

**ALASKA BOARD OF FISHERIES**

**January 17-29, 2005**

**UPPER COOK INLET FINFISH**

**PROPOSAL 133 - 5 AAC 21.3XX. Cook Inlet Area Salmon Fishery; 5 AAC 27.4XX. Cook Inlet Area Herring Fishery; 5 AAC 28.3XX. Cook Inlet Area Groundfish Fishery.** Create new regulations to provide the following:

Provide for and give authority to a body, sanctioned by the board, which would provide some mechanism for experimental fisheries using different fishing methods and means in Cook Inlet. Ideally, the ideas for such fisheries would be generated from within the fishing community and the results of such fisheries disseminated to fishermen and the public.

**PROBLEM:** We need to have a method of piloting experimental gear and methods of operating gear in Cook Inlet. Currently our fisheries are under duress and stress and to meet with a changing market and operating environment we also need to adapt and improve. The current regulatory regime discourages and outright disallows innovation--something I call "regulated inefficiency"--and the development of alternate fishing methods which could possibly preserve and enhance our fisheries and for many of us a traditional way of life.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** I fear commercial fishing in Cook Inlet as a livelihood will wither and die.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, that is the prime purpose.

**WHO IS LIKELY TO BENEFIT?** Our fishery as a whole may figure ways to refine and improve which are currently not available or allowable. The processing sector and those employed within it; our community which could retain and develop some of its historical diversity; a revitalized fishing with the accompanying capital and land improvement would generate higher property tax revenues for the borough; our youth might find they have a reason to remain in our area, buy and build homes here, and have their children attend local schools, which are experiencing regular drops in enrollment.

**WHO IS LIKELY TO SUFFER?** Those who fear change; those who would just as soon see our industry wither and die; real estate brokers and client who will soon be able to purchase a lot of Kenai Peninsula property real cheaply.

**OTHER SOLUTIONS CONSIDERED?** Do nothing. Rejected, because it is time to make changes to our fishery to enhance the quality of our fish and the efficiency of our fleets.

**PROPOSED BY:** Gene Palm

(SC-04-F-156)

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**PROPOSAL 134 - 5 AAC 21.XXX. Commercial smelt fishery in Cook Inlet Area.** Create a new regulation to provide the following:

Smelt may be harvested in the Cook Inlet Area from the Chuit River to the Little Susitna River from May 1 to June 30. Harvest cap for this fishery is 100 tons until an assessment is conducted by the department. If the department determines that there is a biological concern with the fishery it may be closed at any time.

**PROBLEM:** Reopen the Cook Inlet smelt fishery with dip nets only in Cook Inlet with a harvest cap of 100 tons.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** A waste of an abundant resource will continue.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No, except that it allows for a harvest of an abundant resource.

**WHO IS LIKELY TO BENEFIT?** People interested in harvesting smelt for commercial markets.

**WHO IS LIKELY TO SUFFER?** No one, this is a huge resource that is totally underutilized. In Cook Inlet it is probably the only resource no one cares about fighting for.

**OTHER SOLUTIONS CONSIDERED?** Do nothing.

**PROPOSED BY:** Lamar Ballard (HQ-04-F-053)

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**PROPOSAL 135 - 5 AAC 21.XXX. Commercial smelt fishery in Cook Inlet Area.** Create a new regulation to provide the following:

Smelt may be harvested in the Cook Inlet area from the Chuit River to the Little Susitna River and in the Susitna River up to the Dëshka River landing from May 1 to June 30. Harvest cap for this fishery is 100 tons until the department conducts an assessment. If the department determines that there is a biological concern with the fishery it may be closed at any time.

**PROBLEM:** Reopen the Cook Inlet smelt fishery with dipnets only in Cook Inlet with a harvest cap of 100 tons.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** A waste of an abundant resource will continue.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No, except that it allows for a harvest of an abundant resource.

**WHO IS LIKELY TO BENEFIT?** People interested in harvesting smelt for commercial markets.

**WHO IS LIKELY TO SUFFER?** No one, this is a huge resource that is totally underutilized. In Cook Inlet it is probably the only resource no one cares about fighting for.

**OTHER SOLUTIONS CONSIDERED?** Do nothing.

**PROPOSED BY:** Jose Balintona, Jr. (HQ-04-F-054)

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**PROPOSAL 136 - 5 AAC 21.XXX. Cook Inlet Area Smelt Fishery Management Plan.** Create a new regulation to provide the following:

Smelt may be harvested in the Cook Inlet Area from the Chuit River to the Little Susitna River from May 1 to June 30. Harvest cap for this fishery is 150 tons until an assessment is conducted by the

department. If the department determines that there is a biological concern with the fishery it may be closed at any time.

**PROBLEM:** Reopen the Cook Inlet smelt fishery with dip nets only in Cook Inlet with a harvest cap of 100 tons.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** A waste of an abundant resource will continue.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No, except that it allows for a harvest of an abundant resource.

**WHO IS LIKELY TO BENEFIT?** People interested in harvesting smelt for commercial harvests.

**WHO IS LIKELY TO SUFFER?** No one, this is a huge resource that is totally underutilized. In Cook Inlet it is probably the only resource no one cares about fighting for.

**OTHER SOLUTIONS CONSIDERED?** Do nothing, but that would be pointless.

**PROPOSED BY:** Bob Taupe (HQ-04-F-215)

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**PROPOSAL 137 - 5 AAC 21.XXX. Cook Inlet smelt fishery management plan.** Create a new regulation to provide the following:

The smelt fishery in Upper Cook Inlet would be reestablished by a permit issued by the commissioner of the department. The plan would read as follows:

A smelt fishery in Upper Cook Inlet fresh or salt water may be conducted under the authority of a permit secured from the commissioner or his local representative. The permit will be issued to either the fisherman or buyer. Species of smelt when taken incidentally with commercial salmon fishing are legally taken and possessed without a permit. The following stipulations apply to either the permit holder or buyer and to fishermen selling their catch to the buyer: 1) the time and area of fishing and type and amount of fishing gear may be designated, and 2) the species to be harvested may be designated and the number of fish may be limited.

**PROBLEM:** The commercial smelt fishery in Upper Cook Inlet was stopped with passage of the statewide forage fish policy. In that policy it states that a fishery may occur in an area if a management plan is written. This proposal would reestablish a smelt fishery in Upper Cook Inlet. Markets for the use of smelt as food for marine mammals held in captivity and bait are developing.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** A resource that can be managed for a sustained yield will not be used to the maximum benefit.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** A commercially viable species will be harvested which will benefit the commercial fishing industry.

**WHO IS LIKELY TO SUFFER?** No other users group should be impacted. Personal use fisheries for smelt should still have over 90 percent of the return available for harvest. Historically, the personal use fishery in Upper Cook Inlet takes a very small quantity of fish.

**OTHER SOLUTIONS CONSIDERED?** Specific areas, types of gear, and times could have been written as separate proposals. However, this fishery should be reestablished with the cooperation and full awareness of the department. By allowing the commissioner to set the guidelines the resource will be protected and a low harvest can be used to start the fishery.

**PROPOSED BY:** Dyer VanDevere (SC-04-F-105)

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**PROPOSAL 138 - 5 AAC 27.409(b). Central District Herring Recovery Management Plan.**

Amend this regulation as follows:

Herring fishing will occur only in the waters of the Upper Subdistrict, **Kalgin Island Subdistrict**, Western Subdistrict, and Chinitna Bay Subdistrict as described in...

**PROBLEM:** Lack of opportunity to harvest herring in the Kalgin Island Subdistrict. Prior to 1992 this area was open and my family and neighbors occasionally harvested small amounts of herring. When the majority of Upper Cook Inlet was reopened in 1998 this area was left out.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** A presently unutilized stock, which was once available for harvest, will remain unutilized.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Only in that it will begin to allow the resource to be harvested.

**WHO IS LIKELY TO BENEFIT?** Myself, family, perhaps a few neighbors.

**WHO IS LIKELY TO SUFFER?** No one, as this sock is presently unutilized, and if opened harvest would likely be minimal.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Eric M. Beeman (HQ-04-F-104)

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**PROPOSAL 139 - 5 AAC 27.409(d)(4). Central District Herring Recovery Management Plan.** Amend this regulation as follows:

(c)(4) the commissioner may open, by emergency order, the fishery for **one** [TWO] fishing period[S] per week, **beginning on Monday at 6:00 a.m. and closing at 6:00 p.m. Friday** [AND ONE BEGINNING ON MONDAY AND ONE BEGINNING ON THURSDAY]; each fishing period may not last longer than **108** [30] hours; a fishing period may extend **by emergency order authority** beyond May 31. [IF IT BEGINS BEFORE THAT DATE AND IS NOT LONGER THAN 30 HOURS IN LENGTH]

**PROBLEM:** Gillnet herring fishery plan does not allow sufficient opportunity to harvest surplus stocks. Weather and extreme tides hamper the ability to harvest in a reasonable manner. Time restrictions do not allow a make up of time which could result in up to six days of nonharvesting. Concentrations of herring move quickly in a very narrow timeframe.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Underutilized resource harvest will continue. Continued low participation. Local guide and sport fishermen will have to purchase herring from nonlocal sources. Consumptive users will be burdened from not having a source of food-quality herring.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Allows a more orderly fishery with allowance for weather and fatigue. Reduces equipment loss and creates a harvest that will accommodate the market.

**WHO IS LIKELY TO BENEFIT?** The Southcentral fishing community and the local market.

**WHO IS LIKELY TO SUFFER?** No one. A guideline harvest range of 0-40 tons will still stay in effect to insure a precautionary managed fishery.

**OTHER SOLUTIONS CONSIDERED?** Status quo will not allow a reasonable harvest.

**PROPOSED BY:** Kenai Peninsula Fishermen's Association (HQ-04-F-337)  
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**PROPOSAL 140 - 5 AAC 21.365. Kasilof River Salmon Management Plan.** Amend this regulation as follows:

The preferred solution is to revise the Kasilof River/Tustumena Lake Salmon Management Plan to reflect the end of the artificial hatchery program that has been operated by the Cook Inlet Aquaculture Association. The revised plan will reassess a biological escapement goal (BEG) range for sockeye salmon within the Kasilof system, incorporating concerns for lower production of wild sockeye into consideration of the new range. The revised plan should also reassess an optimum escapement goal (OEG) for sockeye, taking into account consideration of the impact of commercial fish management measures and the soon to be discontinued Tustumena hatchery program on other species (particularly wild king salmon) as well as effects on other competing user groups within the system. The OEG needs to account for increased personal use fisheries, sport fisheries and the wildlife needs throughout this area.

**PROBLEM:** This proposal asks the board to revise the Kasilof River Salmon Management Plan to reflect the court ordered discontinuation of sockeye enhancement in Tustumena Lake. This change should affect the BEG, the OEG, as well as other aspects of the plan.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Sockeye management will not be based upon the natural sockeye salmon production for the Kasilof/Tustumena system. Overharvest of wild sockeye stocks and other Kasilof wild salmon stocks could occur. The late entering wild king salmon are a stock of particular concern given their low level of abundance.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Better management should result from a balance management approach to wild salmon production within the Kasilof River/Tustumena Lake system. All users will receive long-term benefits from healthy salmon runs.

**WHO IS LIKELY TO SUFFER?** No one. This proposal only requests that salmon management within the Kasilof/Tustumena system be updated to reflect the new situation of wild salmon

production, without the ongoing problems that have been created in the past by the sockeye enhancement program.

**OTHER SOLUTIONS CONSIDERED?** No other solutions were identified that met the needs of the proposed plan.

**PROPOSED BY:** Jim Richardson (HQ-04-F-139)

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**PROPOSAL 141 - 5 AAC 21.365. Kasilof River Salmon Management Plan.** Amend this regulation as follows:

Reinstate the board's intent in regulatory language that the Kasilof River will be managed for MSY and manage for established goals. The Kasilof River be managed within established escapement goals, BEG of 150,000 to 250,000. Also, clarify in regulation issues as stated in the problem statement.

**PROBLEM:** Kasilof River Salmon Management Plan unnecessarily restricts the harvest on abundant sockeye salmon stocks bound for the Kasilof River. Restrictions in regulations exist even when escapement goals have been met or exceeded on the Kasilof River; arbitrary hourly limitations and mandatory continuous 48-hour closures. In addition, the Kasilof River Salmon Management Plan is tied by provisions to the Kenai River Late-Run Sockeye Salmon Management Plan on July 8, which disregards escapements rates into the Kasilof River.

The Kasilof River has exceeded established escapement goals seven of the past eight years. This is a management concern as defined in stocks of concern.

The Kasilof River is major independent river system in the Kasilof Section of the Upper Subdistrict and should be managed independently of the Kenai River section by regulation.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Risk on production to established biological escapement goals would be ignored. The effects on yield on sockeye salmon production has not been done under the present OEG written into regulation in 2002. Economic harvest opportunity will be precluded on abundant sockeye salmon stocks bound for the Kasilof River.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, if the department will manage will manage within established BEG range. Kasilof River sockeye salmon demand a higher price within the fresh market as customers prefer a smaller size fillet.

**WHO IS LIKELY TO BENEFIT?** All users will benefit, when the department manages the resource for established inriver goals, clarity in regulations benefits everyone. Commercial fishing families fishing in the Kasilof Section of the Upper Subdistrict, processors operating in the Kasilof Section.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Kenai Peninsula Fishermen's Association (HQ-04-F-301)

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**PROPOSAL 142 - 5 AAC 21.359(c)(5). Kenai River Late-Run King Salmon Management Plan.** Amend this regulation as follows:

Delete (c)(5).

**PROBLEM:** If the inriver return of late-run sockeye salmon to the Kenai River is projected to exceed more than 600,000 sockeye and spawning escapement goals of king salmon are met, limitations exist on Upper Subdistrict set gillnet fisheries are still in effect.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Restrictions on Kenai Section of the Upper Subdistrict will be tied exceeding the upper limits on escapement for sockeye and chinook salmon. This does not provide for a reasonable opportunity to harvest sockeye salmon stocks bound to the Kenai River.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, limitations that are tied to exceeding the upper limits benefits no one.

**WHO IS LIKELY TO BENEFIT?** Commercial ESSN operators in the Kenai and East Forelands Section.

**WHO IS LIKELY TO SUFFER?** No one when escapement goals have been met.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Kenai Peninsula Fishermen's Association (HQ-04-F-296)  
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**PROPOSAL 143 - 5 AAC 21.320. Weekly fishing periods; and 5 AAC 21.360. Kenai River Late-Run Sockeye Salmon Management Plan.** Amend these regulations to provide the following:

The fishery management biologist should be provided authority to set fishing days and time based on tide and weather conditions.

**PROBLEM:** Quality of salmon and safety of fishermen.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Current fishing regulations dictate that commercial openings occur at specified times, days and with limits to how much time regardless of tide or weather conditions. Being forced to fish in very rough weather conditions is dangerous and results in poor quality fish being harvested. Loss of fish quality, loss of gear and loss of life happens when we are regulated to fish on very specific limited regulatory fishing periods.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, the proposal would improve quality. Harvesting a food product that is easily bruised makes this an important issue when these fish are harvested in nets and boats that are being thrashed about in high seas.

**WHO IS LIKELY TO BENEFIT?** Commercial fishermen, processors, and consumers.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Liz Chase

(HQ-04-F-074)

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**PROPOSAL 144 - 5 AAC 21.360. Kenai River Late-Run Sockeye Salmon Management Plan.**

Amend this regulation to provide the following:

I would like the board to get rid of mandatory regulations that tie the hands of the department. These regulations include limiting extra fishing hours per week and mandatory windows. The board should give the department the authority to manage to the inriver goal range, with full emergency order authority to achieve the inriver goals.

**PROBLEM:** The department has to manage by regulation. They have limited extra hours that they can allow commercial fishermen to fish. They also have mandatory continuous closures “windows” to implement.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The department will continue to have to manage by board regulations and restrictions instead of managing for the inriver goal range.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** With unnecessary regulations lifted, the department might be able to allow extra fishing time in a way that could improve quality.

**WHO IS LIKELY TO BENEFIT?** Commercial fishermen and processors.

**WHO IS LIKELY TO SUFFER?** No one, as inriver goals will still be achieved.

**OTHER SOLUTIONS CONSIDERED?** Tinkering with extra fishing time allowed, and reducing hours for mandatory closures. Any mandatory restrictions limit the department’s ability to manage.

**PROPOSED BY:** Gary L. Hollier

(HQ-04-F-085)

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**PROPOSAL 145 - 5 AAC 21.360. Kenai River Late-Run Sockeye Salmon Management Plan.**

Amend this regulation to provide the following:

I would like Kenai River to have one inriver goal range. The goal range would be 600,000 to 900,000 sockeye salmon past the sonar counter at mile 19. Once the minimum sonar goals are met the personal use dipnet fishery would go to 24 hours per day and the inriver sport fishery would go from a three fish to six fish bag limit. I would like the board to give the department the authority to manage to the inriver goal range, with full emergency authority to achieve the inriver goal range.

**PROBLEM:** Abundance-based management for late-run Kenai River sockeye. No other river system in the State of Alaska is managed like this. The department has to make a run strength determination inseason by July 20. This can change the inriver goal range inseason.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** When the inriver goals change, subject to the current management plan, different management regulations are set into place. These changing regulations inseason are confusing for all user groups. Examples: the personal use dip net fishery can have its hours changed, the sport fishery can have its bag limit changed, and fishing time in the commercial fishery may have to be restricted to meet management objectives. This happened in 1998 and 1999 when the setnetters in the Kenai and East Forelands sections fished a total of nine days for those two years.



It seems that it is also a problem for the department to manage for one goal early in the season, then on July 20 make an assessment, and possibly change their management strategy inseason, because 1) they are not going to make their initial forecast, or 2) they have to upgrade their forecast.

History has shown that excessive back-to-back escapements into the Kenai River have a negative effect on the return per spawner ratio for future returns. In 1984 the inriver sonar count was less than 350,000 sockeye. Those spawners produced over 6 million sockeye returning to the Kenai River in 1989.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** With the department having full emergency order authority over the fishery, and mandatory restrictions and regulations lifted, the department might be able to allow extra fishing time in increments that would benefit quality.

**WHO IS LIKELY TO BENEFIT?** Commercial fishermen, processors, dipnetters, area business, the Kenai Peninsula Borough and any groups that might want to see the Kenai River sockeye be managed more toward maximum sustained yield.

**WHO IS LIKELY TO SUFFER?** Any user groups or business that want less sockeye returning to the Kenai River.

**OTHER SOLUTIONS CONSIDERED?** I thought of a two-tiered system. With run strengths up to 3 million, the inriver goal range would be 600,000 to 850,000. With runs over 3 million, the inriver goal range would be 650,000 to 950,000. The department would have the authority to manage to the inriver goal range, with full emergency authority to achieve the inriver goal range.

With two tiers the department still has to make a run strength determination some time inseason, which could cause some of the same problems for the user groups, so I rejected the idea.

**PROPOSED BY:** Gary L. Hollier (HQ-04-F-086)

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*Identical proposals were submitted by each organization listed at the bottom of the proposal. The submissions are reproduced here as one proposal for publishing purposes:*

**PROPOSAL 146 - 5 AAC 21.357. Kenai River Coho Salmon Conservation Management Plan; and 5 AAC 21.360 Kenai River Late-Run Sockeye Salmon Management Plan.** Amend these regulations as follows:

5 AAC 21.357 (a)(2)(B) sockeye salmon catches show a trend of sharp decline, **described in 5 AAC 21.360**; and,

5 AAC 21.357 (a)(2)(C) coho salmon catches are increasing, **described in 5 AAC 21.360**.

5 AAC 21.357(a)(3) from August 1 through August 7, the Kenai, Kasilof, and East Forelands Sections set gillnet fisheries are restricted, **by emergency order only when the conditions of 5 AAC 21.357 have not been met, to three noncontiguous 12 hour periods.** [TO REGULARLY SCHEDULED FISHING PERIODS AS DESCRIBED IN 5 AAC 21.320, EXCEPT THAT THE COMMISSIONER MAY OPEN, BY EMERGENCY ORDER, ONE ADDITIONAL FISHING PERIOD NOT TO EXCEED 24 HOURS]

5 AAC 21.357(b) Notwithstanding 5 AAC 21.310 and 5 AAC 21.320, in the set gillnet fishery in the Upper Subdistrict of the Central District, the season shall close **July 31, unless opened by emergency order set forth in 5 AAC 21.357(c)(3).** [AUGUST 7]

5 AAC 21.360(x). Subject to the requirement of the department to manage the Upper Cook Inlet commercial fisheries to minimize the incidental take of Kenai River coho salmon,

(1) sockeye salmon catches show a trend of sharp decline when in the last three days of July the catch of sockeyes average less than 3 percent per day of the total sockeye harvest through each preceding fishing dates; and

(2) coho salmon catches are increasing when in the last three days of July the ratio of sockeye to coho averages less than 20:1.

**PROBLEM:** 5 AAC 21.357 and 5 AAC 21.360 do not clearly define the closure of the sockeye salmon fishery when harvest of sockeye shows a trend of sharp decline and incidental catches of coho are increasing.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Without clear definition, it is difficult, if not impossible, for the department to manage the upper Cook Inlet commercial salmon fisheries to minimize the incidental take of Kenai River coho salmon stocks.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Not applicable.

