

ALASKA DEPARTMENT OF FISH AND GAME

STAFF COMMENTS ON AGENDA CHANGE REQUESTS FOR

ALASKA BOARD OF FISHERIES MEETING ANCHORAGE, ALASKA

October 29–30, 2024



Regional Information Report No. 5J24-07

The following staff comments were prepared by the Alaska Department of Fish and Game (department) for use at the Alaska Board of Fisheries (board) meeting, October 29–30, 2024, in Anchorage, Alaska. The comments are forwarded to assist the public and board. The comments contained herein should be considered preliminary and subject to change as new information becomes available. Final department positions will be formulated after review of written and oral public testimony presented to the board.

Product names used in this publication are included for completeness and do not constitute product endorsement. The Alaska Department of Fish and Game does not endorse or recommend any specific company or their products.

Acronyms and Abbreviations

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Weights and measures (metric)		General		Acronyms	
centimeter	cm	Alaska Administrative		Acceptable Biological Catch	ABC
deciliter	dL	Code	AAC	Alaska Board of Fisheries	board
gram	g	all commonly accepted		Alaska Department of Fish	department
hectare	ha	abbreviations	e.g., Mr., Mrs.,	and Game	/ADF&G
kilogram	kg		AM, PM, etc.	Amount Necessary for	
kilometer	km	all commonly accepted		Subsistence	ANS
liter	L	professional titles	e.g., Dr., Ph.D.,	Alaska Wildlife Troopers	AWT
meter	m		R.N., etc.	Biological Escapement Goal	BEG
milliliter	mL	at	@	Central Gulf of Alaska	CGOA
millimeter	mm	compass directions:		Coded Wire Tag	CWT
		east	E	Commercial Fisheries Entry	
		north	N	Commission	CFEC
		south	S	Cook Inlet Aquaculture	
		west	W	Association	CIAA
Weights and measures (English)		copyright	©	Customary and Traditional	C&T
cubic feet per second	ft ³ /s	corporate suffixes:		Department of Natural	
foot	ft	Company	Co.	Resources	DNR
gallon	gal	Corporation	Corp.	Demersal Shelf Rockfish	DSR
inch	in	Incorporated	Inc.	Emergency Order	EO
mile	mi	Limited	Ltd.	Guideline Harvest Level	GHL
nautical mile	nmi	District of Columbia	D.C.	Gulf of Alaska	GOA
ounce	oz	et alii (and others)	et al.	Global Positioning System	GPS
pound	lb	et cetera (and so forth)	etc.	Individual Fishing Quota	IFQ
quart	qt	exempli gratia		Local Area Management Plan	LAMP
yard	yd	(for example)	e.g.	Lower Cook Inlet	LCI
		Federal Information		Mean Low Water	MLW
		Code	FIC	Mean Lower Low Water	MLLW
Time and temperature		id est (that is)	i.e.	No Data	ND
day	d	latitude or longitude	lat or long	National Marine Fisheries	
degrees Celsius	°C	monetary symbols		Service	NMFS
degrees Fahrenheit	°F	(U.S.)	\$, ¢	National Oceanic and	
degrees kelvin	K	months (tables and		Atmospheric Administration	NOAA
hour	h	figures): first three		Nick Dudiak Fishing Lagoon	NDFL
minute	min	letters	Jan,...,Dec	North Pacific Fishery	
second	s	registered trademark	©	Management Council	NPFMC
		trademark	™	Optimum Escapement Goal	OEG
Physics and chemistry		United States		Pelagic Shelf Rockfish	PSR
all atomic symbols		(adjective)	U.S.	Prince William Sound	PWS
alternating current	AC	United States of		Prior Notice of Landing	PNOL
ampere	A	America (noun)	USA	Private Nonprofit Salmon	
calorie	cal	U.S.C.	United States	Hatchery	PNP
direct current	DC		Code	River Mile	RM
hertz	Hz			Special Harvest Area	SHA
horsepower	hp			Sustainable Escapement Goal	SEG
hydrogen ion activity	pH	U.S. state	use two-letter	Trail Lakes Hatchery	TLH
(negative log of)			abbreviations	Upper Cook Inlet	UCI
parts per million	ppm		(e.g., AK, WA)	Western Gulf of Alaska	WGOA
parts per thousand	ppt,				
	‰				
volts	V				
watts	W				

REGIONAL INFORMATION REPORT NO. 5J23-07

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**STAFF COMMENTS ON
AGENDA CHANGE REQUESTS
FOR**

**ALASKA BOARD OF FISHERIES MEETING
ANCHORAGE, ALASKA**

October 29–30, 2024

by
Alaska Department of Fish and Game

Alaska Department of Fish and Game
Division of Sport Fish, Research and Technical Services
333 Raspberry Road, Anchorage, AK 99518–1565

September 2024

ABSTRACT

This document contains Alaska Department of Fish and Game staff comments on agenda change requests. These comments were prepared by the department for use at the Alaska Board of Fisheries meeting October 29–30, 2024, in Anchorage, Alaska. The comments are forwarded to assist the public and board. The comments contained herein should be considered preliminary and subject to change as new information becomes available. Final department positions will be formulated after review of written and oral public testimony presented to the board.

