option

This measure provides the department with another harvest option to utilize as the run is developing and run strengths are questionable. This 36in. maximum size option helps counter the effects of selective harvest of our biggest kings while protecting the large majority of female spawners (more than half of the 3 ocean females and nearly all of the 4 and 5 ocean females).

PROPOSED BY: Dwight Kramer (HQ-F19-006)