**WHO IS LIKELY TO BENEFIT?** The fish. Clear definition of the end of the commercial sockeye fishery will reduce incidental harvest of Kenai River coho salmon. The lack of such definition allows significant harvest of incidental early run coho salmon. The Upper Cook Inlet commercial sockeye salmon fishery will also benefit through adherence to a sustainable salmon fisheries plan, which will aid in marketing efforts that the “Kenai Wild” salmon resource is sustainable and does not jeopardize the reproductive capacity of wild salmon resources in upper Cook Inlet.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** Have an absolute end to the commercial sockeye fishery on July 31, with no emergency opening authority past that date. During certain years, run timing may show the need for a few emergency openings in the first week of August.

**PROPOSED BY:** Kenai River Sportfishing Association (HQ-04-F-091)  
Kenai River Professional Guide Association (HQ-04-F-120)  
Kenai River Property Owners Association (HQ-04-F-151)

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*Identical proposals were submitted by each organization listed at the bottom of the proposal. The submissions are reproduced here as one proposal for publishing purposes:*

**PROPOSAL 147 - 5 AAC 21.360. Kenai River Late-Run Sockeye Salmon Management Plan.**  
Amend this regulation as follows:

Add a new section as follows:

The provisions of subsections (c)(1), (c)(2) and (c)(3) shall be enforced even if the provisions of subsection (b)(1) are exceeded.

**PROBLEM:** Amend the Kenai River Late-Run Sockeye Salmon Management Plan to clarify that the windows provisions must be followed even if the escapement exceeds the upper end of the optimum escapement goal.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The current management plan ensures that harvest is spread equally throughout the run; harvest of nontarget species is minimized; and the reproductive capacity of the genetic resource is maintained. If the problem is not solved, the conservation and sustained yield of healthy salmon resources will be at major risk.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Not applicable.

**WHO IS LIKELY TO BENEFIT?** The fish. The reproductive capacity of the genetic stocks will remain a unique and forever resource if the guiding principles in 5 AAC 21.363(a)(6)(d) of the Upper Cook Inlet Salmon Management Plan are adhered to.

**WHO IS LIKELY TO SUFFER?** Commercial harvest of the sockeye resource will be maintained as provided for in the Upper Cook Inlet Salmon Management Plan. The proposal does not impose any allocation reduction on commercial harvest.

**OTHER SOLUTIONS CONSIDERED?** None. We believe this proposal clarifies the essential priorities of the Upper Cook Inlet Salmon Management Plan.

**PROPOSED BY:** Kenai River Sportfishing Association (HQ-04-F-092)  
Kenai River Professional Guide Association (HQ-04-F-118)  
Kenai River Property Owners Association (HQ-04-F-150)

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**PROPOSAL 148 - 5 AAC 21.360. Kenai River Late-Run Sockeye Salmon Management Plan.**  
Amend this regulation as follows:

Kenai River escapement 450,000 to 750,000, best by EVOS studies.

**PROBLEM:** Reduce Kenai escapement.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Overescapement, more economic loss.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Gradual spread out harvest improves quality.

**WHO IS LIKELY TO BENEFIT?** Fishermen, processors, consumers.

**WHO IS LIKELY TO SUFFER?**

**OTHER SOLUTIONS CONSIDERED?** Sue the board for not taking economic loss into consideration/allocation to inriver fishery. Could not afford to sue.

**PROPOSED BY:** John McCombs (HQ-04-F-175)

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**PROPOSAL 149 - 5 AAC 21.363(a)(6). Upper Cook Inlet Salmon Management Plan.** Amend this regulation as follows:

(a)(6)...the burden of conservation shall **restrict the nonresident user before the necessity of restricting the resident user, and** to the extent practicable,...

**PROBLEM:** Burden sharing between residents and nonresidents.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Resident user will be denied more access to resource. Guide industry will continue to exploit discreet stocks at the expense of the resident user.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Improve the quality of the experience and allow quality time for resident families.

**WHO IS LIKELY TO BENEFIT?** Residents.

**WHO IS LIKELY TO SUFFER?** Nonresidents.

**OTHER SOLUTIONS CONSIDERED?** Restricting residents to allow more opportunity for the guide industry.

**PROPOSED BY:** Paul A. Shadura II

(HQ-04-F-216)

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**PROPOSAL 150 - 5 AAC 21.360. Kenai River Late-Run Sockeye Salmon Management Plan.**

Amend this regulation as follows:

Provisions and statutes written clearly in regulation specific to the BEGs established on the Kenai River.

**PROBLEM:** Provisions in regulation do not allow for the department to manage within established biological escapement goals. In addition, regulatory language is confusing to all user groups unnecessarily. The board should clarify to the department to manage within established BEG goal range.

Specific allocations to user groups placed into regulation in 1999 were based on established biological escapement goal on the Kenai River. Unfortunately, reinterpretation by user groups and the department exists.

Provisions and statutes should be clear to everyone, all users of the resource, and importantly management of fishery resources by the department.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Reallocation outside the board's direction will occur.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** The department has recognized risk to production on exceeding the upper end of established BEG range, especially consecutive large escapements.

**WHO IS LIKELY TO BENEFIT?** All user groups when clearly defined management objectives are understood.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** Not applicable.

**PROPOSED BY:** Jeff Beaudoin

(HQ-04-F-302)

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**PROPOSAL 151 - 5 AAC 21.360. Kenai River Late-Run Sockeye Salmon Management Plan.**

Amend this regulation as follows:

Review and rewrite the plan:

(a)...The department shall also manage the commercial fisheries to **allow** [MINIMIZE] the harvest...

(b)(1) meet a **biological escapement goal (BEG)** [OPTIMUM ESCAPEMENT GOAL (OEG)] range of **400,000-700,000** [500,000-1,000,000] late run sockeye salmon;

(b)(3) distribute the escapement of sockeye salmon evenly within the **BEG** [OEG] range, ...

(c) Based on preseason forecasts and inseason evaluations of the total Kenai River late run sockeye salmon return, the run will be managed **for a maximum sustained yield point goal of 550,000.** [AS FOLLOWS]

(c)(1) delete this section

(c)(2) delete this section

(c)(3) delete this section

(d) The sonar count levels established in **(b)(1) and (c)** [(B)(2) (C)(1) AND (C)(2)] of this section may be lowered by the board...

(f) delete this section

(g)...lower end of the **biological escapement goal** [OPTIMAL ESCAPEMENT GOAL],...

(h)...achieving the lower end of the **biological escapement goal** [OPTIMAL ESCAPEMENT GOAL],...

(i) delete this section

**PROBLEM:** Inefficient management plan that allows decreasing yields. Current plans severely impact the economic viability of the Southcentral fishing community by restricting the opportunity of commercial fishery users. Plans have changed the historical distribution of harvest among and within the gear types.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Further depression of the commercial fishing community and the further erosion of the local economy.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** The fishery will be conducted in a reasonable and orderly fashion.

**WHO IS LIKELY TO BENEFIT?** The Southcentral fishing community and the local economy.

**WHO IS LIKELY TO SUFFER?** No one as all users will benefit by high sustained yields of all stocks of salmon.

**OTHER SOLUTIONS CONSIDERED?** Status quo will decimate the commercial industry and a significant segment of the economy in the Cook Inlet region.

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

(HQ-04-F-310)

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**PROPOSAL 152 - 5 AAC 21.360(c). Kenai River Late-Run Sockeye Salmon Management Plan.** Amend this regulation as follows:

In (1)(A), (2)(A), and (3)(A), delete: “if these fisheries are managed independently for product quality, the set gillnet fishery will be opened before the drift gillnet fishery to reduce the effect on the inriver fisheries;”

**PROBLEM:** The current wording causes an unnecessary burden on drift gillnet fishermen. It is unclear as to how this regulation is to be applied (e.g., hourly, daily, weekly, or once-per-year in the corridor or in district-wide openings).

**WHAT WILL HAPPEN IF NOTHING IS DONE?** There is no management, quality, or other recognizable benefit. Unnecessary and confusing regulations will continue.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** If anything this regulation removes quality by unnecessarily putting restrictions on users.

**WHO IS LIKELY TO BENEFIT?** Quality is not improved, it was never discussed by the commercial users of the board as how the above language improved quality, so we are asking the above referenced deletion occur.

**WHO IS LIKELY TO SUFFER?**

**OTHER SOLUTIONS CONSIDERED?** None considered.

**PROPOSED BY:** United Cook Inlet Drift Association

(SC-04-F-084)

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**PROPOSAL 153 - 5 AAC 21.358. Northern District Salmon Management Plan; and 5 AAC 21.360. Kenai River Late-Run Sockeye Salmon Management Plan.** Amend these regulations as follows:

Establish a management plan for Kenai sockeye that has one inriver sonar goal with one guideline harvest level above the sonar.

**PROBLEM:** Simplify the management plans for the Kenai late-run sockeyes. Currently, there are management plans for less than 2 million, 2 to 4 million, over 4 million, below 3 million, and above 3 million (see 5 AAC 21.358(f) for the last two tiers). Each of these tiers have different restrictions on times, areas, and harvest strategies. Often these tiers are contradictory, confusing, and really do not work well for anyone.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Continued poor management plan performance, confusing and totally unnecessary micromanagement plans.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** This will reduce conflicts by removing private interpretations of the regulations.

**WHO IS LIKELY TO BENEFIT?** Those who want clear and functional management plans will benefit.

**WHO IS LIKELY TO SUFFER?** Those that have used these multi-tier management systems.

**OTHER SOLUTIONS CONSIDERED?** Status quo.

**PROPOSED BY:** Roland R. Maw (SC-04-F-091)

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**PROPOSAL 154 - 5 AAC 21.360(b)(1). Kenai River Late-Run Sockeye Salmon Management Plan.** Amend this regulation as follows:

(b)(1) meet an [OPTIMUM ESCAPEMENT GOAL (OEG) RANGE OF 500,000-1,000,000] **biological escapement goal (BEG) of 500,000-800,000** late run sockeye salmon.

In addition, section (c) would be deleted, for those sections which define three ranges of inriver goals. Only a single inriver goal of 650,000-950,000 fish would be established.

**PROBLEM:** The management of the Kenai River sockeye salmon for an OEG of 500,000 to 1,000,000 fish has created lost harvest opportunity for the commercial fleets and moved the management of the fishery away from maximum sustained yield management without providing significant benefit to any user group.

Late-run Kenai River sockeye salmon are the backbone of the commercial industry in Cook Inlet. The Kenai River represents the single most important system for sockeye production and should be managed for maximum sustained yield. These fish are going into the escapement, not to other users of the resource, as the allocation of sockeye salmon for sport fishing users is in the inriver goal, not the OEG. There is no positive benefit for allowing excess spawning fish into the river. Biological limitations on sockeye salmon production are evident in recent studies of lake rearing capacity and the number of fish entering the system is more than adequate for other wildlife.

In addition, the three-tier plan in present regulations is confusing for managers and users alike. It requires that an estimate be made of the total run by July 20 and escapements adjusted accordingly. This has a negative impact on the flexibility of the department to harvest large returns.

Establish one set of BEG and inriver escapement goals for all run strengths. The meeting of the BEG takes precedence over OEG and inriver goals.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Continued loss of economic gain from Kenai River sockeye production.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** All users would be able to participate in the harvest of fish excess to the inriver goals. In large returns, the goals probably cannot be met because the exploitation rates needed are very high. However, philosophically we should try to manage for maximum sustained yield in the most productive system in Cook Inlet for sockeye salmon.

**WHO IS LIKELY TO SUFFER?** The inriver goal of 650,000 to 950,000 provides of the inriver sport harvest above the sonar counters. However, additional fishing time in the commercial fishery

may impact other species harvested incidental to sockeye salmon, including chinook and coho salmon. This would impact users of these resources. Personal use fishermen also may see fewer fish available to them as the number of fish on average would be reduced from entering the river. The harvest may not go down proportionally since large number of sockeye salmon would still be available for harvest over a long time period.

**OTHER SOLUTIONS CONSIDERED?** There are no other solutions if one is to manage for maximum sustained yield.

**PROPOSED BY:** Dyer VanDevere (SC-04-F-107)  
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**PROPOSAL 155 - 5 AAC 21.358(i). Northern District Salmon Management Plan; and 5 AAC 21.360(e). Kenai River Late-Run Sockeye Salmon Management Plan.** Repeal the following regulations:

Regulation 5 AAC 21.360(e) states “The board recognized that major chum salmon stocks in Cook Inlet are currently below historical levels...No additional fishing periods shall be given to the drift gillnet fleet outside the Kenai and Kasilof Sections of the Upper Subdistrict until significant harvestable surpluses of chum salmon are available.” Section (e) would be repealed by passing this proposal. In addition, section 5 AAC 21.358(i) would be repealed.

**PROBLEM:** These two management plan sections were passed when there was concern that chum salmon stocks were in a long-term decline in Cook Inlet. That has proven not to be the case and therefore this regulation is no longer needed as chum stocks are healthy. Instead, the department should be given the flexibility to manage for yields at a variety of run strengths.

The present regulation in the Kenai River late run sockeye salmon management plan states a district-wide extra period for sockeye salmon harvest may only take place until “significant harvestable surpluses of chum salmon are available.” The Northern District Salmon Management Plan states, “To employ a precautionary approach to chum salmon management, no additional fishing periods shall be provided to the drift gillnet fishery outside the Kenai and Kasilof Sections of the Upper Subdistrict, except as provided in this plan.” In one plan a fishing period is allowed when significant harvestable surpluses are available and in the other plan no periods are allowed--this is a conflict in logic between the two plans. These are an unnecessary restriction on the drift gillnet fleet. It creates a lost opportunity to harvest abundant sockeye salmon stocks and chum salmon stocks. Chum salmon stocks are healthy and should be managed under the sustained yield principle.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Chum salmon will continue to be harvested at very low levels and therefore a loss of economic return will continue. Surplus sockeye salmon and chum salmon will not be utilized in the commercial fishery.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, indirectly. The allowing of extra periods outside the Kenai and Kasilof sections will provide product to the processors that is higher quality than fish captured later in the season when they move toward their river of origin. It also allows for a more orderly harvest of product during large return years of sockeye salmon.

The present regulation requires that the harvest of surplus sockeye salmon during extra periods take place in the Kenai and Kasilof sections only. This results in a poor quality product as fish tend to be more water-marked and of lower value. In large return years the volume of harvest during the peak



periods is increased as fish tend to hold in the district and enter the nearshore areas in large numbers. Extra periods in the district would reduce the volume of fish on the beach.

**WHO IS LIKELY TO BENEFIT?** This proposal will benefit the drift gillnet fleet and the commercial industry as a whole as product quality will improve and in large sockeye returns surplus fish will be effectively harvested. Chum salmon which have been exploited at a very low rate will also be available for harvest. In addition, the historical harvest percentage between drift and set gillnets will be restored.

**WHO IS LIKELY TO SUFFER?** Additional fishing time, depending on when it occurs, will reduce the amount of salmon available to other users. In the case of the commercial industry the setnet fishery in both the Northern District and Eastside will see smaller volumes of fish. Northern District sport fishermen will also experience a reduction in fish abundance. However, depending on when the periods take place the impact may or may not be measurable in terms of fishing success. It is not anticipated that this action will create any widespread closures in any recreational fishery. The commercial setnet fishery will have reduced catches.

**OTHER SOLUTIONS CONSIDERED?** Chum salmon are primarily harvest by the drift gillnet flee and this regulation precluded that harvest so there was no option for harvesting chum salmon. Relative to the sockeye salmon harvest an option that increased the size of the Kenai and Kasilof sections was considered and rejected. It was considered a better approach to allow for the full district and let the department restrict area vial emergency order authority if needed. The least restrictive option is the most preferable and the department can select that option under this approach.

**PROPOSED BY:** Steve Tvenstrup (SC-04-F-114)  
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**PROPOSAL 156 - 5 AAC 21.360. Kenai River Late-Run Sockeye Salmon Management Plan.**

Amend this regulation as follows:

A new section to the Kenai River Late-Run Management Plan will be added that states “It is the intent of the board that the department manage the late-run Kenai River sockeye salmon return to achieve an even distribution of escapements in the range of 500,000 to 800,000 fish. In addition, because of the greater risk of consecutive large escapement on the long-term production capacity of the Kenai River system, the board directs the department to manage toward the lower end of the BEG range in a year following a large escapement (greater than 800,000 spawners). This goal will take priority over the other escapement objectives listed in 5 AAC 21.360.”

**PROBLEM:** Based on department studies, the risk of lower future sockeye salmon returns into the Kenai River is very high from consecutive large escapements. In addition, recent data from the department indicated that the rearing capacity of Skilak Lake may be lower, due to higher turbidity. Therefore, the Kenai River sockeye salmon production model results, used to establish the escapement objectives, may be biased high relative to the conditions now present in the rearing lakes. Therefore, the intent of this proposal is to direct the department to manage for the lower end of the OEG range (500,000) in years following high escapements (in excess of 800,000 spawners).

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The risk of lost production in the major sockeye rearing lakes in the Kenai River system is significant. If recent capacity studies are correct then a potential collapse of the system is possible with long-term consequences.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No, this proposal is to insure production and is not directed at quality.

**WHO IS LIKELY TO BENEFIT?** All users of the resource will benefit if Kenai River sockeye salmon are maintained at high sustained yield. Commercial fishermen will have a direct benefit from additional harvest in the year following a high escapement.

**WHO IS LIKELY TO SUFFER?** Meeting this objective in a year following high escapement may require additional fishing time depending on the strength of the return. In the case of additional commercial fishing time, sport and personal use fishermen will see a higher incidental harvest of coho and chinook salmon in the commercial fishery. Less sockeye salmon will be available to the personal use dip net fishery if all the additional harvest is taken in the commercial fishery. However, this proposal does allow the board and department to increase harvest potential of these other user groups on sockeye salmon if needed to manage to the lower end of the OEG.

**OTHER SOLUTIONS CONSIDERED?** There are no options available except to manage for lower goals. A consideration was given to direct the department to manage for even lower escapements than the BEG lower end of 500,000. This was rejected because to date the data does not support that 500,000 spawners would put the system at risk. A higher action point (greater than 800,000 fish) was considered and rejected since the risk of loss production increases significantly at 1,000,000 fish. The upper end was set to be precautionary and not take this higher risk.

**PROPOSED BY:** Bruce Gabrys (SC-04-F-117)

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**PROPOSAL 157 - 5 AAC 21.360. Kenai River Late-Run Sockeye Salmon Management Plan; and 5 AAC 21.363. Upper Cook Inlet Salmon Management Plan.** Amend these regulations to provide the following:

Insert in management plan's language that the department will manage for escapement goals first.

The board directs the commissioner, or his designee, to issue emergency order openings when escapement goals are projected to be met by the department.

**PROBLEM:** Hour and time limitations placed in regulation disregards managing the fishery within established inriver escapement goals, even when established goals have been met or exceeded.

Provisions written into regulation are in regulatory conflict to the board's directives to the department: To manage within the goals, distribute the escapement evenly within the escapement goal range, and manage fisheries to provide commercial fishermen with an economic yield from the harvest of these stocks based on abundance.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Placing significant risk on fishery resource management. Large escapements and especially consecutive large escapements have the potential to substantially reduce stock productivity on the Kenai River system and Kasilof River system.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** The Kenai River production could fail.

**WHO IS LIKELY TO BENEFIT?** All user groups would benefit by clearly defined regulatory language with specific objective on fishery management as stated above.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Kenai Peninsula Fishermen's Association (HQ-04-F-297)

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**PROPOSAL 158 - 5 AAC 21.361. Russian River Sockeye Salmon Management Plan.** Amend this regulation as follows:

The early Russian River sockeye will be managed so 50 percent reverts back to the commercial fishery.

**PROBLEM:** Allocate 50 percent of Russian River sockeye to commercial fishery.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** When these stocks crashed the fishery was closed. Stocks have rebounded/the commercial fishery can use this.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Early markets and quality by early opening on bright fish.

**WHO IS LIKELY TO BENEFIT?** Commercial fishermen, consumers.

**WHO IS LIKELY TO SUFFER?** Nonresident sport fishermen.

**OTHER SOLUTIONS CONSIDERED?** The board, try this for five years.

**PROPOSED BY:** John McCombs (HQ-04-F-171)

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**PROPOSAL 159 - 5 AAC 21.361(e). Russian River Sockeye Salmon Management Plan.** Amend this regulation as follows:

Delete paragraph (e).

**PROBLEM:** Inappropriate language that would preclude other fishery harvest opportunities when stocks are of surplus status.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Inconsistent regulations.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Improves the quality of late-run sockeye, coho and pink salmon.

**WHO IS LIKELY TO BENEFIT?** The Southcentral fishing community and the local economy.

**WHO IS LIKELY TO SUFFER?** No one, as these stocks are healthy and surplus to spawning needs.

**OTHER SOLUTIONS CONSIDERED?** Status quo is unacceptable to the state's goal of fisheries revitalization and the limited local participation.

**PROPOSED BY:** Kenai Peninsula Fishermen's Association (HQ-04-F-334)

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**PROPOSAL 160 - 5 AAC 21.357(c)(1). Kenai River Coho Salmon Conservation Management Plan.** Amend this regulation as follows:

Open the coho fishery to sport fishing (not guided sport fishing) for residents only from October 1 through November 30 each year.

**PROBLEM:** Closed season for coho on the Kenai after September 30.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Sport fishing for coho will remain closed.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?**

**WHO IS LIKELY TO BENEFIT?** Should benefit resident nonguided sport fishers.

**WHO IS LIKELY TO SUFFER?** Should hurt no one.

**OTHER SOLUTIONS CONSIDERED?** Not applicable.

**PROPOSED BY:** Dan Cuddy (HQ-04-F-011)

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*Identical proposals were submitted by each organization listed at the bottom of the proposal. The submissions are reproduced here as one proposal for publishing purposes:*

**PROPOSAL 161 - 5 AAC 21.357. Kenai River Coho Salmon Conservation Management Plan.** Amend this regulation as follows:

The word conservation would be removed in the following areas:

5 AAC 21.357 would read: Kenai River Coho Salmon Management Plan.

5 AAC 21.357(c): Notwithstanding any provisions of 5 AAC 56, the department shall manage sport fishing in the Kenai River drainage for [THE CONSERVATION OF] coho salmon stocks as follows...