Keywords: Alaska Board of Fisheries (board), Alaska Department of Fish and Game (department) staff comments, finfish, salmon, herring, groundfish, management, management plan, agenda change request (ACR), regulatory proposal, inriver, subsistence, personal use, sport, guided sport, commercial fisheries, biological escapement goal (BEG), sustainable escapement goal (SEG), optimal escapement goal (OEG), stock of concern (SOC)

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TABLE OF CONTENTS

	Page
ABSTRACT	i
ACR 1 – REMOVE RESTRICTIONS ON GILLNET MESH-SIZE AND LENGTH IN THE SUBSISTENCE FISHERY FOR NONSALMON FISH IN NONFLOWING WATERS OF THE YUKON AREA (5 AAC 01.220)	1
ACR 2 – DESIGNATE SUSITNA RIVER KING SALMON A STOCK OF YIELD CONCERN AND ADOPT A REGULATORY ACTION PLAN (5 AAC 61.XXX)	2
ACR 3 – DESIGNATE LITTLE SUSITNA RIVER COHO SALMON A STOCK OF YIELD CONCERN AND ADOPT A REGULATORY ACTION PLAN (5 AAC 61.XXX)	3
ACR 4 – EXTEND SEASON DATES AND INCREASE THE NUMBER OF WEEKLY PERIODS FOR UPPER SUBDISTRICT COMMERCIAL DIP NET FISHERY (5 AAC 21.382)	4
ACR 5 – EXTEND SEASON DATES FOR UPPER SUBDISTRICT COMMERCIAL DIP NET FISHERY (5 AAC 21.382)	5
ACR 6 – INCREASE THE NUMBER OF WEEKLY PERIODS FOR UPPER SUBDISTRICT COMMERCIAL DIP NET FISHERY (5 AAC 21.382)	6
ACR 7 – ALLOW THE USE OF LEADS IN THE UPPER SUBDISTRICT COMMERCIAL DIP NET FISHERY (5 AAC 21.382)	7
ACR 8 – ADD SET BEACH SEINES AS LEGAL GEAR UNDER THE <i>KENAI RIVER LATE-RUN KING SALMON STOCK OF CONCERN MANAGEMENT PLAN</i> (5 AAC 21.382)	8
ACR 9 – INCREASE THE BAG AND SIZE LIMIT FOR RAINBOW TROUT IN THE KENAI RIVER (5 AAC 57.120)	9
ACR 10 – EXPAND TIME AND AREA IN WATERS OF THE LOWER SECTION OF THE KENAI RIVER THAT BAIT IS ALLOWED (5 AAC 57.121)	10
ACR 11 – CREATE A KVICHAK RIVER SPECIAL HARVEST AREA TO ALLOW HARVEST OF KVICHAK RIVER SOCKEYE SALMON WHILE CONSERVING NAKNEK RIVER SOCKEYE SALMON (5 AAC 06.XXX)	11
ACR 12 – CREATE A NEW HERRING FOOD AND BAIT FISHERY IN THE ALASKA PENINSULA-ALEUTIAN ISLANDS AREA (5 AAC 27.610)	12
ACR 13 – REDUCE MAXIMUM DEPTH OF HAND AND PURSE SEINES, MAXIMUM LENGTH OF LEADS, ELIMINATE MINIMUM LENGTH OF LEADS, AND ALLOW LEADS TO BE ATTACHED TO EITHER END OF A SEINE IN THE ALASKA PENINSULA AREA COMMERCIAL SALMON FISHERY (5 AAC 09.332)	13
ACR 14 – ALLOW CFEC SALMON SET GILLNET PERMIT HOLDERS WHO FORM A JOINT VENTURE IN THE CENTRAL SECTION OF THE NORTHWEST KODIAK DISTRICT TO OPERATE 25 FATHOMS ADDITIONAL SET GILLNET GEAR (5 AAC 18.331)	14
ACR 15 – DEFINE THE TERM ‘UNIT OF GEAR’ (5 AAC 39.130)	15

ACR 1 – Remove restrictions on gillnet mesh-size and length in the subsistence fishery for nonsalmon fish in nonflowing waters of the Yukon Area (5 AAC 01.220)

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This would allow the use of unrestricted gillnet mesh size and length in nonflowing waters of the Yukon River drainage to target nonsalmon species.

PRESENT SITUATION: Set gillnets may be restricted to four inch or smaller mesh and 10 fathoms in length by emergency order during times when the commissioner determines it necessary for the conservation of a salmon species within the Yukon River drainage.

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- a. **Is there a fishery conservation purpose or reason?** No.
- b. **Does the agenda change request correct an error in regulation?** No.
- c. **Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted?** No.

ADDITIONAL INFORMATION:

The maximum mesh sizes allowed in the Yukon Area are seven and one-half inches in the winter and summer, and six inch or smaller mesh during the fall season (starting on July 16 in the Lower Yukon Area and ending on October 30). During salmon closures, fishing opportunity with 4 inch or smaller mesh gillnets for nonsalmon species remains open, unless modified by emergency order. Currently, the maximum allowed length for drift gillnets is 50 fathoms and for set gillnets is 150 fathoms in aggregate. Additionally, when the department determines the need for salmon conservation, both set and drift gillnets can be restricted to any length. Since at least 2001, the length of 4-inch or smaller mesh gillnets has been restricted to 60 feet or less during salmon fishing seasons. This restriction is intended to reduce the number of salmon harvested incidentally in nonsalmon gear, especially during times of salmon conservation and subsistence closures. In Lake Minchumina and the Tolovana River, six inch or smaller mesh gillnet gear has remained open in recent years (2022–2024). Subsistence permits are required in these areas, and there are few reports of salmon harvest. The distribution and harvest of salmon in other nonflowing waters is not well documented. Given the habitat needs of spawning salmon, it is unlikely that returning adults would be found in nonflowing lake waters.

