

PROPOSAL 167

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 time and area in waters of the Kenai River that are limited to only one unbaited, single-hook, artificial lure as follows:

Section 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.

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(K) from **January** (NOVEMBER) 1 - December 31 in the Kenai River from **an ADF&G regulatory marker 100 yards below the Moose River Confluence** [BINGS LANDING] upstream to **ADF&G regulatory markers at the Outlet of Skilak Lake** [THE MOUTH OF THE UPPER KILLEY RIVER], only one unbaited, single- hook, artificial lure may be used;

What is the issue you would like the board to address and why? The increased popularity in bait fishing the Kenai River downstream of Skilak Lake is leading to increased catch and release mortality rates on staging Coho Salmon and Resident Species such as Rainbow Trout. The methods of bait fishing with floats/bobbers is very effective but often results in a fish hooked in the throat/gill rakers or deeper within the fish. Studies conducted by ADF&G and various other agencies on Catch and Release mortality rates has indicated that anglers utilizing bait create an exponentially higher mortality rate on released fish than that of fish released in fisheries where bait is not utilized.

A significant component of the Coho Salmon staging in this area are in the later stages of the lifecycle and have begun to deteriorate in food quality, thus requiring the discerning angler to high-grade, or sift through, caught fish in order to harvest edible Coho Salmon. The resulting mortality rate on bait caught and released Coho Salmon in this area needs to be addressed.

Due to a myriad of influences in river including but not limited to the increased population of pinnipeds, altering of food sources, angling pressure, and water conditions, a significant number of the larger in river resident species have come to reside in the same river locations as staging Coho Salmon. As the practice of bobber/float fishing with bait in these areas has increased exponentially, an increase in bait caught resident species has also increased. The catch and release of resident species with bait is resulting in a significantly high level mortality rate within those species and needs to be addressed.

Alaska Administrative Code Section 5 AAC 39.222 directs the board how to address such situations;

Section 5 AAC 39.222 - Policy for the management of sustainable salmon fisheries

(a) The Board of Fisheries (board) and Department of Fish and Game (department) recognize that

(1) while, in the aggregate, Alaska's salmon fisheries are healthy and sustainable largely because of abundant pristine habitat and the application of sound, precautionary, conservation

management practices, there is a need for a comprehensive policy for the regulation and management of sustainable salmon fisheries;

(2) in formulating fishery management plans designed to achieve maximum or optimum salmon production, the board and department must consider factors including environmental change, habitat loss or degradation, data uncertainty, limited funding for research and management programs, existing harvest patterns, and new fisheries or expanding fisheries;

(b) The goal of the policy under this section is to ensure conservation of salmon and salmon's required marine and aquatic habitats, protection of customary and traditional subsistence uses and other uses, and the sustained economic health of Alaska's fishing communities.

(c) Management of salmon fisheries by the state should be based on the following principles and criteria:

(2) salmon fisheries shall be managed to allow escapements within ranges necessary to conserve and sustain potential salmon production and maintain normal ecosystem functioning as follows:

(E) impacts of fishing, including incidental mortality and other human-induced mortality, should be assessed and considered in harvest management decisions;

(F) salmon escapement and harvest management decisions should be made in a manner that protects non-target salmon stocks or species;

(3) effective management systems should be established and applied to regulate human activities that affect salmon as follows:

(E) management programs should be effective in (i) controlling human-induced sources of fishing mortality and should incorporate procedures to assure effective monitoring, compliance, control, and enforcement;

(5) in the face of uncertainty, salmon stocks, fisheries, artificial propagation, and essential habitats shall be managed conservatively as follows:

(A) a precautionary approach, involving the application of prudent foresight that takes into account the uncertainties in salmon fisheries and habitat management, the biological, social, cultural, and economic risks, and the need to take action with incomplete knowledge, should be applied to the regulation and control of harvest and other human-induced sources of salmon mortality; a precautionary approach requires

(i) consideration of the needs of future generations and avoidance of potentially irreversible changes;

(ii) prior identification of undesirable outcomes and of measures that will avoid undesirable outcomes or correct them promptly;

(iii) initiation of any necessary corrective measure without delay and prompt achievement of the measure's purpose, on a time scale not exceeding five years, which is approximately the generation time of most salmon species;

(iv) that where the impact of resource use is uncertain, but likely presents a measurable risk to sustained yield, priority should be given to conserving the productive capacity of the resource;

(v) appropriate placement of the burden of proof, of adherence to the requirements of this subparagraph, on those plans or ongoing activities that pose a risk or hazard to salmon habitat or production

If this regulation is not adopted the increased catch and release mortality rate of staging Coho Salmon, via the process of high-grading, or sifting through subquality fish in order to harvest quality, edible fish will continue. Additionally, allowed to continue, the mortality rate on resident species within the Kenai River drainage will continue to increase as a direct result of bait fishing techniques.

Other considerations were:

Establish the area as year round Fly Fishing Only – This measure would limit opportunity for some user groups therefor it is not viable.

Close areas where this practice is most common – This measure would limit opportunity for all user groups in this mixed stock fishery and therefor is not viable.

PROPOSED BY: Cooper Landing Fish and Game Advisory Committee (HQ-F23-041)