5 AAC 21.357(e): If the commissioner determines that additional [CONSERVATION] measures are necessary for the inriver sport of personal use fisheries, the commissioner may close or extend, by emergency order, the season and immediately reopen a season during which any or a combination of the following restrictions may be applied...

**PROBLEM:** The Kenai River Coho Salmon Conservation Management Plan is not a permanent management plan for Kenai River coho. A conservation management plan for Kenai River coho became necessary in large part because there was no prior permanent management plan in place. As per statutes:

AS 16.05.251(h). The Board of Fisheries shall adopt by regulation a policy for the management of mixed stock fisheries. The policy shall provide for the management of mixed stock fisheries in a manner that is consistent with sustained yield of wild fish stocks;

And regulations:

5 AAC 21.363(a). The department should receive long-term direction in management of Upper Cook Inlet salmon stocks and salmon species;...

5 AAC 21.363(a)(2). to provide for the management and allocation of the upper Cook Inlet salmon resources, the harvest of the upper Cook Inlet salmon will be governed by specific and comprehensive management plans...

A permanent plan following the overall objectives of the Upper Cook Inlet Salmon Management Plan is necessary for the Kenai River coho.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** 5 AAC 21.357 will remain only a conservation management plan and not a permanent management plan for Kenai River coho. Permanent management plans, when well-crafted, by definition address the long-term conservation of a salmon resource. The current Kenai River Coho Salmon Conservation Management Plan is well-crafted and provides for a permanent management plan for Kenai River coho.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Not applicable.

**WHO IS LIKELY TO BENEFIT?** The fish. By making a permanent management plan for Kenai River coho, the conservation of the resource is more certain.

**WHO IS LIKELY TO SUFFER?** None.

**OTHER SOLUTIONS CONSIDERED?** Leave management plan as just a conservation management plan--this does not provide a permanent management for Kenai River coho.

**PROPOSED BY:** Kenai River Sportfishing Association (HQ-04-F-093)  
Kenai River Professional Guides (HQ-04-F-116)  
Kenai River Property Owners Association (HQ-04-F-149)

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**PROPOSAL 162 - 5 AAC 21.310. Fishing seasons; and 5 AAC 21.357. Kenai River Coho Salmon Conservation Management Plan.** Amend these regulations as follows:

Amend Kenai River Coho Salmon Conservation Management Plan to state: Kenai River Coho Management Plan

Amend 5 AAC 21.357 as follows:

(a)(1) delete the last sentence [ADDITIONAL FISHING PERIODS SHALL NOT BE PROVIDED AT ANY TIME BASED ON THE ABUNDANCE OF KENAI RIVER COHO SALMON.]

(a)(3) delete: [FROM AUGUST 1 THROUGH AUGUST 7, THE KENAI, KASILOF, AND EAST FORELANDS SECTIONS SET GILLNET FISHERIES ARE RESTRICTED TO THE REGULARLY SCHEDULED FISHING PERIODS AS DESCRIBED IN 5 AAC 21.320, EXCEPT THAT THE COMMISSIONER MAY OPEN, BY EMERGENCY ORDER, ONE ADDITIONAL FISHING PERIOD NOT TO EXCEED 24 HOURS.]

(b) delete: [NOTWITHSTANDING 5 AAC 21.310 AND 5 AAC 21.320, IN THE SET GILLNET FISHERY IN THE UPPER SUBDISTRICT OF THE CENTRAL DISTRICT THE SEASON SHALL CLOSE AFTER AUGUST 7].

(c)(4) the daily bag and possession limit for coho salmon 16 inches or more in lengths is **three** [TWO] fish.

Amend 5 AAC 21.310

(2)(B)(iii) through (v) Replace [AUGUST 7] with August 15.

(2)(B)(vi) delete: [FOR SET GILLNETS IN THE KASILOF, KENAI, AND EAST FORELAND SECTIONS, FISHING IS RESTRICTED TO REGULAR PERIODS FROM AUGUST 1 THROUGH AUGUST 7, EXCEPT FOR ONE ADDITIONAL PERIOD NOT TO EXCEED 24 HOURS TO BE OPENED AND CLOSED BY EMERGENCY ORDER].

**PROBLEM:** The Kenai River Coho Salmon Conservation Management Plan, adopted in 2000 with season closing date changes made (August 10 to August 7), contains arbitrary provisions based on information provided to the board which has since been found to be incorrect and invalid by the department.

In addition, coho smolt data information provided to the board by the department in 1998 placed the season closing date from August 15 to August 10 in the Upper Subdistrict set gillnet fishery and was based on only two years of smolt data. Current Kenai River coho smolt data clearly shows restrictive time provisions made in 1998 and 2000 are not warranted.

Harvest opportunity on salmon stocks is foregone that otherwise would be available. Season ending dates stated above and restrictions in regulations on the Upper Subdistrict set gillnet are clearly not warranted. Furthermore, it is currently known that ESSN exploitation rate on Kenai River coho salmon are extremely minimal (less than 3 percent of the total return).

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Conservation measures applied in management will restrict harvest opportunity unnecessarily to all user groups. Definition of conservation would be arbitrary applied within fisheries management. Surplus to escapement will continue to occur on Kenai River on salmon stocks.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, there is a large demand for fresh pink salmon regionally as well as fresh sockeye salmon fillets to U.S. consumers.

**WHO IS LIKELY TO BENEFIT?** Processors, commercial fishermen, sport fishermen.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** Repeal 5 AAC 21.357 and replace it with regulations existing in 1998 regulations. This was rejected due to August 10 closure date and updated smolt production data clearly shows restrictions are unwarranted.

**PROPOSED BY:** Kenai Peninsula Fishermen's Association (HQ-04-F-294)  
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**PROPOSAL 163 - 5 AAC 21.357(c). Kenai River Coho Salmon Conservation Management Plan.** Amend this regulation as follows:

The coho season on the Kenai River will end October 31. During the period from October 1 through the 31, the fishery is open to nonguided anglers only.

The primary interest of the proposers is to restore angling opportunity. Should the board deem it necessary, we would welcome the following stipulations on the Kenai coho fishery to make the October fishery possible, e.g.,

- A restriction to artificial lures
- A reduction of harvest during the earlier portion of the Kenai coho run to make the extended fishery “harvest neutral.”

**PROBLEM:** When the board implemented the Kenai River Coho Salmon Conservation Management Plan, they truncated the inriver sport fishery to close on September 30. While this action was intended to curtail harvest in the interest in protecting the resource, we believe that the impact of this action has been to limit fishing opportunity in a fishery that was utilized primarily by resident Alaskan anglers during a time period when very few alternate opportunities exist.

We believe that the harvest of coho salmon during the proposed reopening requested by this proposal would be relatively modest, perhaps up to several hundred fish. This harvest should not threaten coho salmon protection on the Kenai. However, we recommend a couple of restrictions on the fishery to alleviate any concerns the board may have of the extended fishery having a detrimental effect on the coho resource.

A proposal (#244) similar to this one was submitted for consideration to the board in the February 2002 meeting. That proposal requested that the board extend the Kenai sport coho fishery through the end of October, but also indicated that the proposers would be willing to reduce harvests of coho salmon earlier in the season if necessary to allow the increased fishing opportunity in October. At the February 2002 meeting, the board did not grant proposal #244. In discussion, a primary concern was that the fishery had the potential to greatly expand harvests if large numbers of guides began to target the fishery and increase the effort and harvest the October fishery. In this proposal, we have restricted the fishery to nonguided anglers to address the concerns the board expressed in 2002.

This proposal is intended to provide increased angling opportunity for Kenai River coho salmon for nonguided anglers in a fishery that was historically utilized largely by resident Alaskans. Many residents enjoyed the fishery after the hordes of tourists had gone for the season and hope to regain the chance to again fish for coho during this particular pleasant time to be on the river.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Nonguided resident anglers will continue to have reduced fall angling opportunity for Kenai coho.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Under existing regulation, the main part of the second run of coho on the Kenai is subject to harvest. The latter portion of the run, after September 30, is “set aside” by the Kenai River Coho Salmon Conservation Management Plan for conservation. We believe that a better management practice will be to allow escapements and harvests throughout the run.

**WHO IS LIKELY TO BENEFIT?** Nonguided resident Alaskan anglers, looking to enjoy coho fishing on the Kenai River.

**WHO IS LIKELY TO SUFFER?** We do not believe anyone would suffer if this fishing opportunity is provided.

**OTHER SOLUTIONS CONSIDERED?** We considered that the October fishery for coho on the Kenai River should be restricted to nonguided Alaska resident anglers. This is the group for which we want to have access to the October coho fishery on the Kenai. However, since there are typically few nonresident anglers present and likely to participate in the fishery, we opted not to include the resident only exclusion.

**PROPOSED BY:** Jim Richardson, Ted Wellman, Russ Redick, Phil Cutler (HQ-04-F-138)

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**PROPOSAL 164 - 5 AAC 21.357. Kenai River Coho Salmon Conservation Management Plan.** Amend this regulation as follows:

Remove restrictions from out-of-cycle coho meeting. Return to pre-1999 regulations.

**PROBLEM:** Repeal coho plan.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** There is no problem with coho numbers. Resident fishermen have no access to harvestable surplus.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** It adds to the value of the fishery.

**WHO IS LIKELY TO BENEFIT?** Resident commercial and sport fishermen.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** Coho stocks are fine.

**PROPOSED BY:** John McCombs (HQ-04-F-168)

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**PROPOSAL 165 - 5 AAC 21.357(c). Kenai River Coho Salmon Conservation Management Plan; and 5 AAC 56.023(a)(3). Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage.** Amend these regulations as follows:

Coho season July 1-31 and August 4-October 31.

**PROBLEM:** Extend the coho season until Oct. 31. We had excellent runs in 2001 and 2002, but the department had no authority to extend the season because there are no escapement goals for coho. If the season was extended to allow more harvest time, the department would have the authority to close the season early by emergency order if the run was weak.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Harvest opportunities will be lost during good runs.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?**

**WHO IS LIKELY TO BENEFIT?** Everyone.

**WHO IS LIKELY TO SUFFER?** Nobody.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Kenai/Soldotna Advisory Committee (SC-04-F-024)

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**PROPOSAL 166 - 5 AAC 21.357(c)(1). Kenai River Coho Salmon Conservation Management Plan.** Amend this regulation as follows:



(c)(1) coho salmon fishing is prohibited from October 1 through June 30 **except in the mainstem of Kenai River upstream from the boat ramp at Jim's Landing, coho fishing is prohibited from November 16 through June 1**; any coho salmon caught...

**PROBLEM:** How to conserve depleted coho salmon stocks and still fairly and equitably allocate coho salmon to users in the upper Kenai River. Coho arrive in fishable numbers in the upper Kenai River approximately three weeks to a month later than the lower portions of the Kenai River. Combined with the October 1 closure of Kenai River coho fishing, upper Kenai River coho anglers do not receive a fair and equitable opportunity to participate in the Kenai River coho fishery. Extending the season upstream from Jim's Landing allows local residents and tourists an opportunity for coho salmon fishing while protecting important spawning areas at the inlet to Skilak Lake, Jean Creek Slough, and Russian River. Historically, local residents have enjoyed their best coho fishing after September 30 and again wish to enjoy this fall fishing opportunity. During the spring 2003 Cooper Landing household survey, done by the department for the federal Office of Subsistence Management, many households requested some form of a fall/winter/spring coho season. Adopting this proposal will provide part of that request.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Upper Kenai River coho salmon anglers will continue to be deprived of a fair and equitable allocation of opportunity to fish for cohos.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** The opportunity to coho fish in the upper river is improved.

**WHO IS LIKELY TO BENEFIT?** Anglers who enjoy a fall coho fishing opportunity in the upper Kenai River above Jim's Landing.

**WHO IS LIKELY TO SUFFER?** Nobody.

**OTHER SOLUTIONS CONSIDERED?** Allow only Alaska residents to fish for coho after September 30. This was rejected as a closure to nonresidents seemed unnecessarily restrictive.

**PROPOSED BY:** Cooper Landing Advisory Committee (SC-04-F-047)  
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**PROPOSAL 167 - 5 AAC 21.357. Kenai River Coho Salmon Conservation Management Plan; and 5 AAC 21.358. Northern District Salmon Management Plan.** Amend these regulations as follows:

The commercial salmon season will be closed by emergency order.

**PROBLEM:** The coho plan. There is no coho conservation problem. The department cannot use its EO authority under this plan.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The department cannot manage for the harvest of surplus fish.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, this allows for fresh salmon to be in the marketplace in late summer.

**WHO IS LIKELY TO BENEFIT?** Resident commercial fishermen since they are likely to be the ones who will fish later.

**WHO IS LIKELY TO SUFFER?** No one since there would not be many fishermen fishing. The department will have EO authority to protect the fishery.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Central Peninsula Advisory Committee (SC-04-F-057)  
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**PROPOSAL 168 - 5 AAC 21.357. Kenai River Coho Salmon Conservation Management Plan.** Amend this regulation as follows:

Reinstate the taking of coho salmon by the public and drift boat guide only (no power boat guide). The power boat guides damage river bank from their wakes.

**PROBLEM:** To reinstate the taking of coho salmon in the Kenai River from July 1 to December 31.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** When the resource is healthy, there will be lost opportunity to harvest coho salmon in the late fall.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?**

**WHO IS LIKELY TO BENEFIT?** The local fishermen who enjoy late fall coho fisheries.

**WHO IS LIKELY TO SUFFER?** None.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Steve Tvenstrup (SC-04-F-112)  
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**PROPOSAL 169 - 5 AAC 21.310(2)(B). Fishing seasons; and 5 AAC 21.357. Kenai River Coho Salmon Conservation Management Plan.** Amend this regulation as follows:

Repeal the regulations which closes or restricts the commercial fleets from fishing; in August through September; after August 7 and August 9 for the taking of cohos. This has caused grief and hardship to our local fishermen and the local economy.

**PROBLEM:** The regulatory early closure of the commercial fishery has caused undue and unnecessary hardship to those who for years participated in the fall silver fishery along the western shores of Cook Inlet. This was a very valuable fishery to those who participated, and in particular, to those local residents who desired to extend their season beyond the sockeye season. In poor seasons, such as the 2000 season, the silver fishery becomes even more important to these local fishermen, many of whom have few other sources of income.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Loss of quality coho that are economically important. Without reopening the fall silver fishery, in which no conservation concerns had been identified by department biologists, commercial fishermen will continue to lose fishing opportunity which could otherwise help augment their incomes. These westside silver salmon stocks are still caught by setnetters and sport fishermen. To continue to deny the commercial fisherman access to these stocks would be completely unnecessary and one-sided.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?**

**WHO IS LIKELY TO BENEFIT?** Several dozen commercial fishermen and their crew could catch quality coho salmon that benefit local canneries, freight companies, the borough and state through fish taxes, and other participants in our local economy would benefit from a return to a salmon season that lasts until September or later.

**WHO IS LIKELY TO SUFFER?**

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Elizabeth J. Chase (SC-04-F-122)

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**PROPOSAL 170 - 5 AAC 21.357. Kenai River Coho Salmon Conservation Management Plan; 5 AAC 21.358. Northern District Salmon Management Plan; 5 AAC 21.360. Kenai River Late-Run Sockeye Management Plan; and 5 AAC 21.363. Upper Cook Inlet Salmon Management Plan.** Amend these regulations as follows:

Repeal portions of 5 AAC 21.357, 21.358, 21.360, and 21.363.

**PROBLEM:** Several coho regulatory restrictions were instituted for both sport and commercial users when there were smaller runs in 1997 and 1999. However, beginning in 2000, 2001, 2002, and 2003, the coho returns to Upper Cook Inlet have been healthy and robust. Many of the coho regulations from the late 1990s need to be examined, discussed, and modified in such a way that coho returns will be managed with sufficient safety factors to maintain healthy returns.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Continued economic losses and poor performing management plans.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Removes restrictive coho regulations that prevents the harvest of sockeyes, chum, and pink salmon.

**WHO IS LIKELY TO BENEFIT?** Sport and commercial users.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Roger "Buddy" Harris (SC-04-F-131)

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**PROPOSAL 171 - 5 AAC 21.357. Kenai River Coho Salmon Conservation Management Plan.** Amend this regulation as follows:

Repeal the Upper Cook Inlet coho management plan. The local managers can manage coho inseason by emergency order openings and closures based on abundance.

**PROBLEM:** The Upper Cook Inlet coho salmon management plan needs to be repealed. There are no coho conservation concerns. There have been record to high coho returns since the plan was

implemented. This plan prevents the harvest of not only surplus coho but also sockeye, chums, and pinks. Large numbers of salmon surplus are not harvested by any users because of this plan.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Large numbers of surplus salmon will not be harvested. This will needlessly take away a financial benefit from the fishing industry and local economy.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes. By repealing this plan all salmon species can be harvested over a longer period of time instead of waiting to harvest the bulk of the run during the peak. This will allow fishermen and processors more time to properly ice and handle the salmon.

**WHO IS LIKELY TO BENEFIT?** Everyone because the biologist will be able to manage biologically, thus allowing the users access to the harvestable surpluses.

**WHO IS LIKELY TO SUFFER?** No one. All users suffered under the current coho plan unnecessarily.

**OTHER SOLUTIONS CONSIDERED?** No other solution will solve the problems this plan has created.

**PROPOSED BY:** David Martin (SC-04-F-141)

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**PROPOSAL 172 - 5 AAC 21.358. Northern District Salmon Management Plan.** Amend this regulation as follows:

The drift fishery shall be allowed to fish out to one mile from mean lower low tide in the westside of their district from 7:00 a.m. to 7:00 p.m. Monday and Thursday until closed by emergency order. Chinitna Bay shall open to drift fishing and be closed by the department use of emergency order authority.

**PROBLEM:** Cook Inlet drift fishermen are not allowed to participate in the August coho fishery on the westside of Cook Inlet and Chinitna Bay. The drift fishermen were restricted from fishing the westside coho in an allocation regulation which was supposed to allow more coho to Northern Inlet streams. The coho caught in August on the westside are of local origin and are not going to the Northern District.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The drift fishermen will be unfairly and unnecessarily restricted from participating in the westside August coho harvest in which they have historically participated.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, it allows for a timely harvest of fall salmon which are increasing in demand in the marketplace.

**WHO IS LIKELY TO BENEFIT?** Drift fishermen, processors, processors who make gift packs. This is a small fishery with only a few local fishermen participating. It is very important to them especially on poor sockeye salmon years.

**WHO IS LIKELY TO SUFFER?** No one. This allows drift fishermen the opportunity to participate in the harvest of the surplus which would otherwise go unharvested.

**OTHER SOLUTIONS CONSIDERED?** None. The current restriction fails to put more coho into the Northern District because these coho are going into the local streams. The commercial harvest is small and they should be allowed to harvest the surplus.

**PROPOSED BY:** David Martin (SC-04-F-138)

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*Identical proposals were submitted by each organization listed at the bottom of the proposal. The submissions are reproduced here as one proposal for publishing purposes:*

**PROPOSAL 173 - 5 AAC 21.200(b)(2)(B) and (C) Fishing districts, subdistricts, and sections.** Amend this regulation as follows:

Define the demarcation of the Kenai and Kasilof sections (the Blanchard line) as a point one-half mile north of the north bank of the Kasilof River.

**PROBLEM:** The current northern boundary of the Kasilof River setnet fishing area (Blanchard line) used to separate Kenai and Kasilof sections does not effectively focus harvest in the Kasilof area on Kasilof stocks. Kasilof sockeye fisheries can have large impacts on Kenai River sockeye and chinook escapements and fisheries.

The current northern boundary of the Kasilof River set net fishing area (Blanchard line) fails to restrict harvest to Kasilof-origin fish and results in a mixed stock fishery for Kasilof and Kenai River sockeye, chinook and coho. Impacts are most significant in years when large Kasilof sockeye escapements result in a large target fishery despite low Kenai sockeye, chinook and coho runs. Kasilof and Kenai sockeye runs do not vary in tandem.

Redefining the Kasilof area to exclude areas one-half mile north of the north bank of the Kasilof River would be a much more effective strategy for selectively targeting Kasilof fish and avoiding Kenai fish.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Kenai sockeye, chinook and coho will continue to be caught in the Kasilof setnet fishery, thus affecting Kenai stock escapements.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Not applicable.

**WHO IS LIKELY TO BENEFIT?** The fish. Bycatch of fish headed to the Kenai River will be reduced. There will be beneficial effects to other users through the Cook Inlet. For example, commercial fishers operating north of the Blanchard line may get additional fishing time if the Kasilof fishery reduces its bycatch of sockeye bound for the Kenai River and other systems. Recreational and personal use sockeye fisheries on the Kenai could also benefit from passing additional Kenai stocks through the Kasilof fishery.

**WHO IS LIKELY TO SUFFER?** No one. Better definition of the Kasilof section that better addresses the Kasilof stocks should provide benefit across the user groups. However, commercial fishers operating within the Kasilof fishing district may have to forego some harvest of sockeye and king salmon bound for the Kenai River and other river systems within Cook Inlet.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Kenai River Sportfishing Association  
Kenai River Property Owners Association

(HQ-04-F-097)  
(HQ-04-F-145)

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**PROPOSAL 174 - 5 AAC 21.350(b). Closed waters; and 5 AAC 21.368(f). Big River Sockeye Salmon Management Plan.** Amend this regulation for the Central District as follows:

5 AAC 21.368(f)(1):

Within one statute mile of the terminus, at mean high tide, of the Kustatan River and of the Drift River, and [WITHIN ONE STATUTE MILE] of the Big River.