PROPOSED BY: Stephen O'Brien.

ACR 2 – Designate Susitna River king salmon a stock of yield concern and adopt a regulatory action plan (5 AAC 61.XXX)

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This request does not seek to change a regulation; it is requesting the Alaska Board of Fisheries (board) designate Susitna River Drainage king salmon a Stock of Yield Concern and adopt a regulatory action plan to rebuild the stock.

PRESENT SITUATION: Susitna River king salmon are managed as four stocks based on department assessment of Susitna River drainage king salmon. Those stocks include Yentna River, Deshka River, Talkeetna River, and Eastside Susitna (including Sheep, Goose, and Willow) stocks. The Eastside Susitna stock group was designated a stock of management concern in 2020, and a board-approved management plan was implemented.

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- a. **Is there a fishery conservation purpose or reason?** No.
- b. **Does the agenda change request correct an error in regulation?** No.
- c. **Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted?** No.

ADDITIONAL INFORMATION: The *Policy for Changing Board Agenda* (5 AAC 39.999) does not apply to stock of concern designation because such a designation is not a regulatory change. Also, the *Policy for Management of Sustainable Salmon Fisheries* (5 AAC 39.222(d)) directs the department to identify salmon stocks of concern at regular meeting of the board. The department reviewed data for Susitna River drainage king salmon stocks prior to the 2024 Upper Cook Inlet (UCI) board meeting, determined no additional stocks met the criteria, and did not recommend the board designate additional Susitna River drainage stocks as stocks of concern.

The department recognizes although Susitna River king salmon stocks may not have met Stock of Concern criteria, production continues to be low in the Susitna drainage and throughout the state. Numerous fishery restrictions and closures have been implemented in recent years as directed by the Northern District King Salmon Management Plan (NDKSMP, 5 AAC 21.366) to commercial and inriver fisheries in order to reduce mortality of northern Cook Inlet king salmon. The Department has continued commercial fishing closure in the Northern District past the dates outlined in the NDKSMP in a precautionary approach with the low returns in recent years. Years of restrictive actions on northern Cook Inlet king salmon sport fisheries culminated in preseason restrictions or closure of Susitna River king salmon sport fisheries in 2023 and total closure in 2024. Management actions will continue to be taken as needed to achieve northern Cook Inlet king salmon escapement goals and stock status will be reviewed again prior to the next UCI board meeting.

PROPOSED BY: Matanuska-Susitna Borough Fish & Wildlife Commission.

ACR 3 – Designate Little Susitna River coho salmon a Stock of Yield Concern and adopt a regulatory action plan (5 AAC 61.XXX)

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This request does not seek to change a regulation; it is requesting the board designate Little Susitna River coho salmon a Stock of Yield Concern and adopt a regulatory action plan to rebuild the stock.

PRESENT SITUATION: Little Susitna River has an SEG for coho salmon of 9,200–17,700 coho salmon. The goal has been achieved twice in the previous five years (2019–2023) and only had partial counts for three of those five years.

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- a. **Is there a fishery conservation purpose or reason?** No.
- b. **Does the agenda change request correct an error in regulation?** No.
- c. **Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted?** No.

ADDITIONAL INFORMATION: The department established an SEG of 9,200–17,700 for Little Susitna River coho salmon in 2020. Even with partial counts in three of the recent five years, the goal has been achieved twice. In 2024, the weir was washed out due to flooding and was inoperable for 20 days during the peak of the run. The department cannot provide reliable estimates of Little Susitna River coho salmon abundance with our current assessment program.

The *Policy for Management of Sustainable Salmon Fisheries* (SSFP; 5 AAC 39.222) directs the department and the board to collaborate in the development and periodic review of an action plan for stocks of concern. The department has reviewed the data for Little Susitna River coho salmon, has determined it does not meet the criteria, and does not recommend the board designate it as a Stock of Concern.

Northern Cook Inlet coho salmon conservation measures for commercial fisheries are delineated in the Central District Drift Gillnet Management Plan (5 AAC 21.353) and the Northern District Salmon Management Plan (5 AAC 21.358). These include time and area restrictions that have been implemented in recent years. The department has taken additional actions, outside of the management plan to conserve coho salmon in the Northern District by reducing hours and closing the set gillnet fishery in August the last two years when inseason information indicated low abundance of coho salmon. Management actions will continue to be taken as needed to achieve northern Cook Inlet coho salmon escapement goals, and stock status will be reviewed again prior to the next UCI board meeting

PROPOSED BY: Alaska State Legislature/Mat-Su Delegation.

ACR 4 – Extend season dates and increase the number of weekly periods for Upper Subdistrict commercial dip net fishery (5 AAC 21.382)

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This ACR seeks to extend the season dates of the commercial dip net fishery from July 31 to August 15 and establish daily periods to be Monday through Sunday from 7:00 AM until 7:00 PM in the Upper Subdistrict while Kenai River late-run king salmon are in stock of concern status.

