

## **PROPOSAL 87**

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

Prohibit guided sport fishing on the Kenai and Kasilof Rivers when sport fishing for king salmon is closed as follows:

Current regulation ties the closure of the in-river late king fishery to the mandated closure of the set gillnet fishery. As a result, the setnet fishery is closed while in-river activity ramps up. Rather than fishing for chinook, guides switch to the pursuit of sockeye, placing clients along the riverbanks in the riparian rearing grounds of the chinook smolt. To facilitate multiple boatloads of clients, guides offer a shuttle service, picking up and placing clients throughout the Kenai River's chinook rearing grounds. Later in the season, they guide silvers using a lighter version of the same setup used to catch chinook, resulting in an "accidental" chinook catch-and-release fishery. In 2021 guidebooks were eliminated on the Kenai, allowing guides to operate unregulated and unchecked as they expanded pressure on the Kenai River. While profitable for guides, the additional pressure along the Kenai's riverbank caused by increased foot traffic from ramped-up sockeye fishing causes untold damage to future chinook runs. Catch and release of chinook during the silver season is unrecorded. If every king counts, all in-river commercial activity should halt when the chinook fishery is closed.

#### **Regulatory Language:**

(d) If the projected late-run king salmon escapement is less than 15,000 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;

(3) Close the commercial set gillnet fishery in the upper subdistrict of the central district.

#### **(4) Close all commercial guide activity in the Kenai and Kasilof Rivers.**

(e) In order to achieve the optimal escapement goal and provide reasonable harvest opportunity, the commissioner may, by emergency order, establish fishing seasons as follows:

Other solutions considered and tried:

Restrictions to the setnet fishery have not improved the health of the late chinook run.

Though the BOF has mandated a Kenai River Riparian Habitat reports the department has failed to do so for several years. Reports produced in the early 2000s indicate native habitat has been impacted significantly by angler foot traffic, and natural grasses replaced by dandelions and horsetail, which are not effective for bank stability.

In-river conservation measures have not been tried despite decades of documented bank damage due to boat wakes, documented angler foot traffic damage to the riparian chinook rearing habitat, and concentrated chinook fishing on chinook spawning beds. Rearing habitat is key to survival of any species and new tactics must be tried to address the abject failure of ADF&G's management and BOF regulatory changes.

No action by the BOF or ADF&G can impact whatever is impacting survival of chinook during the ocean-going portion of their lifecycle other than insuring chinook smolt are as healthy as possible. Habitat protection is key to healthy smolt, yet no effort has been made to protect that habitat. Yes, walkways have been constructed but anglers use them to access the river rather than to fish from them.

**What is the issue you would like the board to address and why?** Inequitable burden of conservation among user groups in the Upper Subdistrict of the Central District when the projected late-run king salmon escapement is projected to be less than the Optimal Escapement Goal of 15,000 king salmon.

Why: When the projected late-run king salmon escapement is less than 15,000 king salmon, Drift, personal use, in-river sport fishing guides, and private sport fishermen have remained open to harvest Sockeye salmon while the East Side Set Gillnet Fishery has been the only user group closed to all fishing. As a result, the commercial set gillnet fishery has shouldered the lion's share of the economic burden and suffered economic disasters in four out of the last five years. The resulting massive sockeye over escapements will negatively impact future runs and their economic yields and future economic benefits. If nothing is changed, and the current inequitable regulations continue to exclude the set gillnet fishery from fishing, the family businesses that comprise the fishery will go out of business. If every king counts, every measure must be taken to protect every king throughout their life cycle, especially when rearing in the riparian habitat along the banks of the Kenai River.

**PROPOSED BY:** Kenai Peninsula Fishermen's Association

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