Delete 5 AAC 21.350(b)(5)(C).: [WITHIN ONE STATUTE MILE OF THE BIG RIVER]

**PROBLEM:** Put the language for closed waters around the terminus of Big River in clear, unambiguous terms, similar to the language used for the terminus of the Kustatan and Drift rivers. This area is composed of extensive flats and the current regulations make it difficult to tell where the closed waters begin.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Currently the regulations state a specific point of the terminus (mean high tide) for the Kustatan and Drift rivers. This allows fishermen to GPS the terminus, drive one mile away and fish legally. Big River has no such specific point, only an ill-defined “one statute mile” closure. From what part?

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?**

**WHO IS LIKELY TO BENEFIT?** Setnetters and enforcement would more easily differentiate between open and closed waters in this area.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** No other solution and the status quo is confusing.

**PROPOSED BY:** Eric M. Beeman

(HQ-04-F-105)

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**PROPOSAL 175 - 5 AAC 21.358. Northern District Salmon Management Plan.** Amend this regulation as follows:

The department will manage by emergency order as in all other areas of the state.

**PROBLEM:** Repeal window/mandatory corridor restriction for drift fleet.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Historic harvest levels continue to shrink. Current regulations prevent flexible management.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Fishing while fish are present provides fresher, brighter fish.

**WHO IS LIKELY TO BENEFIT?** Everyone benefits from quality.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** ACRs, petitions. The board took no action on 31 proposals I submitted in 2002.

**PROPOSED BY:** John McCombs (HQ-04-F-167)  
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**PROPOSAL 176 - 5 AAC 21.310. Fishing seasons; and 5 AAC 21.320. Weekly fishing periods.** Amend these regulations to provide the following:

Close fishery by emergency order.

**PROBLEM:** Overescapement/waste.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Continued waste.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Spreads out harvest.

**WHO IS LIKELY TO BENEFIT?** All users fish when fish are present.

**WHO IS LIKELY TO SUFFER?**

**OTHER SOLUTIONS CONSIDERED?** The board has rejected flexible management plans.

**PROPOSED BY:** John McCombs (HQ-04-F-173)  
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**PROPOSAL 177 - 5 AAC 21.320(a)(2). Weekly fishing periods.** Amend this regulation as follows:

(2) salmon may be taken in the Central District from 7:00 a.m. Monday until 7:00 p.m. Monday and from 7:00 a.m. [THURSDAY] **Friday** until 7:00 p.m. [THURSDAY] **Friday**;

OR

(2) salmon may be taken in the Central District from 7:00 a.m. [MONDAY] **Sunday** until 7:00 p.m. [MONDAY] **Sunday** and from 7:00 a.m. Thursday until 7:00 p.m. Thursday;

**PROBLEM:** Change the days that are scheduled for regular periods.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Inefficient management of the commercial fisheries and a loss of harvest opportunity. Inaccurate abundance based management on years of moderate return.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Quality will be enhanced by allowing a more orderly fishery with less chance of fatigue by fishermen causing poor handling of the resource. The present management plans do not take into consideration the best time management for the commercial fishermen. Stress from limited closings injure crew, damage gear and reduce adherence to quality procedures.

**WHO IS LIKELY TO BENEFIT?** The entire commercial fishing community and the local economy.

**WHO IS LIKELY TO SUFFER?** No one, as it changes only the day and does not change the regularly scheduled fishing periods.

**OTHER SOLUTIONS CONSIDERED?** Because of current regulation on specifying definition of a week and current mandatory closures it makes it impossible to consider other options.

**PROPOSED BY:** Kenai Peninsula Fishermen’s Association (HQ-04-F-210)  
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**PROPOSAL 178 - 5 AAC 21.358. Northern District Salmon Management Plan.** Amend this regulation as follows:

Direct the department to manage for the escapement goals by whatever means necessary and remove the arbitrary closed periods. Also, if restrictions are necessary the department should try and make north/south closures instead of total closures.

**PROBLEM:** Remove the regular period restrictions for the drift fleet.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Drift fleet will be penalized for no good reason.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Everyone.

**WHO IS LIKELY TO SUFFER?**

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Dave Wright (HQ-04-F-200)  
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**PROPOSAL 179 - 5 AAC 21.310. Fishing seasons; 5 AAC 21.356. Cook Inlet Pink Salmon Management Plan; and 5 AAC 21.357. Kenai River Coho Salmon Conservation Management Plan.** Amend these regulations as follows:

Reinstate season closing date of August 15 in the Central District Upper Subdistrict set gillnet fishery. In addition, on even years an additional time period to maximize the opportunity to harvest available pink salmon as stated in Cook Inlet Pink Salmon Management Plan, including commercial Upper Subdistrict set gillnet fishery.

5 AAC 21.356. Cook Inlet Pink Salmon Management Plan: Delete paragraphs (b), (c), (d), and (e), or amend to provide inclusion of Upper Subdistrict set gillnet fishery.

5 AAC 21.357. Kenai River Coho Conservation Salmon Management Plan: Delete paragraphs (a)(3), (b), (c)(1), (c)(3), and (D)(5).

5 AAC 21.310(2)(B). Fishing seasons. Fishing season dates amend as stated above.

**PROBLEM:** The current pink salmon management plan excludes the Upper Subdistrict set gillnet fisheries in Cook Inlet. The commercial drift-only pink fishery provision has created an exclusive fishery of a fishery resource during the month of August, even though “Cook Inlet pink salmon stocks are managed primarily for commercial uses and to provide an economic yield from the harvest of these resources.”



The department has stated that there are no conservation concerns on Kenai River coho but restrictions still remain in regulation for the Upper Subdistrict set gillnet fishery. These unnecessary restrictions have taken away the most productive weekly time period for harvesting pink salmon stocks in the Kasilof and Kenai sections of the Upper Subdistrict.

Pink salmon stocks bound for the Kenai River on even years are evaluated in the 4 to 6 million range. Unfortunately, under current regulation, a reasonable opportunity to harvest approximately 500,000 pink salmon is no longer available for the Upper Subdistrict set gillnet fishery.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** A total waste of a salmon resource will continue. Spawning carcasses are three feet thick in the lower and middle reaches of the Kenai River.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, there is regional demand quality fresh pink salmon for value added processing.

**WHO IS LIKELY TO BENEFIT?** Commercial fishing families who have historically fished for these salmon stocks. Local processors who demand quality pinks for value added processing.

**WHO IS LIKELY TO SUFFER?** No one considering several million pinks available for harvest.

**OTHER SOLUTIONS CONSIDERED?** Not applicable.

**PROPOSED BY:** Kenai Peninsula Fishermen's Association (HQ-04-F-299)  
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**PROPOSAL 180 - 5 AAC 21.320(a)(2) and (b)(1). Weekly fishing periods.** Amend this regulation in the Central District as follows:

The two 12-hour periods per week would occur for setnetters on Sunday and Wednesday, 7 a.m. to 7 p.m., and for drifters on Monday and Thursday, 7 a.m. to 7 p.m.

**PROBLEM:** The current commercial fishing regulations for Upper Cook Inlet provide for two scheduled fishing periods per week, Monday and Thursday, from 7 a.m. to 7 p.m. Both gear types (drift and setnet) fish at the same time. During peak run periods this results in production that can overwhelm the processing capacity of local processors, resulting in poor quality product, and a lower economic value for the fish.

If the drifters and setnetters were allowed to fish on different days on a weekly schedule, with the same amount of time to be fished, production would be spread out over a longer period of time and quality greatly improved.

An example of how this would work is that the setnetters could have established fishing periods from 7 a.m. to 7 p.m. on Sundays and Wednesdays, and the drifters from 7 a.m. to 7 p.m. on Mondays and Thursdays. The result would be the same amount of production for each gear type (on average) spread out over a four-day period rather than a two-day period.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The current fishing schedule can often result in production amounts that are greater than the processing capacity of the local industry. This can result in the wanton waste of the resource when production exceeds capacity.

Additionally, the commercial fishery is in existence for the purpose of producing income for fishers, processors and plant workers, and to produce a quality food product. This proposal will reduce the likelihood of wanton waste during peak production periods, and will serve to improve the quality of the fish which will result in a higher economic value which, over time, will be shared among the fishers, processors and workers.

During the past several years, the board has passed a number of regulations that have restricted the amount of fishing time for both drifters and setnetters. This has resulted in a higher percentage of the catch being concentrated on very few production days. This has resulted in much lower quality and lower value of the finished product. By separating the scheduled fishing days for drifters and setnetters, the negative effects of this concentration of production will be ameliorated.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Without this change in the regulation, the total catch of setnetters and drifters will be produced on the same day twice per week. This creates a capacity overload circumstance for processors during the peak of the run. By creating separate opening periods each week, the current amount of fish that are produced in a two-day period will be produced in a four-day period. This will allow processors to produce a higher quality product.

Normal economic analysis of the Cook Inlet fishery would also suggest an additional advantage for fishermen: By spreading out production, the total capacity of the processing industry is essentially expanded. Processors can buy and process more fish during a four-day period than they can during a two-day period, which then creates additional buying demand for the same amount of product. Additionally, the quality will be improved and the sales price is likely to increase as a result. This creates the possibility of increased demand for raw product and a resulting increase in the grounds price paid to fishermen.

**WHO IS LIKELY TO BENEFIT?** Processors will benefit because they will be able to produce a better quality product. The consumers of the product will benefit because of the superior product. Fishermen will benefit because the better quality product and increased processor capacity is likely to result in long-term increases in the grounds price.

**WHO IS LIKELY TO SUFFER?** Long term neither fishing group will suffer. However, on a year-to-year basis, one gear group or the other may get a better result than they would have gotten if fishing had occurred on the same day. This could be due to random weather effects, run timing, etc. However, the net total effect of these random differences will result in no difference in catch totals for either gear group.

**OTHER SOLUTIONS CONSIDERED?** There are many other potential solutions to this problem, and they have not been rejected. Other solutions include:

- (a) Gear limitation (or permit buyback) combined with more frequent openings.
- (b) Larger Eastside drift corridor which would include the east rip.
- (c) Institute 3x8 hour openings in place of 2x12 hour openings per week for both gear types.
- (d) There are many other possible and acceptable solutions to this problem--but something must be done by the board to spread out the harvest of Cook Inlet salmon so that the quality of the fish can be maintained and improved.

**PROPOSED BY:** Vincent Goddard (HQ-04-F-343)  
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**PROPOSAL 181 - 5 AAC 21.310. Fishing seasons; and 5 AAC 21.350. Closed waters.** Amend these regulations as follows:

Close all salt waters of the Cook Inlet north of the Kenai River to all commercial fishing the entire year.

**PROBLEM:** Commercial fishing for fish bound for their spawning beds.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Continue decline of commercial fishing due to commercial fishing for fish bound for their spawning beds.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** By allowing more fish to spawn, we will have more, which will mean more and longer openers.

**WHO IS LIKELY TO BENEFIT?** All users of the resource will benefit.

**WHO IS LIKELY TO SUFFER?** None.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Jacob Joseph Dahlen (SC-04-F-002)

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**PROPOSAL 182 - 5 AAC 21.358. Northern District Salmon Management Plan.** Amend this regulation as follows:

An inriver optimum escapement goal of 150,000-180,000 sockeye should be established for the Yentna River, or establish a coho optimum escapement goal or additional coho stocking programs. The positive effects of the OEGs on the Kenai River and streams of western Alaska are just now starting to be understood. Resident species and juvenile salmon in Upper Cook Inlet streams will benefit as well by increasing the nitrogen levels in the ecosystem systems.

**PROBLEM:** There has never been an inriver optimum escapement goal in the northern Cook Inlet to include the Knik Arm, Turnagin Arm and Susitna drainage. Current escapement goals do not take into consideration sport harvest needs or the benefits that occurs to the habitat, resident species, juvenile salmon, and wildlife. Many Alaskans have seen their harvest opportunities reduced over the last four to five years because of the restrictions placed on the sports harvest.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The Upper Cook Inlet region that includes the Knik Arm, Turnagin Arm and Susitna drainage accounts for more than half of the sport fishing days expended in the State of Alaska. Ship Creek, the second heaviest fished stream in the state, is in this area. Forecasted growth will increase pressure on current stocks.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?**

**WHO IS LIKELY TO BENEFIT?** All consumptive users in the northern Cook Inlet region.

**WHO IS LIKELY TO SUFFER?** Commercial fishing interests.

**OTHER SOLUTIONS CONSIDERED?** More stocking program for the northern Cook Inlet region or reestablished escapement goal to original 100,000 minimum escapement level.

**PROPOSED BY:** Matanuska/Susitna Valley Advisory Committee (SC-04-F-038)

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**PROPOSAL 183 - 5 AAC 21.310. Fishing seasons.** Amend this regulation as follows:

Commercial fishing will remain open on Mondays and Thursdays until closed by emergency order.

**PROBLEM:** Early closure of commercial season.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Commercial fishermen will continue to lose opportunity to catch later fish: pinks, chums, and silvers.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, commercial fishermen can produce local silver salmon for market instead of buying them from afar.

**WHO IS LIKELY TO BENEFIT?** The consumer, fishermen, processors and the local economy.

**WHO IS LIKELY TO SUFFER?** No one since there will not be many commercial fishermen fishing later. Sport fishermen will still have opportunity.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Central Peninsula Advisory Committee (SC-04-F-058)

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**PROPOSAL 184 - 5 AAC 21.366(2). Northern District King Salmon Management Plan.**

Amend this regulation to provide the following:

(2) fishing periods are from 7:00 a.m. to **7:00 p.m.** [1:00 P.M.] on Mondays;

**PROBLEM:** The Northern District has the most extreme tidal ranges in Alaska and the current regulation does not allow for effective harvest of the king salmon resource. The Northern District king salmon fishery should be extended to 12 hours instead of six.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Continued underharvest by the commercial fishery, loss of markets.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Fishers will be able to pick the portion of the tide that will allow them to get fish to market without having to wait for enough water to deliver.

**WHO IS LIKELY TO BENEFIT?** The Northern District and the fish buying public.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Northern District Set Netters Association of Cook Inlet (SC-04-F-063)

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**PROPOSAL 185 - 5 AAC 21.366(1). Northern District King Salmon Management Plan.**

Amend this regulation as follows:

(1)...the season will be open for [THREE] commercial fishing periods with the first fishing period beginning on the first Monday on or after May 25, ...

**PROBLEM:** By limiting the Northern District king salmon fishery to three periods, Northern District setnetters are not allowed to harvest kings over the duration of the run. In 2002, the board modified the management plan to open this fishery on the first Monday after May 25 (instead of June 1) to ensure the fishing effort was on the peak of the run. In deliberations, the board limited the fishery to three periods. Northern District fishers have established niche markets for these king salmon, but the premature closure disrupts providing fresh fish to these markets. This fishery has a 12,500 harvest cap that has not been approached in recent years.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Northern District fishers will continue to underharvest king salmon, not provide timely fresh salmon to established markets, and lose markets.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, Northern District fishers have established niche markets for king salmon and the premature closure disrupts providing fresh fish to these markets.

**WHO IS LIKELY TO BENEFIT?** Northern District setnetters, tenders, processors, the Village of Tyonek, and the fresh fish-buying public.

**WHO IS LIKELY TO SUFFER?** The extra kings harvested on one or two additional Mondays per season will likely not affect any other users. The Northern District setnetters already harvest well below the 12,500 annual cap.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Northern District Set Netters Association of Cook Inlet (SC-04-F-064)

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**PROPOSAL 186 - 5 AAC 21.358. Northern District Salmon Management Plan.** Amend this regulation to provide the following:

The department is directed to open by emergency order the General Subdistrict (only) of the Northern District for a 12-hour period on the Wednesday or Saturday following the Monday or Thursday regular opening that the Turnagain (southeast) wind blew 20 miles per hour or greater as recorded at the Alaska Department of Transportation and Public Facilities, Alaska Road Weather Information System site at McHugh Creek, MP 111.8 Seward Highway and two-thirds of the fishers in the General Subdistrict who fished the previous two periods did not fish on the wind day.

**PROBLEM:** The Northern District sockeye fishery is short and intense beginning in mid-July and ending in the first of August. Management in the Northern District consists of a Monday 12-hour fishing period and a Thursday 12-hour period (24 hours weekly). The only available time to harvest sockeye in appreciable numbers is during the last two Mondays and Thursdays in July (48 hours total). Although the "Turnagain" (southeast) wind has been problematic over time, there has been an apparent climatic shift that causes this wind to blow in excess of 20 miles per hour for at least two of these openers causing the General Subdistrict of the Northern District to lose half its meager fishing time. This Turnagain wind affects nearly the entire General Subdistrict of the Northern

District. The board has allowed a regular Wednesday fishing period in August for weather concerns in the past, but it appears now that the major storms have shifted to July.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Northern District fishers will continue to lose fishing opportunity, not provide timely fresh salmon to established markets, and lose markets.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Northern District fishers have developed a direct market with the Alaskan public that is reliant on twice weekly deliveries to satisfy demand for a fresh product.

**WHO IS LIKELY TO BENEFIT?** The Northern District and the fish buying public.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** A regularly scheduled Wednesday opener, but this would limit department's flexibility in managing escapement.

**PROPOSED BY:** Northern District Set Netters Association of Cook Inlet (SC-04-F-065)  
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**PROPOSAL 187 - 5 AAC 21.366(8). Northern District King Salmon Management Plan.**  
Amend this regulation as follows:

Allow additional fishing time for the area located one mile south of the Theodore River to the Susitna River.

**PROBLEM:** The area located one mile south of the Theodore River to the Susitna River is limited to one opening for king salmon. There have been numerous sport fishery liberalizations in last few years. The commercial fishery in this area remains severely restricted.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Continued underharvest by the commercial fishery.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, Northern District fishers have established niche markets for king salmon and the closure disrupts providing fresh fish to these markets.

**WHO IS LIKELY TO BENEFIT?** Northern District setnetters on this beach, tenders, processors, and the fresh fish fish-buying public.

**WHO IS LIKELY TO SUFFER?**

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Northern District Set Netters Association of Cook Inlet (SC-04-F-067)  
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**PROPOSAL 188 - 5 AAC 21.358. Northern District Salmon Management Plan.** Amend this regulation as follows:

Repeal sections 5 AAC 21.358(e)(2), (f), (g), (i), (j).

**PROBLEM:** The Northern District Salmon Management Plan has a number of restrictions on the drift gillnet fleet because of concerns for coho salmon conservation. These restrictions were put in place as a precautionary measure since data was inconclusive on the trend of coho, chum, and pink salmon abundance in Cook Inlet. In addition, the exploitation rate of the drift gillnet fleet was unknown on these stocks. Today, we know from department studies that these stocks are healthy and that the drift gillnet fleet exploitation rate on these stocks is less than 10 percent. These two factors make the regulations implemented for precautionary reasons invalid. This proposal would repeal these regulations. It should be noted that repeal of these regulations does not impact the emergency order authority of the department. Therefore, the department may alter fishing time and area to meet escapement and other allocation objectives.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The coho, chum, and pink salmon returns are not being harvested at high sustained yield levels because of these restrictive regulations. This has created an unnecessary burden on the commercial industry. If these regulations are continued then the drift gillnet fleet and processing industry will suffer economic harm for no reason.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes. In lieu of late-season, less efficient terminal sockeye fisheries—this proposal would allow the drift fleet to harvest surpluses of sockeye when sockeye are at their highest quality mid season.

**WHO IS LIKELY TO BENEFIT?** The commercial fishing industry will benefit as well as the drift gillnet fleet.

**WHO IS LIKELY TO SUFFER?** The increase in harvest by the drift gillnet fleet will impact the total abundance of salmon available for harvest by other users. However, since the drift gillnet fleet exploitation rate is so low, most of the additional harvest will come from fish surplus to escapement needs and other users may not see a measurable impact on their fisheries. Based on recent run strengths, it is also recommended that all precautionary regulations placed on other users be removed.

**OTHER SOLUTIONS CONSIDERED?** There are no alternatives needed since the original reason for this action was invalid.

**PROPOSED BY:** Brent M. Western (SC-04-F-069)

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**PROPOSAL 189 - 5 AAC 21.320(b)(1). Weekly fishing periods.** Amend this regulation as follows:

Salmon may be taken in the Central District from 7:00 a.m. Monday until 7:00 p.m. Monday, from 7:00 a.m. Wednesday until 7:00 p.m. Wednesday, and from 7:00 a.m. Friday until 7:00 p.m. Friday...

**PROBLEM:** The present weekly fishing periods consist of two 12-hour periods. This proposal would increase the number of fishing periods in the drift gillnet fishery to three 12-hour weekly fishing periods. These periods would be on Monday, Wednesday, and Friday. The reasons for this proposal is to increase the quality of the product harvested in Cook Inlet by the drift gillnet fleet and reestablish the historical harvest percentage by the drift gillnet fleet.

Presently, with restrictions on time and area the drift gillnet fishery is a peak fishery. The fleet during the peak harvest is severely hampered to more properly handle, ice and bleed fish for better

quality. Processors must hold fish for longer times before processing which results in a lesser quality product than could be achieved with this proposal. This proposal is intended to allow more even harvest.