PRESENT SITUATION: The Upper Subdistrict set gillnet fishery is regulated under the newly adopted *Kenai River late-run king salmon stock of concern management plan* (5 AAC 21.382). Two gear types are available to set gillnet permit holders under the stock of concern plan, set gillnet and dip net, with prescriptive regulations for the implementation of each gear type. Set gillnets have not been fished in the Upper Subdistrict since 2022. Commercial salmon fishing with dipnets was allowed for the first time in 2024 with low participation and mixed success depending on location and date.

Kenai River king salmon abundance remains low with the 2024 estimated escapement of 6,959 large fish failing to meet the recovery goal of 14,250–30,000 large fish.

The Kenai River late-run sockeye salmon preliminary sonar passage estimate of 1,926,350 fish, exceeded the inriver run goal of 1.1 million–1.4 million fish and will likely exceed the Sustainable Escapement Goal (SEG) of 750,000–1,300,000 sockeye salmon once the estimated upriver sport harvest is subtracted from the sonar estimate. The preliminary Kasilof River sockeye salmon sonar passage was 1,048,092 fish which, even considering upriver sport harvest, will exceed the sustainable escapement goal of 140,000–320,000 fish.

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- a) **Is there a fishery conservation purpose or reason?** No.
- b) **Does the agenda change request correct an error in regulation?** No.
- c) **Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted?** Yes, the effectiveness and commercial viability of dip net gear in the Upper Subdistrict was unknown at the 2024 Upper Cook Inlet board meeting when the SOC management plan for Kenai River late-run king salmon was adopted.

ADDITIONAL INFORMATION: Preliminary review of the 2024 dip net season yielded mixed success and exposed several limitations to participation and success. The gear type is sensitive to weather and water conditions that prevent permit holders from participating. The gear type is low efficiency and requires high density of fish to be near the beach for commercially viable harvest to occur. The department provided commercial dip net periods based on abundance of sockeye salmon and weather conditions which resulted in variability of short notice periods.

PROPOSED BY: Joseph Person.

ACR 5 – Extend season dates for Upper Subdistrict commercial dip net fishery (5 AAC 21.382)

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This ACR seeks to extend the season dates of the commercial dip net fishery from July 31 to August 16 in the Upper Subdistrict while Kenai River late-run king salmon are in stock of concern status.

PRESENT SITUATION: The Upper Subdistrict set gillnet fishery is regulated under the newly adopted *Kenai River late-run king salmon stock of concern management plan* (5 AAC 21.382). Two gear types are available to set gillnet permit holders under the stock of concern plan, set gillnet and dip net, with prescriptive regulations for the implementation of each gear type. Set gillnets have not been fished in the Upper Subdistrict since 2022. Commercial salmon fishing with dip nets was allowed for the first time in 2024 with low participation and mixed success depending on location and date.

Kenai River king salmon abundance remains low with the 2024 estimated escapement of 6,959 large fish failing to meet the recovery goal of 14,250–30,000 large fish.

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STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- a) **Is there a fishery conservation purpose or reason?** No.
- b) **Does the agenda change request correct an error in regulation?** No.
- c) **Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted?** Yes, the effectiveness and commercial viability of dip net gear in the Upper Subdistrict was unknown at the 2024 Upper Cook Inlet board meeting when the SOC management plan for Kenai River late-run king salmon was adopted.

ADDITIONAL INFORMATION: Preliminary review of the 2024 dip net season yielded mixed success and exposed several limitations to participation and success. The gear type is sensitive to weather and water conditions that prevent permit holders from participating. The gear type is low efficiency and requires high density of fish to be near the beach for commercially viable harvest to occur. The department provided commercial dip net periods based on abundance of sockeye salmon and weather conditions which resulted in variability of short notice periods.

PROPOSED BY: Russell Clark, Lance Alldrin, Mary Alldrin, John Manley, Allan Crookston, Brian Scow, John Bailey, Cheryn Clark, Arthur Brown, Jeff Dent, George Maccabee, Chris Maccabee, Rick Jewell, Laura Maccabee, Mike Markham, Zack Markham, Greg Johnson, Colby Engstrom, Joseph Person.

ACR 6 – Increase the number of weekly periods for Upper Subdistrict commercial dip net fishery (5 AAC 21.382)

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This ACR seeks to increase the weekly periods from three up to seven 12-hour periods per week in the Upper Subdistrict while Kenai River late-run king salmon are in stock of concern status.

PRESENT SITUATION: The Upper Subdistrict set gillnet fishery is regulated under the newly adopted *Kenai River late-run king salmon stock of concern management plan* (5 AAC 21.382). Two gear types are available to set gillnet permit holders under the stock of concern plan, set gillnet and dip net, with prescriptive regulations for the implementation of each gear type. Set gillnets have not been fished in the Upper Subdistrict since 2022. Commercial salmon fishing with dip nets was allowed for the first time in 2024 with low participation and mixed success depending on location and date.

Kenai River king salmon abundance remains low with the 2024 estimated escapement of 6,959 large fish failing to meet the recovery goal of 14,250–30,000 large fish.