In addition, the economic situation of the commercial fishery has resulted in a reduction of the drift fleet from approximately 600 actively fishing boats to 400. This has resulted in a lower harvest percentage of sockeye salmon by the fleet. Limitations on fishing areas and times in existing management plans do not recognize this loss of fishing power. This proposal should help restore the balance of harvest between all users in the Inlet.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The quality of product in Cook Inlet will not improve and the drift gillnet fleet will continue to suffer loss of market share as a result of economic limitations.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes. The drift gillnet fleet typical harvest between 500 and 1200 fish on average per vessel during the peak period. This proposal is intended to lower the per vessel harvest by reducing fishing time per period. Both during the peak of the fishery and adjacent to the peak the number of fish per vessels should be reduced to allow proper quality control of the product. In addition, this regulation should provide an incentive to fishermen to modify their vessels to increase quality of the harvest. The increased financial reward from high quality product and the reestablishment of the historical harvest percentage should be a sufficient positive for fishermen to expend the funds and time to make this conversion.

**WHO IS LIKELY TO BENEFIT?** The industry and the drift gillnet fleet is the obvious benefactor of this proposal. The industry benefits by having higher quality product and the drift gillnet fleet benefits from both quality and increased harvest.

**WHO IS LIKELY TO SUFFER?** The reestablishment of the historical harvest percentage should not hurt other commercial users if viewed in the long term. However, relative to recent trends commercial set gillnet permit holders will be impacted negatively. Relative to other users the impact should be minimal since management plans and allocations were based on the drift fleet having nearly 600 boats fishing. Therefore, relative to these plans there should not be a reallocation of the resources.

It should be noted that the fishing time recommendation assumes the same catch or higher will be made fishing three 12-hour periods as opposed to two 12-hour periods. It is the intent of this proposal to maintain the long-term harvest patterns and not be reallocation. If this becomes an issue then adjustments to fishing time should take place. This proposal does nothing to the department's emergency order authority to modify fishing times or area for biological concerns. Therefore, there should be no negative impact on escapements.

**OTHER SOLUTIONS CONSIDERED?** Consideration of a ten-hour period was given. However, in Cook Inlet ten hours is so short that fishers tend to search out fish more before the period and the decrease in fishing power and harvest may not be as great as with ten hours. In addition, a ten-hour period does not allow a fisherman to make repairs to vessels suffering mechanical breakdowns without losing the period. This would be a significant hardship for some. Also, the large area and tides of Cook Inlet would negatively impact fishing opportunities during a period of shorter duration.

**PROPOSED BY:** Brent M. Western

(SC-04-F-071)



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**PROPOSAL 190 - 5 AAC 21.310. Fishing seasons; 5 AAC 21.320. Weekly fishing periods; 5 AAC 21.358. Northern District Management Plan; 5 AAC 21.378. Prohibition on the use of aircraft; and 5 AAC 21.331. Gillnet specifications and operations.** Amend these regulations as follows:

A) The Central District fishery needs to begin and end on the specific dates of June 25 and September 1, regardless of the day of the week. All other season types sport, personal use, etc., have a specific season. A specific season would allow proper utilization of the resource (harvestable surplus of chums, pinks, etc.), efficient training prior to peak season for all industry workers, diminish injuries, and improve quality.

B) Drift standard regular scheduled openings--three times weekly for 12 hours from 7:00 a.m. to 7:00 p.m. (M-W-F) and EOs as necessary. Setnet standard regular scheduled openings--two times weekly for 12 hours from 7:00 a.m. to 7:00 p.m. (T-TH) and EOs as necessary. Staggered drift and setnet openings will allow fish passage for the inriver user. Spreading out and staggering the effort would allow a constant supply to processors and would promote better quality and marketability and allow processors to retain workers more easily throughout the season. Employee acquisition and retention is a current problem for processors. Higher quality through bleeding, better handling and refrigeration would help marketability and Upper Cook Inlet branding. With a staggered schedule, fishers could also have time to vertically integrate or become a part of the processing and/marketing segment of the industry.

C) Or in the interim before an official buyback/fleet reduction--initiate an A-B fleet with an every-other-day fishing schedule starting on June 25 through September 1. Comparing to current regulation and depending on the year, this every-other-day schedule would result in a net loss of two or three regular periods during the core time (June 25-August 10), but would most likely be offset by a more efficient fleet. The A-fleet would start on June 25 for a 12-hour period and be followed by an opening for the B-fleet on the 27. This would allow time for fish passage and schooling between openers.

Corridor or other openings would occur by EO, in which both fleets would participate. In conjunction with an A-B fleet and to address exclusiveness and move forward with rationalization of a salmon fishery, allow up to two or three individuals to own a limited entry salmon permit in partnership and also an individual to own and fish two permits in the same fishery, but at the same time only requiring one of the permit holders, if so decided, to be aboard the vessel while fishing.

Therefore, if a fishery went to an A-B fleet (allowing two permits to be fished on the same boat over two openings versus two boats over one opening) and maintaining the same amount of fishing time and harvest as before the reduction or implementation of an A-B fleet--one boat could fish twice as many days as compared to two boats fishing the same number of days as before. For example, if a fishery had two regular openings per week, there would now be four regular openings, but with only half the permits fishing each period.

The other permit holder or holders could decide to go fishing or be onshore attending to the processing or marketing activities--vertical integration. Higher quality through bleeding, better handling and refrigeration would help marketability. Many operations in the fisheries are family owned with several permits or consist of a permit/boat partnership. This type of "stacking" could be a good first step at restructuring the industry or fishery. Buyback/A-B stacking provides an exit strategy to a maturing base of fishermen desiring to leave the fishery.

This would make the fishery more economically viable and let the economics dictate what fishermen wanted to do. If they chose to only use their existing permit on their boat during the historical regular openings, that would be their choice and theoretically they will not be out any time. Although this may activate the latent permits, this is an interim step towards a final rationalization/buyout of an optimal permit number of a particular fishery. It appears that some managers think an A-B fleet would be difficult to manage fairly. There should be no problem, the law of averages over time between an A-B fleet harvest success and weather conditions would average out over time.

D) Department fishery managers need emergency opening (EO) authority to properly manage and obtain MSY for the Cook Inlet Salmon System--by allowing additional time in the middle Central District when no stock concerns exist.

E) The mandatory closures around the week of July 10 and 25 must be removed from regulation. If there is a stock of concern the manager always has the EO authority. This will provide wise use of Alaska's resources; allow efficient data collection of run strength, timing and dynamics to properly manage all salmon species in UCI. Current drift exploitation rates of chums, pinks and coho are minimal and no stocks of concern exist in UCI.

F) Reinstate the use of spotter planes. With the drastic reduction in fishery participants and the large area of the fishery, a spotter plane would add to the efficiency of the industry.

G) Allow the use of single filament gillnet web. Reduces the costs of gillnet replacement by approximately 40 percent.

H) Increase the length of gear from 150 fathoms to 200 fathoms. In an attempt to improve quality, gear must be picked more frequently. Allowing an additional 50 fathoms would help keep more net fishing efficiently. Also, a consideration should be made for deeper nets.

**PROBLEM:** Overcapitalization/rationalization: To have an economical viable salmon drift fishery based on sound biological principles in Upper Cook Inlet, the quality of the product and the volume per participant must be increased. Since the resource is completely allocated, a reduction in the number of participants combined with an increase in time and area for the remaining participants would need to occur. This rationalization would allow the fishery to innovate, integrate, and become more efficient producers. Once the drift fishery and UCI has a working long-term framework that does not reallocate fish in the future without proper mechanisms in place to offset the loss of product and management is based on sound science; coops of active participants (fishers, processors, marketers, etc) will have the economic and biologic foundation to revitalize the fishery, share the risks and foster stability through vertical integration.

This proposal is a comprehensive drift plan based on reducing the number of drift boats in half or an interim A-B fleet, managing on sound biological science for BEG and emergency authority based on abundance, maintaining the historical catch of the drift fleet by correcting the recent de-facto reallocation of drift harvest to other gear/user groups from the most recent board action and fewer active drifters over the last several seasons.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The industry will continue to struggle economically, Alaska will suffer from a less diverse and stable economy, harvestable surpluses will continue to be wasted, and quality and market share will not improve.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Spreading out and staggering the effort and catch would normalize the peak and allow a constant supply to processors and would promote better quality and marketability.

**WHO IS LIKELY TO BENEFIT?** These changes will create a sound foundation for a more economically viable drift fleet and allow the industry to proceed forward with markets and revitalization.

**WHO IS LIKELY TO SUFFER?** Boat builders and repair shops would suffer some economic loss, as less capitalization would be required. This proposal is allocatively neutral, and is abundance managed on stocks that have harvestable surpluses.

**OTHER SOLUTIONS CONSIDERED?** Permit buyback--since no funding mechanism or formal optimal study has been created as of the date of this submittal; the proposed regulation changes listed are items that are being brought before this board to facilitate discussion and action on how to create a long-term, more viable and sustainable biological and economical fishery for the future in UCI.

**PROPOSED BY:** Brent M. Western (SC-04-F-072)

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**PROPOSAL 191 - 5 AAC 21. Cook Inlet Area salmon fisheries.** Amend these regulations as follows:

Repeal the management plans that make mandatory time and area closures, windows, and limit departmental use of emergency order.

**PROBLEM:** The current management plans take away the manager's flexibility for allowing the commercial salmon harvest to be more evenly spread out over the entire run. The plans also make it impossible not to exceed the biological escapement goals on medium to large returns.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The bulk of harvest will continue to be only within a one-week peak period. This fact places the processing facilities at maximum or overcapacity, and greatly reduces quality. Medium to large returns will exceed the BEGs, thereby wasting the surplus, and reducing the stability of supplying quality wild salmon to meet market demand and maintaining market share.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, by spreading the harvest out more evenly over the entire run the fishermen and processors will have time to properly ice and handle the salmon. This will result in higher volumes of premium quality salmon that can be certified in the Kenai Wild program, thereby increasing the marketing of wild salmon to the high-end buyers. This benefits the entire fishing industry.

**WHO IS LIKELY TO BENEFIT?** Fishermen, crew, processors, support businesses and the local economy because a larger volume of high quality salmon will be available to develop and meet market demand and return a higher price.

**WHO IS LIKELY TO SUFFER?** No one. These changes would allow the department the flexibility to biologically manage the fisheries on real time inseason abundance, as they are allowed to do in other salmon fisheries of the state.

**OTHER SOLUTIONS CONSIDERED?** No other solutions will work to spread the harvest out, to improve quality, and prevent waste of surplus salmon from being unharvested by any users. The current plans are proven not to work and must be changed to improve quality and provide a more stable supply of wild salmon.

**PROPOSED BY:** Cook Inlet Salmon Brand, Inc. (SC-04-F-074)

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**PROPOSAL 192 - 5 AAC 21.358(b). Northern District Salmon Management Plan.** Amend this regulation as follows:

Add the following: **The department is directed to manage for a Yentna River sockeye salmon OEG of 60,000 to 100,000 fish.**

**PROBLEM:** The existing goal for Yentna River sockeye salmon is 90,000 to 160,000. This is a BEG goal. In order to achieve this goal, significant restrictions on commercial fishermen have been implemented, which has resulted in lost harvest opportunity for Kenai River sockeye salmon, chum salmon, and pink salmon. The intent of this proposal is to change the BEG to an OEG which still allows for high sustained yields and helps meet the societal objective of promoting a viable commercial fishery in Cook Inlet.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Lost harvest opportunity will continue to take place on stocks of salmon that have a relative low exploitation rate and should be harvested.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Commercial fishermen of Cook Inlet, primarily the drift gillnet fleet and Northern District setnetters.

**WHO IS LIKELY TO SUFFER?** This will increase the harvest of northern-bound salmon stocks. However, the drift fleet exploitation rate is very low on most of these stocks and well below that which would put them at risk of unsustainable levels. Sport fishermen in the Northern District will experience a decline in fish available for harvest. However, this impact may not be measurable since this proposal is anticipated to allow only the addition of one or two periods to the drift gillnet fishery or setnet fishery.

**OTHER SOLUTIONS CONSIDERED?** Considerations were given to leaving the goal at the present level and submit a repeal of the mandatory closure of the drift fleet between July 9 and July 15. However, to allow for maximum flexibility in management it was concluded that lowering the goal to an OEG made more sense. In addition, the new OEG does encompass part of the BEG goal so that high sustained yields will be maintained.

**PROPOSED BY:** United Cook Inlet Drift Association (SC-04-F-081)

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**PROPOSAL 193 - 5 AAC 21.368. Big River Sockeye Salmon Management Plan.** Amend this regulation as follows:

- (a) delete "set": ...by [SET] gillnets...
- (b) delete "along the main shore": ...of the Kustatan Subdistrict [ALONG THE MAIN SHORE]...
- (c) change opening date to May 1 from June 1.
- (e) delete "set": ...by [SET] gillnets...

- (e)(2) change “one” to “two”: ...may operate more than [ONE] **two** gillnets at a time.
- (g) delete “incidental,” change “1,000” to “1,500”: ...when the [INCIDENTAL] harvest of chinook salmon reaches [1,000] **1,500** fish.
- (h) new section added: The combined harvest of set and drift gillnet harvest of sockeye salmon will not exceed a 40% exploitation rate on these stocks.

Amend 5 AAC 21.310 to accommodate these earlier openings.

**PROBLEM:** Lack of harvest opportunity for Upper Cook Inlet drift CFEC salmon permit holders on the first sockeyes returning to the Upper Cook Inlet, Drift, Big River and Kustatan River Systems. These first (May) sockeye harvests will allow fishermen and processors the opportunity to expand our markets and products.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** As we all know early May sockeye are economically valuable in the fresh fish markets of North America. There are no conservation reasons why the opportunity to harvest these fish should be denied.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Provides a source of high quality fresh sockeye in May and June.

**WHO IS LIKELY TO BENEFIT?** CFEC permit holders, processors and the economy. The department has indicated that the sport fish harvests are ten times larger than the statewide harvest survey has indicated. Even with an actual sport fish harvest ten times larger than formerly thought the department has no proposals before the Board of Fisheries to restrict these harvests giving further evidence that these stocks can sustain additional harvest opportunities.

**WHO IS LIKELY TO SUFFER?** No one. Currently, according to the department, these sockeye runs have between 150,000 to 300,000 fish. A 20 to 40 percent commercial exploitation rate is quite conservative and reasonable.

**OTHER SOLUTIONS CONSIDERED?** Higher exploitation rate 40 to 60 percent.

**PROPOSED BY:** Roland R. Maw (SC-04-F-085)  
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**PROPOSAL 194 - 5 AAC 21.358. Northern District Salmon Management Plan.** Amend this regulation as follows:

b) The department...as it deems appropriate. [ACHIEVEMENT OF THE LOWER END OF THE YENTNA RIVER ESCAPEMENT GOAL SHALL TAKE PRIORITY OVER NOT EXCEEDING THE UPPER END OF THE KENAI RIVER ESCAPEMENT GOAL.]

e) In the Central District...;

1) for one regular fishing period designated from July 9 through July 15, the department [SHALL] **may** restrict fishing to **south of a line marking the east west latitude of the southern tip of Kalgin Island, and the** Kenai and Kasilof sections of the Upper Subdistrict.

2) except as provided in [(F) AND] (g) of this section, the department shall restrict fishing for only two consecutive regular fishing periods from [JULY 16] **July 25** through [JULY 31] **August 15 to south of the “Blanchard Line” westward** and either or both of the Kenai and Kasilof Sections of the Upper Subdistrict [OR THAT PORTION OF THE CENTRAL DISTRICT SOUTH OF KALGIN ISLAND].

Delete paragraphs (f) and (i).

**PROBLEM:** In order to achieve the goals set forth in (a) of this section the board has created regulations which are inconsistent, confusing, difficult for the department to achieve, and unnecessarily restrictive on the drift fleet. Biological management and the ability of the department to use E.O. authority are also negatively impacted by the existing regulations. The existing regulations do not take into account changes in the drift fleet fishery, changes in the department's assessment of stock abundance in Upper Cook Inlet, nor the present goal to harvest the resource to achieve the highest quality product possible.

(b) The statement, "Achievement of the lower end of the Yentna River escapement goal shall take priority over not exceeding the upper end of the Kenai River escapement goal" is inconsistent with the department's statewide biological management goal to manage to achieve escapements which fall between minimum and maximum target set by the board. In order to achieve the maximum benefit from the resource to the state and its residents, necessarily regulations must not be written that serve to confuse or lessen the department's ability to manage as they deem necessary to meet escapement goals to all systems within the entire management area.

(e)(1) The goal of this restriction is to move Yentna River sockeye through the drift fleet to the Northern District to increase escapement. An unintended result has occurred. When the fleet is held to the east side, as much as a week of catch data is lost to management at a critical time when the entire salmon stocks to Cook Inlet are building. This single restriction severely impacts the department's ability to predict run strength. Allowing the drift fleet to fish below Kalgin Island provides the department with stock strength while at the same time allowing those Susitna/Yentna sockeye north of the line to move to the Northern District. Additional Yentna sockeye will escape the fleet owing to the much smaller unit of fishing effort present in the drift fishery today.

(e)(2) The goal of this restriction is to allow more coho salmon to move past the drift fleet to increase abundance for the benefit of an ever-expanding sport fishery in Northern District systems. As written it is unnecessarily restrictive. The most coho saving are achieved during the last week of July through the first two weeks of August. Restrictions before those weeks severely impact the drift fleet's opportunity to harvest sockeye stocks in the Central District. Restricting the fleet to south of the "Blanchard Line" after July 25 will allow the department to move the maximum amount of coho past the fleet while at the same time lessening the economic loss of the more abundant sockeye stocks. In addition, the drift fleet effort is much smaller and the coho abundance is much greater today than when these restrictions were implemented.

(f) Should the board adopt (e)(2), this section is unnecessary. This section is extremely confusing and owing to biological uncertainties is basically impossible for management to successfully manage for when taken together with the goals outlined in the other board plans. The board should delete this section entirely or rewrite or reassess the purpose of this section.

(i) The department has acquired more knowledge on chum salmon stocks since this precautionary section was written and found no reason for concern. This section is unnecessary and serves only to severely impact the department's ability to manage sockeye stocks for the economic benefit to the drift fleet. It also indirectly negates the department's E.O. authority.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Loss of stock abundance data early in the season when runs are building will continue. The department will unnecessarily be forced to continue to manage for confusing, complicated, and inconsistent regulations. New information will

not be considered. The department's E.O. authority will be illegally violated according to recent legal opinions. The drift fleet and the state will continue to suffer unnecessary economic loss.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes. Harvesting salmon earlier in the season significantly improves quality. The supply of salmon from the fleet to the processors will be more consistent over the season.

**WHO IS LIKELY TO BENEFIT?** The drift fleet and state will benefit by returning lost opportunity. The department managers will benefit by reducing confusing and inconsistent regulations.

**WHO IS LIKELY TO SUFFER?** No one will suffer because the board's goals will still be achieved.

**OTHER SOLUTIONS CONSIDERED?** Removing restrictions altogether. Rejected because it is in the best interest of the commercial fleet to ensure adequate escapement to the Susitna/Yentna River. Additionally, the drift fleet does not disagree with the board's goal to minimize the commercial coho harvest when such board regulations do not require severe economic harm to the fleet.

**PROPOSED BY:** Robert Merchant (SC-04-F-093)

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**PROPOSAL 195 - 5 AAC 21.310(2)(B). Fishing seasons.** Amend this regulation in the Central District as follows:

(ii) for the drift gillnets in the Central District, the season closes [AUGUST 9] **December 31**

**PROBLEM:** The season closes for the drift gill fishery on August 9. This precludes the harvest of salmon that are returning late to Cook Inlet. These include chum salmon, coho salmon, and pink salmon. Chum and coho salmon are bound primarily for western and northern Cook Inlet streams. Pink salmon in August are bound for the Kenai River in even years. Exploitation of these stocks by all users is extremely low and therefore they are not being managed for high sustained yields.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Loss of economic return to the commercial fishery.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes. At this time of year the number of vessels fishing is significantly lower than during the sockeye season. However, there is a market, through programs such as Kenai Wild, for coho salmon returning to the western shores of the Inlet. This product is very desirable at this time because it is fresh and available. The number of fish harvested is small per vessel so the product can be properly bled, iced, and delivered to processors that can handle the product in a short timeframe. It is anticipated that less than 100 vessels would participate in the two weeks after August 9 and less than 50 vessels for the rest of the season.

**WHO IS LIKELY TO BENEFIT?** The commercial drift gillnet fleet and local processors who have a market for a high-quality product.

**WHO IS LIKELY TO SUFFER?** Some localized lost opportunity for sport fishermen may take place, for example in Chinitna Bay. However, in most cases the stocks are not being exploited at high levels and can withstand additional harvest without significant impact on other users.

**OTHER SOLUTIONS CONSIDERED?** Any date between August 9 and September 15 could be considered an alternative. However, September 15 was selected to allow the handful of fishermen who fish in September to continue.

**PROPOSED BY:** Chris Garcia

(SC-04-F-101)

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**PROPOSAL 196 - 5 AAC 21.358(b). Northern District Salmon Management Plan.** Amend this regulation as follows:

There are two ways to deal with this issue. The first is to create an OEG for the Yentna River of 60,000 to 160,000 fish and instruct the department to close all fisheries the escapement is projected to fall below 60,000 fish. This OEG would provide the public the opportunity to understand and approve, via the board, the loss of production from not meeting escapement objectives set for maximum sustained yield. The lower end of 60,000 has been observed in the Yentna River and the resulting returns measured. The second approach is to close the Susitna River to sport fishing for sockeye salmon in all years. The memo states “Additionally, many of the bright coho salmon that are caught by anglers are misreported as sockeye salmon.” Closure of the sport fishery to retaining sockeye salmon would force anglers to learn the difference between a coho and sockeye. It should be pointed out there are no data to support the claim in the memo about misidentification. Further, the memo notes that there are few directed sockeye sport fisheries in the basin so there should be no major impact on sport fishermen to close the fishery to sockeye salmon in all years.

**PROBLEM:** The Northern District Salmon Management Plan states that “Achievement of the lower end of the Yentna River escapement goal shall take priority over not exceeding the upper end of the Kenai River escapement goal.” In this statement the board put a high emphasis on reaching the lower end of the escapement goal for Yentna River sockeye salmon. However, the department staff has not placed a priority on that objective.

In a memo dated June 23, 2003 to distribution from department staff detailing how the 2003 season would be managed, the memo states on page nine, “Recreational fishery restrictions in the Susitna River drainage are not likely to be implemented even if the lower end (90,000 sockeye salmon) of the escapement goal is not achieved. The total sport fish harvest from the Susitna River is about 6,000 sockeye salmon.”

Therefore, the department is saying that opportunity for sport fishermen takes precedent over escapement regardless of the escapement level. In past years escapements into the Yentna River have been as low as 60,000 fish. Therefore, even at this level the department is implying conservation action may not be taken.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The productivity of the Susitna River sockeye salmon will be further compromised in low escapement years. In addition, there is no sharing of the conservation burden for sockeye salmon which is inconsistent with the stated objectives of the board. This will lead to further distrust of the department to manage biologically. This statement above is an allocative statement not a biologically sound position.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** A lower end to the OEG would provide for more stable fisheries by all users.



**WHO IS LIKELY TO SUFFER?** The lower end OEG would result in the potential for loss of harvestable surplus in some years. The closure of the sport fishery in all years would reduce opportunity but to a minimum degree according to the department's own data.

**OTHER SOLUTIONS CONSIDERED?** If the department followed its statutory requirements there would be no need for this proposal. However, since they have stated in this memo their intent not to close the fishery for conservation reason the board must act.

**PROPOSED BY:** Drew Sparlin (SC-04-F-102)

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**PROPOSAL 197 - 5 AAC 21.310(2)(B). Fishing seasons.** Amend this regulation as follows:

(2)(B)(ii) for drift gillnets in the Central District the season closes August 9, **except in the Chinitna Bay Subdistrict the season closes September 15...**

**PROBLEM:** When the season closing date of August 9 for the drift gillnet fleet was passed Chinitna Bay was included in the closure. The reason for the August 9 closure was directed at non-Chinitna Bay stocks and therefore a terminal fishery in Chinitna Bay was eliminated. This proposal would reestablish this fishery which targets chum and coho salmon.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The drift gillnet fleet will be excluded from a historical fishery.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, indirectly. This is a relatively small fishery directed at coho and chum salmon. The fishery is prosecuted by emergency order openings. The harvest per vessel is fairly small which allows for better handling of the product. At this time of year coho from Chinitna Bay will bring a premium price if handled correctly.

**WHO IS LIKELY TO BENEFIT?** The less than 50 drift gillnet fishermen who fish in the bay. The commercial industry by having more high quality product on the market.

**WHO IS LIKELY TO SUFFER?** There will be less fish available to set gillnet fishermen in Chinitna Bay. In addition, recreational fishermen who travel to Chinitna Bay will experience less fish available to them for harvest.

**OTHER SOLUTIONS CONSIDERED?** The season ending date could be adjusted. The September 15 date was selected as it represent the period when all drift gillnet fishermen historically stopped fishing. In addition, consideration was given to fixed fishing days but this was rejected since the department supported emergency order openings in the past.

**PROPOSED BY:** Dyer VanDevere (SC-04-F-106)

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**PROPOSAL 198 - 5 AAC 21.358(e)(1). Northern District Salmon Management Plan.** Amend this regulation as follows:

Delete this section: (e)(1) for one regular fishing period designated from July 9 through July 15, the department shall restrict fishing to the Kenai and Kasilof Sections of the Upper Subdistrict;

**PROBLEM:** The Northern District Salmon Management Plan restricts a regular scheduled period of the drift fleet between July 9 and July 15. This restriction places an undue burden on the flexibility of the department to manage northern-bound stocks. The regulation was passed by the board to help ensure that the Susitna River sockeye salmon stocks were achieving their escapement objectives.

The department had used this tool via emergency order in years when Susitna River sockeye stocks were expected to be low. However, it is not needed when stocks are at average to above average levels. This regulation presently applies to all run strengths and forces the department to use it whether it is needed or not to meet the escapement goals.

The department's use of emergency order authority is a better management tool for meeting Susitna River sockeye escapement objectives. Other management options which are less drastic are available for inseason implementation. In addition, the reduction of fleet size to approximately 400 actively-fishing vessels makes this regulation less defensible. It was passed when nearly 600 vessels were fishing.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The ability of the department to have the flexibility to manage all stocks in Cook Inlet will be reduced. This has resulted in lost harvest opportunity to the commercial drift gillnet fleet and a loss of historical harvest percentage.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, indirectly. While the proposal is not written for quality per se, the impact of allowing a regular period in the timeframe will result in a better product for sale. The typical harvest of the drift gillnet fleet for a single 12-hour period during this timeframe is 200 to 600 fish per boat near July 9, climbing to 400-1200 fish per vessel by July 15. Sockeye salmon headed to the Kenai and Kasilof tend to hold in the district prior to mid-July and thus a number of them are available for harvest on the next regularly-scheduled period. This creates a peak fishery situation on the next period and thus brings poorer quality fish to the processors. In contrast, if this proposal is passed this harvest will be spread out over two periods which reduces the burden on processors. In addition, for a number of fishermen they can handle the low harvest per period by icing their harvest and properly handling individual fish. At peak fishing levels this option is not available. By allowing the department the flexibility to use other techniques (such as partial area restrictions) the overall quality of the harvest should increase.

**WHO IS LIKELY TO BENEFIT?** The commercial fishing industry will benefit from this repeal as the quality should improve. In addition, the drift gillnet fleet should benefit in years when Susitna River sockeye salmon have a significant harvestable surplus.

**WHO IS LIKELY TO SUFFER?** The escapement objectives for all systems are maintained so there should be no impact on inriver users. There will be a lost harvest to set gillnet fishermen who target Kenai and Kasilof sockeye stocks. However, this should not result in an upsetting of the historical harvest pattern. Other salmon stocks have not entered Cook Inlet in large numbers during this timeframe so incidental harvest of coho salmon should be low.

**OTHER SOLUTIONS CONSIDERED?** Options used by the department could be put into regulation but this would defeat the purpose of allowing flexibility. For example, the fishery could be allowed to fish regular periods with a restriction on the fishery to the area below Kalgin Island. This would accomplish the goal of lowering the exploitation rate but would not be needed in all years. Any regulation that does not allow for flexibility based on abundance of the stocks was rejected.

**PROPOSED BY:** Dyer VanDevere (SC-04-F-108)

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**PROPOSAL 199 - 5 AAC 21.366. Northern District King Salmon Management Plan.** Amend this regulation to provide the following:

Allow drift gillnet fishermen sufficient time and area opportunities to harvest a portion of these fish.

**PROBLEM:** Drift gillnet fishermen are currently not allowed to participate in the early May and June king salmon fishery on the west side of Upper Cook Inlet. The board has allocated 12,000 kings to set gillnet fishery. Drift gillnet fishermen wish to participate in this fishery.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Underutilization of the 12,000 kings allocated to commercial fishermen.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** These early kings would become part of the drift fleet's revitalization and harvest of quality products.

**WHO IS LIKELY TO BENEFIT?** The drift gillnet fisherman that chooses to participate. Less than 50.

**WHO IS LIKELY TO SUFFER?** No one. In the last few years the setnetters harvested on a fraction of the 12,000 kings allocated to commercial users.

**OTHER SOLUTIONS CONSIDERED?** Status quo.

**PROPOSED BY:** Richard Thompson (SC-04-F-110)

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**PROPOSAL 200 - 5 AAC 21.310. Fishing seasons.** Amend this regulation in the Cook Inlet Area as follows:

Open commercial salmon fishing on the first Monday in the third week of June.

**PROBLEM:** In some years there is only one commercial fishing period in June. Also, this opening is late in June. This prevents us from competing in the fresh market in late June, early July.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Some economic losses, lost market opportunities.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Earlier fish allows for us to compete in fresh markets in late June.

**WHO IS LIKELY TO BENEFIT?** Commercial fishermen.

**WHO IS LIKELY TO SUFFER?** Opening the season a few days earlier should not negatively affect anyone.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Bruce Gabrys (SC-04-F-116)

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**PROPOSAL 201 - 5 AAC 21.310(2)(B). Fishing seasons.** Amend this regulation as follows:

For Kenai and East Foreland setnetters, the season would begin on July 4 or the first regular fishing period after.

**PROBLEM:** Allow an earlier, July 4 beginning season time for Kenai and East Foreland setnetters.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Depending on the calendar, our first regular opening can occur as early as July 7 or as late as July 11. Our historical season, until fairly recently, began July 1. Though we did not harvest a tremendous amount of fish in that time, it was a critical time for working out problems with gear, getting the kinks out, and training new crew. With the later opening, we are often “on to” fish before we are really ready or our crew is trained. An extra day or two “up front” of some “scratch” fishing would help us prepare for later openings with greater harvests.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, certainly. Better trained crews produce better handled fish.

**WHO IS LIKELY TO BENEFIT?** Kalifonsky and Salamatoff fishermen who would see some of their lost fishing time restored. Processors who could see their operations expanded as well, and those who work for the processors. New crew could be trained better, resulting in a safer fishery.

**WHO IS LIKELY TO SUFFER?** There would be some harvest of chinook. These numbers at this time of the year would be negligible, however.

**OTHER SOLUTIONS CONSIDERED?** Considered asking for a return to July 1. I want it and we deserve it. Times have changed and I am hoping we can get something in between the current, too late opening and our historical July 1 opening date.

Considered a limited eight-hour opening, instead of the regular 12-hour opening. Rejected because we really need to work both flood and ebb tides to determine how well our gear is working and to train crew. One option might be to have eight-hour openings predicated on tides (one hour before to one hour after, alternating the setting tide from one regular opening to the other).

**PROPOSED BY:** Gene Palm (SC-04-F-151)

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**PROPOSAL 202 - 5 AAC 21.310(2)(B). Fishing seasons.** Amend this regulation as follows:

I would like the opening date for set gillnets in the Kenai-East Foreland section to open on July 5. When July 5 falls within a closed weekly period, the season will open the next weekly period.

**PROBLEM:** The opening dates for salmon fishing in the Kenai-East Foreland sections for set gillnets. When the season opens on or after July 8 it is possible that these sections will not open until July 11. This will happen in 2005.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Opening dates as late as July 11 for set gillnets in the Kenai-East Forelands sections. There is also a safety issue--being able to get some experience for your crew.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Setnetters.

**WHO IS LIKELY TO SUFFER?** The inriver fishery that might lose some harvest potential.

**OTHER SOLUTIONS CONSIDERED?** Opening date of July 1, even though these sections are harvesting Kenai and Kasilof sockeyes. I did not think the proposal would have a chance.

**PROPOSED BY:** Gary Hollier (HQ-04-F-160)

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**PROPOSAL 203 - 5 AAC 21.320. Weekly fishing periods.** Amend this regulation in the Cook Inlet Area as follows:

In the event of storm conditions (building or prevailing winds of 20 mph or more) the department may postpone or defer a regular fishing opening (on a statistical area basis) until the storm subsides. Such an opening would not be counted as an EO, nor would it be figured into any EO or mandatory window calculations.

**PROBLEM:** For setnet fishermen such as ourselves fishing openings which occur during storms often results in lost harvest opportunity, loss of fish due to higher dropout rates and the inability to pick and maintain; much reduced quality, wear and tear on gear and crew; and greatly compromises safety. We generally only get two regular openings per week. EO openings are also more limited because of EO restrictions and mandatory windows, thus most fishermen feel obligated to fish, even if they would rather sit out a storm.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Continued loss of fishing opportunity, waste of fish, deterioration in the overall quality of the fish pack, and injuries to fishermen.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Very much so. In fact, it is one of the prime reasons for submitting this proposal.

**WHO IS LIKELY TO BENEFIT?** Fishermen and processors who would benefit from a better utilized and cared for resource along with a safer fishery.

**WHO IS LIKELY TO SUFFER?** A few aggressive fishermen who see a storm as a “competitive opportunity.” Many of them, however, admit to a high dropout rate when fishing in storms and a much lower quality catch.

**OTHER SOLUTIONS CONSIDERED?** Do nothing. Rejected, because it is time to make changes to our fishery to enhance the quality of our fish and the efficiency of our fleets.

**PROPOSED BY:** Gene Palm (SC-04-F-155)

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**PROPOSAL 204 - 5 AAC 21.310(2)(B). Fishing seasons.** Amend this regulation as follows:

From August 7-15 allow a limited eight-hour fishery on regular fishing days which would commence one hour before high tide, and end roughly one hour after low tide. This would allow for a set, some time to harvest surplus sockeye and pinks which have built up on the beach, and some

quality picking time: two slack tides, an easier ebb tide which allows regular between tide picking, and an orderly retrieval of gear, permitting a pre-pick before a pull.

**PROBLEM:** Allow a limited, extended August fishery for the Kenai and East Forelands to permit harvest of primarily surplus sockeyes and pinks. A past board, for “conservation concerns” shortened the season for the Kenai and East Forelands setnetters by more than one week on either end. Our current season is barely three weeks old. Traditionally and typically there remain, from August 7-15, significant numbers of sockeye and, on even years, pinks which we are no longer allowed to harvest. At this time of the year these fish, particularly the sockeye, build up on the beach. Generally this build-up can be harvested in a pick or two.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Loss of harvest opportunity for Kenai and East Foreland setnetters, continued underutilization of stocks.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes certainly. Two slack water picks allow for gentle treatment of fish. At least on our site, it is possible to pick our gear throughout the ebb. Nets that are frequently picked produce a much better quality fish.

**WHO IS LIKELY TO BENEFIT?** Kalifonsky and Salamatoff fisherman who would see some of their lost fishing time restored. Processors who could see their operations expanded as well, and those who work for the processors.

**WHO IS LIKELY TO SUFFER?** There would be some harvest of coho. The eight-hour opening is an attempt to limit some of this.

**OTHER SOLUTIONS CONSIDERED?** Do nothing. Rejected, because it is time to make changes to our fishery to enhance the quality of our fish and the efficiency of our fleets.

**PROPOSED BY:** Gene Palm (SC-04-F-152)

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**PROPOSAL 205 - 5 AAC 21.200(b)(2). Fishing districts, subdistricts, and sections.** Amend this regulation as follows:

Redraw the offshore line of the Kenai and Kasilof Sections to be a straight line between Clam Gulch Tower and Collier’s Dock (60°12.750’N, 151°32.050’W and 60°40.350’N, 151°26.330’W).

**PROBLEM:** The definition of the Kasilof and Kenai sections is too restrictive to the orderly harvest of salmon by the drift gillnet fleet. In addition, a straight line is easier to maintain and lessens the chance of enforcement violations.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Hundreds of vessels will be confined to a small area making the harvest of fish difficult and inefficient.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** The drift gillnet fleet will have an increased area to harvest fish and it is anticipated that their harvest will increase.

**WHO IS LIKELY TO SUFFER?** The commercial setnet fishery may experience a smaller harvest and some northern bound fish will be intercepted with a line that is further offshore. However, this potential loss in harvest is not expected to be measurable for these other user groups. Inriver goals for sockeye salmon are still to be maintained and thus allocations to sport fishing users will not be altered.

**OTHER SOLUTIONS CONSIDERED?** This new line offers the best compromise for harvest and regulation compliance. A line further offshore would increase harvest of northern bound stocks and reallocate fish to a greater degree. The existing section lines are harder to enforce and maintain when fishing. This is a reasonable compromise with these competing objectives.

**PROPOSED BY:** Steve Tvenstrup (SC-04-F-113)

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**PROPOSAL 206 - 5 AAC 21.350(b)(6). Closed waters.** Amend this regulation in the Packers Creek area to provide the following:

The regulation would read as it did in 1999 and as it had from the 1930s or before. The result would be to replace the closed water marker to its traditional location, where it was before it was improperly moved by a fisherman.

**PROBLEM:** I want the board to look at closed waters around Packers Creek on Kalgin Island. In 1999 the board changed the regulation defining closed waters to include six gillnets fishing in closed waters. The board based its decision on fraudulent information.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** When one fisherman moves in on a creek, he steals from all the other fishermen in the area. Also, this creek is not monitored for escapement, nets fishing one-half mile from the terminus threaten future escapement.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No. This proposal addresses justice, and the rule of law.

**WHO IS LIKELY TO BENEFIT?** Justice, the rule of law, the general public, commercial and sport fishermen who fish Kalgin Island.

**WHO IS LIKELY TO SUFFER?** No one, does an embezzler who is told to stop embezzling suffer?

**OTHER SOLUTIONS CONSIDERED?** Justice and the rule of law require that intentional fraud and lies do not prevail over the truth and long established tradition.

**PROPOSED BY:** David Chessik (HQ-04-F-005)

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**PROPOSAL 207 - 5 AAC 21.350(b)(6). Closed waters.** Amend this regulation in the Packers Creek area as follows:

Use the 1999 regulations.

**PROBLEM:** Place the closed water markers back to their one mile positions from the mouth of Packers Creek on Kalgin Island.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Overharvest of salmon stocks returning to spawn up Packers Creek.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** All commercial fishermen on Kalgin Island may be allowed an extra fish day or two if escapement goals are met.

**WHO IS LIKELY TO SUFFER?** One individual fishing inside one mile markers at Packers Creek.

**OTHER SOLUTIONS CONSIDERED?** This solution treats all commercial fishermen equally. No exceptions should be made.

**PROPOSED BY:** George Hermon (HQ-04-F-007)

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**PROPOSAL 208 - 5 AAC 21.350(b)(6). Closed waters.** Amend this regulation as follows:

The marker for the closed waters on the north side of Packers Creek should be one mile from the creek, at the site of the old fish trap.

**PROBLEM:** The marker for closed waters on Kalgin Island should be moved back to one mile from Packers Creek. Traditionally this is where it was before statehood, and is at the location at the old fish trap.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Fishing closer to the creek than the fish traps did is wrong. It hurts the escapement into Packers Creek; more escapement means more fishing time for the Kalgin Island fishers.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Not applicable.

**WHO IS LIKELY TO BENEFIT?** All the fishers on Kalgin Island who would get more fishing time if there was more escapement.

**WHO IS LIKELY TO SUFFER?** No one should be fishing in closed waters in the first place.

**OTHER SOLUTIONS CONSIDERED?** There are no other solutions.

**PROPOSED BY:** Norbert D. Chessik (HQ-04-F-015)

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**PROPOSAL 209 - 5 AAC 21.350(b)(6). Closed waters.** Amend this regulation as follows:

The marker for the closed waters on the north side of Packers Creek should be one mile from the creek, at the site of the old fish trap.

**PROBLEM:** Packers Creek, Kalgin Island should have the closed marker put back to the traditional place, i.e., one mile from the creek as it was before 1999.



**WHAT WILL HAPPEN IF NOTHING IS DONE?** Continued injustice to most of the Kalgin Island fishers.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Most of the fishers on Kalgin. The island would get more fishing openings because of the bigger escapement.

**WHO IS LIKELY TO SUFFER?** No one should be fishing less than one mile from the creek.

**OTHER SOLUTIONS CONSIDERED?** There are no other solutions.

**PROPOSED BY:** Elizabeth Chessik (HQ-04-F-016)

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**PROPOSAL 210 - 5 AAC 21.350(b)(6). Closed waters.** Amend this regulation as follows:

Move the boundary at Packers Creek back to the historical location which is the northern corner of the Miller homestead.

**PROBLEM:** A previous board received misinformation and changed the northern boundary which protects Packers Creek. They decreased the protected area.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Harm to the resource when escapement goals are not met. Harm to various user groups through less resource.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** My proposal protects the resource especially in those years when escapements are low.

**WHO IS LIKELY TO BENEFIT?** All user groups will benefit because of increased escapement.

**WHO IS LIKELY TO SUFFER?** Commercial fishermen who want to fish too close to Packers Creek.

**OTHER SOLUTIONS CONSIDERED?** I considered and rejected the status quo because the current situation was created through misinformation and the current situation harms the resource and all user groups.

**PROPOSED BY:** Mark Hermon (HQ-04-F-051)

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**PROPOSAL 211 - 5 AAC 21.310(2)(B). Fishing seasons.** Amend this regulation in the Central District as follows:

(2)(B)(ii) for the drift gillnet fleet in the Central District, the season opens **on June 15 and** the season closes on August **20** [9];...

**PROBLEM:** The season opening date restricts the harvest of early sockeye salmon entering Cook Inlet. This proposal would allow the harvest of early fish, which are primarily Kasilof River sockeye, to be harvested.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The status quo fishery will continue to produce a poor quality product. However, this proposal will only slightly benefit the total product quality but it is a positive step to move the drift gillnet fleet in that direction.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes. The average harvest by the drift gillnet fleet on the first opening of the season is typically less than 75 sockeye salmon per vessel. The number of vessels fishing is also less than 200 in recent years. Therefore, the total harvest by this regulation is fairly insignificant relative to the total Inlet harvest. However, these fish are in prime condition and the small number of vessels fishing and harvest per vessel would allow fishermen the opportunity to bleed, ice, and handle the fish in a manner to insure a high quality product. The first fish of the season are excellent to market and this would provide a positive benefit in the marketplace for programs such as Kenai Wild. Fishermen who may not participate at the peak of the season in the program would participate during this period. This would make it easier for the Kenai Wild program to succeed in meeting its market commitments. Overall the number of boats willing to try bleeding and icing of fish should increase.