Kenai River late-run sockeye salmon preliminary sonar passage estimate of 1,926,350 fish, exceeded the inriver run goal of 1.1 million–1.4 million fish and will likely exceed the Sustainable Escapement Goal (SEG) of 750,000–1,300,000 sockeye salmon once the estimated upriver sport harvest is subtracted from the sonar estimate. The preliminary Kasilof River sockeye salmon sonar passage was 1,048,092 fish which, even considering upriver sport harvest, will exceed the sustainable escapement goal of 140,000–320,000 fish.

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- a) **Is there a fishery conservation purpose or reason?** No.
- b) **Does the agenda change request correct an error in regulation?** No.
- c) **Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted?** Yes, the effectiveness and commercial viability of dip net gear in the Upper Subdistrict was unknown at the 2024 Upper Cook Inlet board meeting when the SOC management plan for Kenai River late-run king salmon was adopted.

ADDITIONAL INFORMATION: Preliminary review of the 2024 dip net season yielded mixed success and exposed several limitations to participation and success. The gear type is sensitive to weather and water conditions that prevent permit holders from participating. The gear type is low efficiency and requires high density of fish to be near the beach for commercially viable harvest to occur. The department provided commercial dip net periods based on abundance of sockeye salmon and weather conditions which resulted in variability of short notice periods.

PROPOSED BY: Russell Clark, Lance Alldrin, Mary Alldrin, John Manley, Allan Crookston, Brian Scow, John Bailey, Cheryn Clark, Arthur Brown, Jeff Dent, George Maccabee, Chris Maccabee, Rick Jewell, Laura Maccabee, Mike Markham, Zack Markham, Greg Johnson, Colby Engstrom, Joseph Person

ACR 7 – Allow the use of leads in the Upper Subdistrict commercial dip net fishery (5 AAC 21.382)

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This ACR seeks to allow the use of leads in the commercial dip net fishery in the Upper Subdistrict while Kenai River late-run king salmon are in stock of concern status.

PRESENT SITUATION: The Upper Subdistrict set gillnet fishery is regulated under the newly adopted *Kenai River late-run king salmon stock of concern management plan* (5 AAC 21.382). Two gear types are available to set gillnet permit holders under the stock of concern plan, set gillnet and dip net, with prescriptive regulations for the implementation of each gear type. Set gillnets have not been fished in the Upper Subdistrict since 2022. Commercial salmon fishing with dip nets was allowed for the first time in 2024 with low participation and mixed success depending on location and date.

Kenai River king salmon abundance remains low with the 2024 estimated escapement of 6,959 large fish failing to meet the recovery goal of 14,250–30,000 large fish.

Kenai River late-run sockeye salmon preliminary sonar passage estimate of 1,926,350 fish, exceeded the inriver run goal of 1.1 million–1.4 million fish and will likely exceed the Sustainable Escapement Goal (SEG) of 750,000–1,300,000 sockeye salmon once the estimated upriver sport harvest is subtracted from the sonar estimate. The preliminary Kasilof River sockeye salmon sonar passage was 1,048,092 fish which, even considering upriver sport harvest, will exceed the sustainable escapement goal of 140,000–320,000 fish.

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- a) **Is there a fishery conservation purpose or reason?** No.
- b) **Does the agenda change request correct an error in regulation?** No.
- c) **Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted?** No. The board discussed leads at their last meeting and determined that they did not want to allow leads in this fishery. There is no new information available to alter this discussion.

ADDITIONAL INFORMATION: Preliminary review of the 2024 dip net season yielded mixed success and exposed several limitations to participation and success. The gear type is sensitive to weather and water conditions that prevent permit holders from participating. The gear type is low efficiency and requires high density of fish to be near the beach for commercially viable harvest to occur. The department provided commercial dip net periods based on abundance of sockeye salmon and weather conditions which resulted in variability of short notice periods. Efficacy of leads in harvesting salmon with dipnet gear has not been evaluated.

PROPOSED BY: Joseph Person.

ACR 8 – Add set beach seines as legal gear under the *Kenai River late-run king salmon stock of concern management plan* (5 AAC 21.382)

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This ACR seeks to add set beach seines as an alternative gear type to the Upper Subdistrict set gillnet fishery while Kenai River late-run king salmon are in stock of concern status (SOC).

PRESENT SITUATION: The Upper Subdistrict set gillnet fishery is regulated under the newly adopted *Kenai River late-run king salmon stock of concern management plan* (5 AAC 21.382). Two gear types are available to set gillnet permit holders under the stock of concern plan, set gillnet and dip net, with prescriptive regulations for the implementation of each gear type. Set gillnets have not been fished in the Upper Subdistrict since 2022. Commercial salmon fishing with dip nets was allowed for the first time in 2024 with low participation and mixed success depending on location and date.

Kenai River king salmon abundance remains low with the 2024 estimated escapement of 6,959 large fish failing to meet the recovery goal of 14,250–30,000 large fish. Kenai River late-run sockeye salmon preliminary sonar passage estimate of 1,926,350 fish, exceeded the inriver run goal of 1.1 million–1.4 million fish and will likely exceed the Sustainable Escapement Goal (SEG) of 750,000–1,300,000 sockeye salmon once the estimated upriver sport harvest is subtracted from the sonar estimate. The preliminary Kasilof River sockeye salmon sonar passage was 1,048,092 fish which, even considering upriver sport harvest, will exceed the sustainable escapement goal of 140,000–320,000 fish.

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- a) **Is there a fishery conservation purpose or reason?** No.
- b) **Does the agenda change request correct an error in regulation?** No
- c) **Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted?** Yes, when the board closed the Eastside setnet fishery until the recovery goal was achieved, the SOC management plan provided opportunity for permit holders to fish with dip nets as an alternative gear. At that meeting, the board and department encouraged the public to explore other potential methods through a commissioner’s permit. Set beach seines were fished under that permit authority. The outcome of that method was unforeseen at the time of the Upper Cook Inlet Board of Fisheries meeting and represents new information.

ADDITIONAL INFORMATION: During the 2024 commercial salmon fishing season, three Commissioner’s interim use permits were issued to test if beach seines could be a viable gear type in the Upper Subdistrict set gillnet area for catching sockeye salmon and releasing king salmon. Stipulations of the permit included an observer to collect data and record incidents of king salmon catch and release. The board has not had the opportunity to hear this information and consider if the gear and methods should be a legal gear type in the Upper Subdistrict.

PROPOSED BY: Brian and Lisa Gabriel

ACR 9 – Increase the bag and size limit for rainbow trout in the Kenai River (5 AAC 57.120)

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This would increase the bag and possession limit for steelhead/rainbow trout in the Kenai River *from* one per day, one in possession, must be less than 16 inches in length *to* three per day, three in possession, must be longer than 20 inches in length.

PRESENT SITUATION: Current bag and possession limits for steelhead/rainbow trout in the Kenai River are January 1–December 31, one per day, one in possession, must be less than 16 inches in length.

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- a. **Is there a fishery conservation purpose or reason?** No.
- b. **Does the agenda change request correct an error in regulation?** No.
- c. **Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted?** No.

ADDITIONAL INFORMATION: The department conducted a Kenai River rainbow trout assessment in 2018 that indicated a high abundance of rainbow trout, although there were fewer large fish present than observed in the past. The Kenai River rainbow trout population supports a vibrant fishery in the Kenai River with an average retention rate (2003–2022) of about 1%.

PROPOSED BY: Sterling Sportfishing Support.

ACR 10 – Expand time and area in waters of the lower section of the Kenai River that bait is allowed (5 AAC 57.121)

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This would allow use of bait in the waters of the Kenai River from Bings Landing (RM 39.5) upstream to the mouth of the Upper Killey River (RM 46) from August 15 to October 31.

PRESENT SITUATION: At the 2024 UCI board meeting, the board adopted a proposal to restrict bait in the lower section of the Kenai River from the previous regulations listed below:

- The mouth of the Kenai River (RM 0) to Upper Killey River (RM 46) bait and multiple hooks allowed August, September, October
- Upper Killey River (RM 46) upstream to outlet of Skilak Lake (RM 50) only one unbaited, artificial lure or fly allowed September, November, December.

The new regulation expanded the time (3 months to year-round) and area (additional 10 miles of river) that bait was prohibited in the lower section of the Kenai River, as follows:

- The confluence of the Moose River (RM 36.2) upriver to the outlet of Skilak Lake (Rm 50) only one unbaited, artificial lure or fly allowed year-round.

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- a. **Is there a fishery conservation purpose or reason?** No.
- b. **Does the agenda change request correct an error in regulation?** No.
- c. **Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted?** No.

ADDITIONAL INFORMATION: Proposal 167 was submitted by the Cooper Landing Advisory committee to prohibit bait and multiple hooks in the waters of the Kenai River from the confluence of the Moose River upstream to Skilak Lake January 1–December 31. The proponents cited release mortality of rainbow trout with bait in this largely catch-and-release fishery and although the Kenai River is closed to fishing for coho salmon upstream of Bings Landing November 1–June 30, anglers fishing with bait would catch coho salmon.

PROPOSED BY: Sterling Sportfishing Support.

ACR 11 – Create a Kvichak River Special Harvest Area to allow harvest of Kvichak River sockeye salmon while conserving Naknek River sockeye salmon (5 AAC 06.XXX)

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This would establish a Kvichak River Special Harvest Area between Graveyard Point and the mouth of the Alagnak River.

PRESENT SITUATION: The area proposed to be designated as the Kvichak River Special Harvest Area is closed to commercial fishing for salmon.

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- a) **Is there a fishery conservation purpose or reason?** No.
- b) **Does the agenda change request correct an error in regulation?** No.
- c) **Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted?** Yes. In 2024, the Naknek River experienced the lowest sockeye salmon run in 27 years, while the Kvichak and Alagnak Rivers had above-average run sizes. Recently, Naknek River sockeye salmon runs have provided greater harvestable surplus than Kvichak River runs and management actions have been focused on harvesting abundant Naknek River sockeye salmon while conserving Kvichak River sockeye salmon (e.g. Naknek River Special Harvest Area). It was unforeseen that inseason restrictions to conserve Naknek River sockeye salmon would result in foregone harvest on more abundant Kvichak River sockeye salmon. It is possible this situation may occur again in the future.