**WHO IS LIKELY TO BENEFIT?** The commercial drift gillnet fleet and the industry as a whole with increased quality of product. In addition, since most of the fish harvested would probably be Kasilof-bound this harvest could help reduce the large escapements this system has experienced in recent years.

**WHO IS LIKELY TO SUFFER?** In reality no one should suffer from this action. The slight increase in harvest by the drift gillnet fleet would not alter the historical balance between user groups. The sport fish and personal use participants would not lose harvest since their allocation is built into the sockeye goals for each river system. Northern-bound stocks have not entered the Inlet in large numbers during the time from June 15-25 so impact on these stocks should be minimal.

**OTHER SOLUTIONS CONSIDERED?** This date represents a compromise between quality and other stock impacts. Prior to June 15, one could encounter early Russian River sockeye salmon which are fully allocated to sport fishing users. It is not the intent of this proposal to target these fish. June 15 represents a date when Russian River stocks are basically in the Kenai River. Fishing closer to June 25 would not allow sufficient harvest to be a significant benefit to programs such as Kenai Wild.

**PROPOSED BY:** Steve Tvenstrup (SC-04-F-115)

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**PROPOSAL 212 - 5 AAC 21.358(d)(3). Northern District Salmon Management Plan.** Amend this regulation as follows:

Delete the gear restrictions. Delete 5 AAC 21.358(d)(3).

**PROBLEM:** Coho regulations currently state Northern District fishers may not operate more than two set gillnets that are more than 70 fathoms in aggregate length after the last regular weekly fishing period in July through August 10. This regulation was based on an alleged conservation concern after poor coho returns in 1997 and 1999. However, returns from those two parent years have produced adequate if not strong coho runs. Coho stocks are healthy and the Northern District should not continue to have this gear restriction. Coho has always been an important component of the Northern District fishery and market interest is growing.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Northern District fishers will continue to lose one-third of its fishing opportunity. The fish buying public will also lose.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?**

**WHO IS LIKELY TO BENEFIT?** The Northern District and the fish buying public.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Northern District Set Netters Association of Cook Inlet (SC-04-F-066)  
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**PROPOSAL 213 - 5 AAC 21.331. Gillnet specifications and operations; and 5 AAC 39.250. Gillnet specifications and operations.** Amend these regulations to allow the following:

In Cook Inlet, drift gillnet fishery single strand nylon gillnet web will be allowed. This provision expires December 31, 2007.

**PROBLEM:** The current regulations contained in 5 AAC 39.250 prohibit the use of less than 30 or six equal filaments of nylon in gillnet web. Single-strand nylon gillnet webbing is about 60 percent the cost of 30 or six filament webbing. As a means of easing the economic cost of replacing gillnet webbing provide in regulations the flexibility to use single filament gillnet web if the fisherman chooses.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Continued high costs of replacing gillnet webbing.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Reduces cost by about 40 percent for gillnet web replacement.

**WHO IS LIKELY TO BENEFIT?** Commercial fishermen.

**WHO IS LIKELY TO SUFFER?** No one, intended to be allocative neutral.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** United Cook Inlet Drift Association (SC-04-F-082)  
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**PROPOSAL 214 5 AAC 21.331. Gillnet specifications and operations.** Amend this regulation as follows:

In state waters, gillnet web must meet one of the following requirements:

- (1) the web must contain at least 30 filaments and all filaments must be of equal diameter; or
- (2) the web must contain at least six filaments, each of which must be at least 0.20 millimeter in diameter; except;
- (3) in the Cook Inlet drift gillnet fishery, a person
  - (A) may use up to 50 fathoms of a 150 fathom drift gillnet of monofilament mesh web;

- (B) shall report the use of monofilament gear to the department prior to its use;
- (4) for the purposes of paragraph (3) in this section, monofilament means any single filament;
- (5) if the department finds there are adverse effects by the use of monofilament gear the commissioner may close and immediately reopen the season where the use of monofilament gear is prohibited or modified; in this section "adverse effects" does not include any allocation effects;
- (6) the provisions of paragraphs (3), (4), and (5) will no longer apply after December 31, 2006.

**PROBLEM:** The board received public testimony at its November 2003 meeting that, under current market conditions, fishermen are continually looking for ways to reduce operating costs and increase catch. Gillnet webbing made from monofilament may cost 25 to 30 percent less than traditional multi-twist gear and has been found to be more efficient catching some species of salmon.

The board is publishing this proposal to apply to the Cook Inlet area. The board is interested in receiving comments about potential effects this change may have.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Continued high costs of replacing gillnet webbing.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Reduces cost by about 40 percent for gillnet web replacement.

**WHO IS LIKELY TO BENEFIT?** Not applicable.

**WHO IS LIKELY TO SUFFER?** Not applicable.

**OTHER SOLUTIONS CONSIDERED?** Not applicable.

**PROPOSED BY:** Alaska Board of Fisheries (HQ-04-F-001)  
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**PROPOSAL 215 - 5 AAC 21.330. Gear.** Amend this regulation by adding the following:

- (x) In any area of Cook Inlet a person may operate troll gear, from May 15 to October 30.

**PROBLEM:** I want to be able to fish commercially using trolling gear for salmon and other bycatch.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** I will not be able to fish in Cook Inlet using troll gear.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, troll caught fish are of better quality than gillnet caught fish.

**WHO IS LIKELY TO BENEFIT?** People who want to change gear and produce a high quality product.

**WHO IS LIKELY TO SUFFER?** No one as there are a lot of unused drift and set net permits.

**OTHER SOLUTIONS CONSIDERED?** No other solutions.

**PROPOSED BY:** Richard C. deMello

(HQ-04-F-072)

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**PROPOSAL 216 - 5 AAC 21.330. Gear.** Amend this regulation to allow the following:

Allow any Cook Inlet gillnet limited entry permit holder to substitute a fyke net for (X) number of gillnet gear for live fish harvest.

**PROBLEM:** Low percentage of high quality salmon in gillnet gear.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Inability to meet market demands for high quality salmon will cause further deterioration in the Cook Inlet setnet fishery, resulting in the loss of jobs, processor capacity and tax revenues.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, it would improve quality. By the use of a new design in gear (the fyke net) it would allow fishermen to catch a consistent live harvest that could be bled and iced on site or held live for several days until processors could custom process for added value.

**WHO IS LIKELY TO BENEFIT?** Commercial fishermen, processors, consumers, and the sport fish industry, as non targeted stocks could be released live.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Liz Chase

(HQ-04-F-075)

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*Identical proposals were submitted by each organization listed at the bottom of the proposal. The submissions are reproduced here as one proposal for publishing purposes:*

**PROPOSAL 217 - 5 AAC 21.331(d). Gillnet specifications and operations.** Amend this regulation to provide the following:

In the Kenai and Kasilof sections of the Upper Subdistrict, a set gillnet may not be more than 29 meshes in depth.

**PROBLEM:** Because of similar spatial and temporal distribution of late-run Kenai River sockeye and Kenai River chinook salmon, chinook are harvested as bycatch in the commercial fishery. The Eastside setnet fishery accounts for the highest levels of chinook bycatch among the Central District fisheries. The department is directed to manage late-run Kenai River chinook salmon primarily for sport and guided-sport uses (5 AAC 21.359). The department lacks the tools necessary to reduce bycatch of late-run Kenai River chinook in the setnet fishery.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The competing mandates for use of late-run Kenai River sockeye and chinook will continue to favor primary use of sockeye salmon in the commercial fishery at the expense of primary use of chinook salmon in the sport fishery.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Not applicable.

**WHO IS LIKELY TO BENEFIT?** The fish. In years of low productivity, moving additional chinook salmon through the commercial fishery will bolster escapement and provide for increased subsequent returns. In years of high productivity, delivering additional chinook to the river will provide for additional recreational opportunity.

**WHO IS LIKELY TO SUFFER?** Commercial harvests of sockeye will likely be reduced. However, information collected from the setnet fishery in 1996 indicates that sockeye salmon catches are disproportionately higher in the upper two-thirds of the net. Reducing a 45 mesh deep net to 29 meshes would allow for optimal harvest of sockeye salmon, while decreasing the overall harvest of chinook.

**OTHER SOLUTIONS CONSIDERED?** Options such as breakaway setnet gear or mandatory release of chinook salmon were considered. Breakaway gear may prove too cumbersome and expensive, and mandatory release of chinook salmon would likely cause many fish to be released dead.

**PROPOSED BY:** Kenai River Sportfishing Association (HQ-04-F-096)  
Kenai River Property Owners Association (HQ-04-F-146)

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**PROPOSAL 218 - 5 AAC 21.3XX. Cook Inlet Area cooperative purse seine salmon fishery management plan.** Create a new regulation to provide the following:

Preferred solution: Seining salmon produces a #1 quality fish including pinks.

- 1) RM5 on Kenai River and RM2 on Kasilof River (approximately) are site selected and preferred seining locations.

A co-op type fishery allows gillnet permits to be pooled and a salmon seine use permit be provided to seine salmon in the Kenai and Kasilof rivers.

- 1) Example, Cook Inlet Seafood Producers Alliance.

Other structural business arrangements also be considered. Inriver seining would be in addition to current gillnetting practices. Let the marketplace decide which produces the preferred quality salmon; gillnet or seine harvested fish.

An overall Cook Inlet plan for harvesting, processing and marketing be developed by the board.

- 1) This must start with harvesting a #1 quality salmon.
- 2) Quality of processing. Excellent variety of products.
- 3) Total satisfaction by consumer, including Kenai Wild brand marketing.

**PROBLEM:** How to harvest a #1 quality salmon using a gillnet. It cannot be done. One must use a seine. Fish traps are specifically not allowed in the state constitution.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Gillnetting salmon will continue to produce a #3 quality fish. One must produce a #1 quality product. The market demands it. Low quality fish begets low prices. Examples: 1) 60 cents per lb. for gillnetted fish to processor. Processor sells processed fish for \$1.60 to \$1.20 per lb. 2) Small groups of harvesters process and market their own fish and sell to supermarkets for \$8.95 per lb. 3) Salmon eggs are the most valuable part of salmon. Prices are unknown.

Note: Costco sells Alaska sockeye salmon headed, gutted, and thawed for \$4.50 per lb. and thawed fillets for \$7.35 per lb..

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes. A live, swimming, natural salmon is delivered to processor. A #1 quality salmon translates into #1 quality processed products. It translates into profit for fisherpersons. It translates into taxes for State of Alaska, Kenai Borough, and cities of Kenai and Soldotna. A #3 gillnetted salmon will not be made into a #1 product. Thus low prices and low customer satisfaction.

Gillnet harvested salmon problems include: 1) Lost scales and tails; 2) Torn gills; 3) Squashed and bruised flesh; 4) Ruptured blood vessels and veins, red blood splotches; 5) Broken backbones; 6) Not chilled or bled during transport to processor; 7) Damaged eggs--currently most profitable part of salmon.

Seined salmon have no blemishes. They are live and swimming when delivered to processor. 1) Reference seven minute VCR video film produced by Marine Advisory Program. Video shows how Chignik seiners harvest, "silk" pump, and transport live fish to a floating processor. No hands touch the salmon. I included ten copies of the video to loan out or contact me. You received one copy of the video at your Anchorage meeting in February 2004.

**WHO IS LIKELY TO BENEFIT?** Consumers: a variety of #1 quality products at fair market price. Market place drives demand.

Fisherpersons: fleet and harvesting efficiencies translate into profits. Need ten seine vessels with permit holders to harvest salmon in Kasilof and Kenai rivers. Currently 910 gillnet vessels and 745 gillnet setnets with boats and gear.

State of Alaska manages the escapement and return of natural wild salmon. Little cost to State of Alaska. Need taxes to pay for management expenses. Timely openings and steady harvesting. Sonar counter at RM 8.5 for kings and RM 18 for sockeye in Kenai River is one to two fish swimming days upriver from harvest site at RM 5 (approximately). This is downriver from Warren Ames Bridge. Sonar counter at RM 7.5 for sockeye in Kasilof River is two to three fish swimming days upriver from harvest site at RM 2 (approximately). Sonar is just down river from Kasilof Bridge.

Reduced law enforcement, search and rescue, court, and fish and game management expenses. No pens, food, or diseases as required in farm salmon. Wild salmon is top quality. Wild salmon feed, grow, and reproduce by themselves. No overhead. Fisherpersons expenses are in harvesting. Salmon seining reduces expenses below fish farming and gillnetting. Keeping harvest costs low is a significant factor in being competitive. Salmon are a returning natural resource. A 20 million dollar sockeye harvest and a 6 million dollar pink harvest is projected for 2004 (based on 2003 prices). There needs to be a pilot program to inriver seine harvest pinks in the Kenai River during their August run (approximately) in 2004.

State of Alaska manages salmon entry permit holders via limited entry permit system. State of Alaska to provide for seining in the Kenai and Kasilof rivers. Note: A State of Alaska judge has already modified limited entry by allowing a few permit holders to fish for the many. Ref.: Chignik Experiment Lawsuit.

State of Alaska must change statutes and regulations to allow permit holders a fair share of the available harvest. Make allocative decisions. Be proactive. Plan ahead as how best to manage Cook Inlet as a whole fishery. Provide equitable distribution of profits from seine fishing efficiencies. Prioritize: 1) Stabilize new vessel and gear investments with loan guarantees and/or

grants. Five to seven million dollars may be needed. 2) Modernize processing and marketing systems. Grants and/or loans. Unknown amounts needed. 3) Coordinate state with local economic development ideas. Provide for payoff (buy-back) of permit holders vessel and gear that participate in the seine fishery. Voluntary one-time offer from profits of seine fishery. Note: Some permit holders fish halibut and cod, so they need their fishing vessels.

**WHO IS LIKELY TO SUFFER?** No one:

Central District: F/V Fleet is already reduced from 585 to 410=175 loss. Setnetters are already reduced from 745 to 500=245 loss. Lower Cook Inlet seine fleet is already reduced from 78 to 15=63 loss.

Permits: 1) 585 (vessel) entry permits reduced in value from \$200,000 to \$12,000=\$188,000 loss per permit; 2) 745 (setnet) entry permits reduced from \$140,000 to \$5,000=\$135,000 loss per permit; 3) Of 1,330 entry permits issued; 420 did not fish in 2003. 725 are losing money or are going broke. Approximately 150 should be profitable.

Engine suppliers: eight local suppliers are reduced to two = six lost. Diesel Mechanics: six local shops are reduced to two = four lost. Gear Suppliers: six local shops are reduced to two = four lost. Processors: 20 local processors are reduced to nine = 11 lost. Allocations for commercial fishing period and species allowed to harvest have been reduced significantly. State and local taxes associated with fishing activities have been reduced significantly.

No effect on commercial sport guided fishery in Kenai River. Commercial river boat sport fish guiding started approximately 1982. 375 guides registered in 2003. They guide their clients from RM 6, above Warren Ames Bridge to Skilak Lake, RM 50, to Kenai Lake RM 82. Few guides pass through RM 5 area to reach mouth of Kenai River. They fish mainly king salmon. Research has shown that outboard engines pollute river water. New four cylinder outboard engine designs eliminate the problem. Engines such as Yamaha became available beginning in 2003. They meet or exceed federal specs. A few recreation boaters pass through the RM 5 area.

No effect on inriver seining in Kenai River. Seining is in an intertidal zone with two to six inch tidal boars twice a day. Seine fishing would probably be near mid, top, mid, of tide. (Fish managers open river as needed.) King salmon are released alive as needed. Lower five miles of river is already used for commercial vessels, docks, and related fishing activities since the 1930s. Shallow draft seiners are slow and leave almost no wake. Seine gear has no effect on small plants, birds, mammals, or river bottom-see Chignik research of 2002. Same on Kasilof River.

No effect on biological considerations in Kenai River. All fish spawn up river starting at RM 6.5 (approximately) Beaver Creek. No known biological damage to river or fish at this location. No river pollution by seine fleet. 4) Same on Kasilof River.

**OTHER SOLUTIONS CONSIDERED?** Corporate takeover by North America's largest seafood company (Connors Bros. Income Fund of New Brunswick, Canada) of salmon permit holders fishing rights and/or income. They are serious competitors. Note: A corporation is more efficient than a fisherman's co-op. A Cook Inlet co-op should be very competitive provided they are allowed to salmon seine for all the reasons mentioned above.

Consolidation by corporation processors may eliminate local processors. Locals need #1 quality fish to compete.



Other locations for salmon seine fishing need evaluation. This author has more experience with the Kenai and Kasilof rivers.

**PROPOSED BY:** Jerald D. Eidem (HQ-04-F-135)

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**PROPOSAL 219 - 5 AAC 21.331(d). Gillnet specifications and operations.** Amend this regulation as follows:

(d)...A person may not operate more than **eight** [FOUR] set gillnets with more than **210** [105] fathoms of set gillnet in the aggregate...

**PROBLEM:** Inequity in the amount of gear between users. Allow for better utilization of minimal open periods. Increase opportunity and economic viability for individual fishermen.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Setnet fishermen will continue to be economically depressed. Disproportionate fishery will continue. Majority permit holders in Cook Inlet will continue to be relegated to minor catches due to advantages of other user groups.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** This proposal allows the individual fishermen the ability to target a specific area to maximize their harvest and to better harvest live, bled and iced fish. The fishermen will be more inclined to diversify their catch methods to allow for the innovation for quality products and also commodity fishing.

**WHO IS LIKELY TO BENEFIT?** Commercial fishermen and the local economy.

**WHO IS LIKELY TO SUFFER?** The number and position of locations within Central Cook Inlet are considered "net-locked." There will be no change in the current number of nets in their historical numbers.

**OTHER SOLUTIONS CONSIDERED?** Increasing the length of set gillnets to more than 35 fathoms. Current rules and lease separate locations at 600 feet apart. Increased length may interfere with status quo.

**PROPOSED BY:** Paul A. Shadura II (HQ-04-F-211)

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**PROPOSAL 220 - 5 AAC 21.355. Reporting requirements.** Amend this regulation as follows:

Reporting requirements within the department be consistent, i.e., jack chinook salmon by length.

**PROBLEM:** Commercially-caught chinook salmon and sport-caught chinook salmon are not counted by the same standard. Chinooks 20 inches or less in length are counted as jacks in the sport fishery. In commercial fishery reporting requirements chinooks are not counted by the same method; regardless of length, they are counted the same. Past reporting requirements designated a jack chinook salmon on fish ticket information correctly.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Chinook harvest numbers and what they represent will differ within the department. Misinformation on catch data could occur during a fishery if not enumerated correctly on fish ticket information.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** It will provide consistent length composition data for department area managers.

**WHO IS LIKELY TO BENEFIT?** The department.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** Not applicable.

**PROPOSED BY:** Kenai Peninsula Fishermen's Association (HQ-04-F-300)

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**PROPOSAL 221 - 5 AAC 21.XXX. Cook Inlet Area cooperative setnet salmon fishery management plan.** Create a new regulation as follows:

New regulations would address the specific changes that would allow up to ten limited entry setnet permits to fish under one cooperative, and that there would be a designated main operator who would be responsible for full compliance with various rules, regulations and statutes. Current regulations require groups to register as one body.

**PROBLEM:** Setnet fishermen currently operate in Cook Inlet in large family or associated cooperatives. This has been a practice for many years. Current regulations do not allow for a single harvest report or for absentee owners. Current Chignik plan allows for this.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Revitalization and rationalization efforts will be extremely difficult to accomplish.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, a more efficient business structure will reduce overall costs and the overall performance and capability of producing a higher quality product. It would possibly allow for different methodologies in harvesting.

**WHO IS LIKELY TO BENEFIT?** The Southcentral fishing community and the salmon industry as a whole.

**WHO IS LIKELY TO SUFFER?** Those that do not wish to revitalize and rationalize.

**OTHER SOLUTIONS CONSIDERED?** Other solutions may be available after this initial step but are difficult to apply at this time.

**PROPOSED BY:** Paul A. Shadura II (HQ-04-F-340)

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**PROPOSAL 222 - 5 AAC 21.331(a). Gillnet specifications and operations.** Amend this regulation as follows:

Allow drift gillnets to go partially dry and remain a legal gillnet.

**PROBLEM:** Drift gillnets that go dry are presently considered illegally-operated gear.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Drift gillnets that unintentionally go dry will continue to be cited as illegal nets. As soon as any portion of a drift gillnet ceases to "drift" it is

considered an anchored gillnet and cited as illegally-operated gear. Due to Cook Inlet having the largest flood and ebb tides in Alaska, there will be times when a portion of a gillnet will go dry, and why treat these fishermen as illegal operations?

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** This is not a quality issue. This is a legal issue.

**WHO IS LIKELY TO BENEFIT?** Fishermen that have an unintentional grounding of a drift gillnet will have some legal relief.

**WHO IS LIKELY TO SUFFER?**

**OTHER SOLUTIONS CONSIDERED?** Status quo.

**PROPOSED BY:** United Cook Inlet Drift Association (SC-04-F-079)

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**PROPOSAL 223 - 5 AAC 21.378. Prohibition on use of aircraft.** Amend this regulation as follows:

Delete 5 AAC 21.378.

**PROBLEM:** The prohibition on the use of aircraft is an unnecessary restriction on the drift fleet.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Harder to locate fish in the 1800 square mile area of the Central District.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** In order for the drift to find fish in lower inlet early in season, the use of aircraft would be beneficial.