ADDITIONAL INFORMATION: There is not a Kvichak River Special Harvest Area that would allow harvest to focus on Kvichak and Alagnak River fish while conserving Naknek River fish. In 2024, the Naknek–Kvichak District was closed for three days to conserve Naknek River fish. During this time, sockeye salmon escapement goals in the Kvichak and Alagnak Rivers had already been met. This action resulted in approximately 2 million fish escaping into these rivers that could have been available for harvest. The 2025 Bristol Bay salmon forecast is not yet available; however, based on the 2024 run sizes, age composition observed inseason, and parent year escapements, there is a possibility that this situation could occur again in 2025.

PROPOSED BY: Kyle Lints.

ACR 12 – Create a new herring food and bait fishery in the Alaska Peninsula-Aleutian Islands Area (5 AAC 27.610)

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This would allow a food and bait herring fishery in the South Alaska Peninsula to be opened after June 24.

PRESENT SITUATION: In this area, herring may only be taken during the sac roe season from April 15 through July 15.

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- a) **Is there a fishery conservation purpose or reason?** No.
- b) **Does the agenda change request correct an error in regulation?** No.
- c) **Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted?** No.

ADDITIONAL INFORMATION: Food and bait herring harvests in the South Alaska Peninsula have only occurred in 1982 and 1991. The South Peninsula sac roe herring fishery began in 1979. From 1984 through 1991, the board allocated the herring harvest between the sac roe fishery (75% of the allowable harvest) and food and bait fishery (25% of the allowable harvest). In 1992 the board determined that all herring should be allocated to the sac roe fishery because 1) food and bait harvests occurred in only 2 years; 2) the 1982 harvest severely depressed stocks in Stepovak Bay for several years; 3) the 1991 fishery harvested mostly young herring (87% age-4); 4) the origin of the harvested stocks is unknown; and 5) budget constraints prevented biomass estimations. The last sac roe harvest occurred in 1996.

In 2023 and 2024, there was renewed interest in harvesting herring for food and bait. A commissioner’s permit was issued in 2023 with guidelines to allow a limited harvest of herring. No herring were harvested in 2023, but the commissioner’s permit was reissued in 2024. Approximately 100 tons were harvested from Zachary Bay on Unga Island. Samples from this harvest have not been analyzed.

PROPOSED BY: Taylor Lundgren.

ACR 13 – Reduce maximum depth of hand and purse seines, maximum length of leads, eliminate minimum length of leads, and allow leads to be attached to either end of a seine in the Alaska Peninsula Area commercial salmon fishery (5 AAC 09.332)

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This would reduce maximum seine depth in the Alaska Peninsula area commercial salmon fishery from 375 meshes to 325 meshes. This would also eliminate the minimum lead length for seines and reduce maximum lead length from 150 fathoms to 100 fathoms and establish a maximum combined lead and seine length of 250 fathoms. Lastly, this would allow a lead to be attached to either end of a seine.

PRESENT SITUATION: Seines may not be less than 100 fathoms or more than 250 fathoms in length and may not be more than 375 meshes in depth. Seine leads may not be less than 50 fathoms or more than 150 fathoms in length. A lead may not be attached to the boat end of a seine.

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- a) **Is there a fishery conservation purpose or reason?** No.
- b) **Does the agenda change request correct an error in regulation?** No.
- c) **Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted?** No.

ADDITIONAL INFORMATION: An ACR similar to ACR 13 was considered by the board during the October 2023 work session and not adopted. Seine specifications (5 AAC 09.332) for the Alaska Peninsula Area have been static for over 30 years.

In 2023, the board made numerous changes to management of the South Alaska Peninsula commercial salmon fishery to reduce chum salmon harvest. The 2022–2024 average South Alaska Peninsula chum salmon harvest in June was 393,928 fish. In 2023 and 2024, the purse seine fleet and processors attempted to curtail their overall harvest of chum salmon through continuous communication that enabled the fleet to relay catch information to one another in real time. The fleet communicated daily with the department to provide updates on voluntary purse seine fleet time and area standdowns. Except for the 50% time, reduction in fishing periods that were implemented to conserve Chignik River early-run sockeye salmon, all other reductions in fishing time within the regulatory fishing periods were voluntarily instituted by the fleet. There were two forms of closures: mandatory closures for either the Shumagin Islands Section and (or) the entire South Unimak area, which encompasses waters within the Southwestern and Unimak Districts, and area-specific standdowns by the fleet. These actions were taken by the fleet to reduce overall harvest of chum salmon and constrain harvest below triggers that would reduce fishing in all areas by 50% for seine gear if the first trigger was met on June 18 and close the South Alaska Peninsula Area for seine gear if the second trigger was met on June 23. The area-specific standdowns were a method used by the fleet to react quickly when a high abundance of chum salmon was in the area and to attempt to keep harvest of sockeye salmon to chum salmon above a 2:1 ratio.

PROPOSED BY: Western Interior Regional Advisory Council.

ACR 14 – Allow CFEC salmon set gillnet permit holders who form a joint venture in the Central Section of the Northwest Kodiak District to operate 25 fathoms additional set gillnet gear (5 AAC 18.331)

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This seeks to change gillnet specifications and operations by increasing the allowable length for set gillnet joint ventures to 175 fathoms for single gillnets and 300 fathoms in aggregate.

PRESENT SITUATION: The current regulation, which was amended during the 2023–2024 board meeting for the Kodiak Management Area, increased the allowable single set gillnet length to 175 fathoms in the Central Section of the Northwest Kodiak District. However, the allowable aggregate gillnet length for joint ventures was not included in the regulatory change and remains at 300 fathoms total aggregate and no more than 150 fathoms for a single gillnet.

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- a) **Is there a fishery conservation purpose or reason?** No.
- b) **Does the agenda change request correct an error in regulation?** No.
- c) **Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted?** Yes. Gillnet specifications for joint venture set gillnet operations were not considered when the amount of lawful gillnet gear that may be operated in the Central Section was increased during the 2023–2024 board meeting, creating an incongruity between single permit and joint venture operations.

ADDITIONAL INFORMATION: Set gillnet joint ventures have been allowed in the Kodiak Management Area since 1985. Current regulations allow two permit holders to fish in a joint venture; the operation’s total allowable gear increases *from* 2 nets and 150 fathoms of gillnet gear *to* 3 nets and 300 fathoms of gillnet gear. During 2013–2023, an average of 11 joint ventures were permitted. In 2024, four joint ventures were permitted.

PROPOSED BY: Northwest Setnetters Association.

ACR 15 – Define the term ‘unit of gear’ (5 AAC 39.130).

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: As it relates to fish ticket reporting requirements for set gillnet CFEC permit holders operating multiple limited entry permits cooperatively, this would define ‘unit of gear’ as ‘all set gillnet gear being fished by those permit holders working cooperatively and comingling their catch.’

PRESENT SITUATION: As it relates to fish ticket reporting requirements, unit of gear is the amount of commercial fishing gear that may be lawfully operated by an individual CFEC permit holder.

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- a) **Is there a fishery conservation purpose or reason?** No.
- b) **Does the agenda change request correct an error in regulation?** No.
- c) **Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted?** No.

ADDITIONAL INFORMATION:

This ACR touches on many aspects of department operations, and it is important to note that the regulation in question (5 AAC 39.130) does not fall under the board's authority, rather all authorities for 5 AAC 39.130 lie with the commissioner. The fish transporting activity described in this ACR is unlawful unless the person transporting fish is registered as a Fish Transporter with the department or acting a tender for a licensed processor.

When making fishery management decisions, the department strongly relies on an accurate total harvest number and number of permit holders participating in a fishery. The department also leverages this information for various analyses and processes used both internally and externally.

Previous and ongoing aid programs like federal fishery disasters, federal CARES Act, and United States Department of Agriculture tariff relief, all leverage individual CFEC permit holder information recorded on fish tickets to assess compensation. In these instances, the department has a responsibility to provide accurate permit holder information so the permit holders in need can be clearly identified and compensation can be distributed to them in a timely manner. If regulations no longer require an individual CFEC permit holder be identified on a fish ticket, the department will not be able to provide accurate records to assess need or to verify the losses incurred by an individual. It is not a reasonable expectation that these programs provide assistance to “family units” who are fishing gear cooperatively, especially when the department has no documentation to verify who the individuals in a cooperative unit are, or their individual contributions to the fishing effort.

This will also complicate requirements for the department to provide fish ticket information to the Alaska Department of Revenue (DOR), both for tax verification purposes and Child Support verification purposes (AS 16.05.815). In both instances, the department provides records to DOR for an individual CFEC permit holder. If individual permit holder names are no longer required to be recorded on a fish ticket, this presents an avenue for individuals to avoid paying taxes and child support. The current use of dual permit holders already presents significant challenges to this function because the department is unable to determine the relative volume of harvest associated with each individual; however, in these instances, the department can clearly identify the second permit holder.

The department also administers or jointly administers other permitting programs in which a permit is issued to an individual permit holder. For example, the department issues Catcher-Seller permits to CFEC permit holders who sell or attempt to sell unprocessed fish to the public. The Catcher-Seller permit is issued to an individual identified using a Social Security Number. Another example is the Direct Marketer license that is issued by DOR (but jointly administered with the department). The Direct Marketer license is a Fishery Business License that allows the licensee to process, sell, and (or) export their own catch. This license is also issued to an individual CFEC permit holder with an associated Social Security Number. As a Fishery Business License, the Direct Marketer license is a primary mechanism for the State of Alaska to levy and collect fishery-related taxes. Fish tickets are used to verify activity for individual permit holders. If the requirement to record one CFEC permit holder who operated the unit of gear is removed, this will have implications for issuing and administering both permits and licenses.

Lastly, this change would have impacts on the department's ability to screen information for confidentiality. Pursuant to AS 16.05.815, the department cannot distribute fishery-related information unless at least three (3) individual CFEC permit holders, vessels (if applicable), and processors are associated with each record. To successfully implement this policy, staff need to clearly identify how many CFEC permits are associated with the record. If we no longer require setnet operations to record the individual CFEC permit holder operating the unit of gear, we will be unable to accurately and confidently determine if a record is confidential or not. The current policy for screening for confidentiality with setnet fisheries is to confirm there are at least three (3) CFEC permit holders associated with the record and to use this as the proxy for vessels since vessels are not typically used for this fishery. Given this policy, it is imperative that the department collect accurate permit counts for harvest records.

In addition to the concerns noted above, this proposed change could make it easier for a person to be completely absent from the fishing site while their permit is being fished. Finally, the Department urges the board to consider the comments submitted by the Alaska Departments of Law and Public Safety.

PROPOSED BY: Northwest Setnetters Association and Duncan Fields.