**WHO IS LIKELY TO BENEFIT?** Drift fleet.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** Keep existing regulations--no longer warranted with 400 drift boats.

**PROPOSED BY:** Steve Tvenstrup (SC-04-F-111)

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**PROPOSAL 224 - 5 AAC 21.331(c). Gillnet specifications and operations.** Amend this regulation as follows:

(c) A drift gillnet may not be more than 150 fathoms in length and **60** [45] meshes in depth. No person may operate more than one drift gillnet.

**PROBLEM:** The present regulation allows drift gillnets to be 45 meshes deep. This proposal would allow 60 mesh deep nets. Presently, the drift gillnet fleet consists of approximately 400 boats, which is significantly lower than the nearly 600 vessels which fished in the past. This regulation would allow increased harvest by the drift gillnet fleet to help maintain its historical harvest percentage. In addition, limitations in management plans on extra periods by the drift gillnet fleet has resulted in very low exploitation rates on chum, coho, and pink salmon. This

proposal would allow these underharvested stocks to be used. This is more closely in tune with sustained fisheries management. Present exploitation rates on chum, coho, and pink salmon in the drift gillnet fleet is less than 10 percent.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** A usable resource will continue to be underutilized.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, to a limited degree. A small increase in efficiency at the start and end of the season will allow more fish to be handled for quality markets. Presently, catches in the drift gillnet fleet average less than 100 fish for the first few periods. At this level of harvest fish can be individually handled and therefore bled, packed in ice, and delivered in a prime condition. At the peak of the fishery this does not take place and the slight increase in efficiency should not impact negatively the overall quality of the pack.

**WHO IS LIKELY TO BENEFIT?** The drift gillnet fleet will increase slightly the harvest of all species of salmon. The commercial industry will have slightly more fish for programs like Kenai Wild.

**WHO IS LIKELY TO SUFFER?** The increase in harvest by the drift gillnet fleet should be small enough that most other users will not see the impact of the harvest in their activities. However, increased harvest by one user group will make less fish available for others from a purely statistical viewpoint. At the low exploitation levels in the drift gillnet fleet it is anticipated that nearly 90 percent of the chum, pink, and coho entering the inlet will continue to enter Cook Inlet streams.

**OTHER SOLUTIONS CONSIDERED?** A consideration was given to making gear longer. However, this would increase harvest significantly and would upset the historical harvest patterns in the inlet. This option was rejected for that reason.

**PROPOSED BY:** Dan Flynn (SC-04-F-132)

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**PROPOSAL 225 - 5 AAC 21.345. Registration.** Amend this regulation as follows:

Delete 5 AAC 21.345.

**PROBLEM:** Delete the requirement for Cook Inlet setnetters to register before each fishing season. This requirement unnecessarily limits fishing operation to specific areas which may or may not have harvestable surpluses of fish, depending on the season. It also adds unnecessary expense, particularly if coupled with the trailer buoy requirement, to both fishermen and the department. Recently most Cook Inlet systems had escapement goals met, or often exceeded. All Cook Inlet fishermen should be eligible to participate in areas where there are harvestable surpluses.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Fishermen will continue to pay the fees entailed by area registration and will be precluded from participating in fisheries where there are opportunities.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes. It allows more fishermen to participate in fisheries where there are surpluses, thus improving the overall efficiency of the fleet.

**WHO IS LIKELY TO BENEFIT?** Fishermen who will not have to deal with an unneeded registration requirement and fee. The department which would not have to administer and manage it.

**WHO IS LIKELY TO SUFFER?** There may be a movement of fishermen into areas fished by more permanent fishermen, thus adding a degree of conflict which might not otherwise occur. After talking with fishermen, I do not see this as a big problem. Most who saw it as a potential problem would nevertheless rather be rid of the area registration obligation and fee (along with the trailer buoy requirement).

**OTHER SOLUTIONS CONSIDERED?** Do nothing. Rejected, because it is time to make changes to our fishery to enhance the quality of our fish and the efficiency of our fleets.

**PROPOSED BY:** Gene Palm (SC-04-F-153)

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**PROPOSAL 226 - 5 AAC 21.334(c). Identification of gear.** Amend this regulation as follows:

Delete 5 AAC 21.334(c), buoy identification marking requirements.

**PROBLEM:** Delete the requirement for Cook Inlet setnetters to purchase and use buoy stickers to identify gear.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** This requirement is a hassle and an extra expense. During the entire time I have fished (20 years), enforcement has only one time been in our area to inspect to see stickers. Fishermen who are legally fishing will be in the vicinity of their gear regardless. Enforcement should be able to determine whether a gear is being legally operated either looking at other buoy identification or by checking other documentation from interviews.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, in a limited way. It simplifies the operation of gear, relieves fishermen of an unnecessary expense.

**WHO IS LIKELY TO BENEFIT?** Fisherman who will not have to deal with an unneeded registration requirement and fees related to the buoy sticker, along with the hassles of deploying it with their regular gear. The department which would not have to administer and manage it.

**WHO IS LIKELY TO SUFFER?** I cannot think of anyone who would suffer. The department may lose a tiny bit of revenue, but that should not be the justification, and if it was, all gear users from all gear types should be required to have and comply with a similar regulation.

**OTHER SOLUTIONS CONSIDERED?** Do nothing. Rejected, because it is time to make changes to our fishery to enhance the quality of our fish and the efficiency of our fleets.

**PROPOSED BY:** Gene Palm (SC-04-F-154)

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**PROPOSAL 227 - 5 AAC 21.358. Northern District Salmon Management Plan.** Amend this regulation as follows:

Establish the 56/44 harvest rates as a goal in the Upper Cook Inlet Salmon Management Plan.

**PROBLEM:** Historically (1976-2002), the drift gillnet fleet harvested 56 percent of the commercial catch of sockeye salmon in Upper Cook Inlet. During 2003 the drift fleet's harvest of sockeye salmon was 44 percent in Upper Cook Inlet.

In order to maintain the 1976-2002 harvest percentages between the drift and setnets, some regulatory changes are required. The cumulative effects of the restrictions on the drift fleet have never been addressed by the board, so we are asking for some gear changes that will help to restore the historic balance between harvest groups.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Allocations between drift and setnetters will occur without the benefit of applying the allocation criteria.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** The quality of salmon caught by the drift fleet generally exceeds that of other harvesters.

**WHO IS LIKELY TO BENEFIT?** Drift fleet.

**WHO IS LIKELY TO SUFFER?** Setnetters.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Dan Flynn (SC-04-F-133)

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**PROPOSAL 228 - 5 AAC 21.366. Northern District King Salmon Management Plan.** Amend this regulation to provide the following:

This will correct an unforeseen effect of a regulation. When this plan went into effect we were given a harvest cap of 12,500 kings. Since the early years of this fishery, we have not come close to that cap because of additional restrictions. It should be restructured to allow us the harvest already allocated; and this is not allocative because the 12,500 cap has been granted and all escapement goals are being exceeded by wide margins. The sport fishery has been liberalized by emergency order these last two years, so there are additional fish available which we cannot harvest unless the gillnet fishery is also liberalized.

**PROBLEM:** Allow the Northern District set gillnet fishery to fish the flood tide in the May and June king salmon fishery. Currently, we are allowed to fish a six-hour period only on Mondays, which has resulted in spurious and declining catches.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** We will miss yet another year of good king fishing when many fish surplus to escapement are available, and the ebb tide is a poor producer.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?**

**WHO IS LIKELY TO BENEFIT?** Everyone.

**WHO IS LIKELY TO SUFFER?** Nobody.

**OTHER SOLUTIONS CONSIDERED?** An option would be to fish an additional second period on Thursdays, or a full 12 hours on Monday to always include the flood.

**PROPOSED BY:** Rick Jewell

(HQ-04-F-008)

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**PROPOSAL 229 - 5 AAC 21.363. Upper Cook Inlet Salmon Management Plan.** Amend this regulation to allow the following:

The users of the Upper Cook Inlet commercial fisheries shall be allowed to form coops to reduce bycatch. Each coop shall have a set quota depending on the number of members in a coop. Each coop must use a reduced number of boats and yardage of netting in exchange for longer openings.

**PROBLEM:** Bycatch in the Cook Inlet.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Lost fish production.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Increase fish production and reduce bycatch.

**WHO IS LIKELY TO BENEFIT?** Those who like to fish.

**WHO IS LIKELY TO SUFFER?** None, because of increased fish production.

**OTHER SOLUTIONS CONSIDERED?** Have all Cook Inlet commercial fisheries open and closed by emergency order.

**PROPOSED BY:** Jacob Joseph Dahley

(HQ-04-F-028)

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*Identical proposals were submitted by each individual listed at the bottom of the proposal. The submissions are reproduced here as one proposal for publishing purposes:*

**PROPOSAL 230 - 5 AAC 21.3XX. Kalgin Island Subdistrict Sockeye Salmon Management Plan.** Create a new regulation as follows:

(a) The purpose of this management plan is to authorize a harvest of sockeye salmon by set gillnets in the Kalgin Island Subdistrict. (b) Salmon may be taken in waters of the Kalgin Island Subdistrict only. (c) The open fishing season is from June 1 through June 24, except that if June 1 falls within a closed weekly fishing period, the season will open the next following open period. (d) Fishing periods are from 7 a.m. through 7 p.m. on Monday, Wednesday, and Friday.

(e) Salmon may be taken by set gillnets only as follows:

- (1) a set gillnet may not exceed 35 fathoms in length nor 5 ½ inches in mesh size;
- (2) no CFEC permit holder may operate more than one set gillnet at a time;
- (3) no set gillnet may be set or operated within 1,800 feet of another set gillnet;
- (4) no set gillnet may extend more than 35 fathoms seaward of the beach at the lowest tide of the current day;

(f) Closed waters as described in 5 AAC 21.350 apply during this fishery. (g) The department shall close this fishery by emergency order when the incidental harvest of chinook salmon reaches 500 fish.

**PROBLEM:** I would like the board to create an early season fishery in the Kalgin Island Subdistrict similar to the fishery in the Big River area.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Early run stocks around the island will continue to go unharvested and set gillnetters in this area will lose a substantial amount of income.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, because it allows for the harvest of very high quality fish which handled very carefully and can be processed very quickly.

**WHO IS LIKELY TO BENEFIT?** Setnetters around Kalgin Island.

**WHO IS LIKELY TO SUFFER?** No one because we will not catch any fish that anyone else catches.

**OTHER SOLUTIONS CONSIDERED?** No other solutions.

**PROPOSED BY:** Bill Van Hoose (HQ-04-F-035)  
Michael P. Lockwood (HQ-04-F-076)

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**PROPOSAL 231 - 5 AAC 21.363. Upper Cook Inlet Salmon Management Plan.** Amend this regulation to provide the following:

Management plan will return to pre-1999 as step down plans fail to meet goals.

**PROBLEM:** Return commercial priority.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Habitat degradation as inriver fishery expands.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Abundance benefits everyone.

**WHO IS LIKELY TO BENEFIT?** Full time peninsula residents.

**WHO IS LIKELY TO SUFFER?**

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** John McCombs (HQ-04-F-174)

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**PROPOSAL 232 - 5 AAC 21.363. Upper Cook Inlet Salmon Management Plan.** Amend this regulation as follows:

Instruct the commercial fish managers with the department to develop, monitor and utilize measures of effort in the Upper Cook Inlet commercial fish management, particularly the Eastside setnet fishery.

The board adopted Policy for the Management of Sustainable Salmon Fisheries guides the department and the board to assess the impacts of fishing, including incidental mortality. The policy further requires managers to make management decisions in a manner that protects nontarget species and to work with the department to implement effective management systems. This proposal, if acted on positively by the board, would result in a board authored recommendation to the department asking for the development and implementation of a catch and effort reporting



system for the commercial salmon fisheries of Upper Cook Inlet that is sufficiently specific to provide for more precise management of king salmon.

**PROBLEM:** Potential to increase inriver return of king salmon to the Kenai Rivers is limited by the lack of clarity provided by the existing inseason assessment of commercial fishing catch and effort implemented by the department in the Central District of the Upper Cook Inlet. Enumerating the number of landings is not an exact measure of the amount of gear employed in the Eastside setnet fishery. Without a measure of effort, catch per unit of effort for target species and bycatch of king salmon cannot be accurately determined.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** For over 20 years the most contentious allocation issue involving salmon in the Upper Cook Inlet area has been the overtaking of king salmon of Kenai River origin. Harvest of king salmon by the commercial fishery occurs incidental to the taking of their target species, sockeye salmon. The inseason assessment of catch and effort in the commercial fishery falls short of assessing where, when and how many king salmon are taken in a manner specific enough to provide data that could describe how managers can improve their ability to meet the competing management objectives.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Better management should result in improved salmon runs throughout the Kasilof River/Tustumena Lake system. All users will receive long-term benefits from healthy salmon runs. Addressing concerns with sockeye enhancement may prevent diminished wild runs of sockeye and other species. As a species of particular concern, users will benefit from better management of Kasilof wild king salmon.

There will be beneficial effects to other users throughout Cook Inlet. For example, commercial fishers operating north of the Blanchard line may get additional fishing time if the Kasilof fishery reduces its bycatch of sockeye bound for the Kenai River and other systems. Inriver sport fishermen may have greater opportunities for fishing, and may not face inriver closures as they did on the Kenai River in the 2000 season.

**WHO IS LIKELY TO SUFFER?** Commercial fishers operating within the Kasilof fishing district may have to forego harvest of sockeye and king salmon bound for the Kenai River and other river systems within Cook Inlet.

**OTHER SOLUTIONS CONSIDERED?** No other solutions were identified that met the needs of the proposed plan.

**PROPOSED BY:** Jim Richardson and Bob Penney (HQ-04-F-185)

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**PROPOSAL 233 - 5 AAC 21.320(a)(2). Weekly fishing periods:** Amend this regulation as follows:

Regular fishing periods in the Central District from 7:00 a.m. until 10:00 p.m. or 7:00 a.m. until 7:00 p.m. with (times can be modified until 10:00 p.m. based on tides); additional "tide time" modified by the department based on escapement.

**PROBLEM:** The commercial sockeye fishery in Upper Cook Inlet during certain tide series does not allow sufficient time for quality handling guidelines set out in the Cook Inlet salmon branding program to occur. This affects the overall volume of branded sockeye salmon put into the program.

The closure time of 7:00 p.m. restricts harvest methods required for quality program fish at times when gear retrieval must be completed during a mid-tide scenario. For example: If mid-tide occurs at 6:00 p.m. and slack tide occurs at 9:00 p.m. with a closure time of 7:00 p.m. there is no time consideration to optimize the number of quality fish otherwise available prior to a slack tide scenario. This would significantly increase the overall quality of salmon harvested if addressed by the board during these “tide time” scenarios.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Without sufficient fishing time to harvest in a measured manner, broad-based quality handling requirements cannot be optimized during tide times already stated. Therefore, the volume of quality sockeye submitted to the regional branding program would be limited during those mid-tide closure times.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, allowing some additional fishing time based on tides will greatly improve the overall volume of quality harvested salmon. Increased volume of high quality salmon will increase revenue streams to commercial fishing families, area processors, local businesses, and will help supply the demand for regional wild salmon to U.S. consumers.

**WHO IS LIKELY TO BENEFIT?** Primarily commercial fishing family residents of the Kenai Peninsula Borough and participating program processors, as well as the U.S. consumer of wild Alaskan sockeye salmon. Additionally, the higher value branded salmon will translate into higher tax revenues for the state and borough governments.

**WHO IS LIKELY TO SUFFER?** No one. The department would modify extra “tide time” based on escapement.

**OTHER SOLUTIONS CONSIDERED?** Not applicable.

**PROPOSED BY:** Kenai Peninsula Fishermen’s Association (HQ-04-F-298)  
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**PROPOSAL 234 - 5 AAC 21.363. Upper Cook Inlet Salmon Management Plan.** Amend this regulation as follows:

Insert in the Upper Cook Inlet Management Pan the following statement: (X) It is the intent of the board that meeting the inriver goals for a salmon species take precedent over any other restrictions in regulation on fishing time or area. It is further recognized by the board that the commissioner will exercise his emergency order authority provided in statute to alter time and area restriction inseason to meet these inriver goals.

**PROBLEM:** Within a number of Upper Cook Inlet management plans the board has restricted the use of emergency order authority by the department. Also, in these plans the board has established inriver management goals for various river systems and species. These two aspects of the plans are in conflict and this has led to confusion by the public and commissioner of the department on which takes priority. Further, the Alaska courts have ruled that the board cannot limit the absolute emergency order authority of the commissioner. Therefore hour and time limitations in regulations are not binding or legal.

It is time for the board to remove the hour and time limitations in regulation and provide clear direction to the department to manage for inriver goals or specific harvest allocations.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The public will continue to have expectations of actions by the department which are in conflict in the management plans. This will lead to increased public dissatisfaction by the public with the department and the board. Further court action can be expected without resolving this issue.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?**

**WHO IS LIKELY TO BENEFIT?** All users will benefit with this regulation since it will be clear that the board intends to manage the resource for inriver goals.

**WHO IS LIKELY TO SUFFER?** No one should suffer. This statement does not alter the allocation of the resource between users. The entry of salmon into the system is already controlled by department managers to achieve biological objectives relative to harvesting equally over the run.

**OTHER SOLUTIONS CONSIDERED?** There are no other alternatives. If limitations on time and area are left in place the conflict and confusion over which takes priority will continue.

**PROPOSED BY:** Kenai/Soldotna Advisory Committee (SC-04-F-045)

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**PROPOSAL 235 - 5 AAC 21.363. Upper Cook Inlet Salmon Management Plan.** Amend this regulation to provide the following:

Upper Cook Inlet Sockeye Salmon Management Plan with all the step down plans is repealed and replaced with the commercial priority that existed before 1999.

**PROBLEM:** Upper Cook Inlet Salmon Management Plan. The plan as written allows little flexibility for the department to manage the fishery.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** There will be continued overescapement and reduced productivity, economic loss to the state, and inflexible management for the department.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, salmon can be harvested when they are abundant in the Inlet.

**WHO IS LIKELY TO BENEFIT?** The State of Alaska since flexible management is the hallmark of Alaska's salmon management.

**WHO IS LIKELY TO SUFFER?** No one. Everyone still has the opportunity to fish.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Central Peninsula Advisory Committee (SC-04-F-056)

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**PROPOSAL 236 - 5 AAC 21.363(a). Upper Cook Inlet Salmon Management Plan.** Amend this regulation as follows:

(6) consistent with 5 AAC 39.220(b), it is the intent of the board that, in the absence of a specific management plan **that defines the sharing of the conservation burden**, where there are known conservation problems, the burden of conservation shall, to the extent practicable, be shared among all user groups in close proportion to their respective harvest on the stock of concern; **In addition, if there are closures of two consecutive regular scheduled commercial fishing periods, all users of that stock will be closed until the conservation concern is resolved or the stock is no longer available to the fishery.**

**PROBLEM:** There is no direction to the department on how to share the conservation burden between users when the commercial fishery is closed for a prolonged period. In 2003 for example, the department in its preseason outlook paper indicated that even if Yentna River sockeye salmon escapement was below the goal and the commercial fishery was closed they would not close the inriver sport fisheries. Other examples include the continuation of the Kenai River personal use dipnet fishery when both commercial and sport fishing users have been restricted significantly in their harvest opportunity. This proposal attempts to provide direction to the department in the context of conservation closures by inseason emergency order.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The public, especially commercial fishermen, will continue to react negatively toward this unequal treatment. In the case of the Yentna River the long-term production of the resource is at risk without action to manage for the minimum escapement objectives.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** The public benefits if stocks are maintained at high sustained yield levels. In addition, the public can anticipate conservation actions and plan accordingly. This proposal also provides the option for the board to alter this closure restriction if they choose to do so in the individual management plans.

**WHO IS LIKELY TO SUFFER?** Those user groups who have been allowed to continue to harvest fish when other users are closed for conservation reasons.

**OTHER SOLUTIONS CONSIDERED?** The reason that the commercial fishery was selected as an action point was to insure protection of the stocks of concern. Since the commercial fishery is the first indication of a poor return requiring conservation actions it is the most logical to use. The use of two regularly-scheduled periods was a compromise between a single period that may be just an adjustment in harvest pattern as opposed to a true conservation concern and three periods which may be too late for effective action. Two regularly-scheduled periods represent over a week of closure which is a significant action in the commercial fishery given the run timing of Cook Inlet stocks.

**PROPOSED BY:** Roland R. Maw

(SC-04-F-090)

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**PROPOSAL 237 - 5 AAC 21.363(a).** Upper Cook Inlet Salmon Management Plan. Amend this regulation as follows:

Insert in the Upper Cook Inlet Management Plan the following statement: (x) It is the intent of the board that meeting the inriver goals for a salmon species take precedent over any other restrictions in regulation on fishing time or area. It is further recognized by the board that the commissioner

exercise emergency order authority provided in statute to alter time and area restrictions in season to meet these inriver goals.

**PROBLEM:** Within a number of Upper Cook Inlet management plans the board has restricted the use of emergency order authority by the department. Also, in these plans the board has established inriver management goals for various river systems and species. These two aspects of the plans are in conflict and this has led to confusion by the public and commissioner on which takes priority. Further, the Alaska courts have ruled that the board cannot limit the absolute emergency order authority of the department. Therefore hour and time limitations in regulations are not binding or legal. It is time for the board to remove the hour and time limitations in regulation and provide clear direction to the department to manage for inriver goals or specific harvest allocations.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The public will continue to have expectations of actions by the department which are in conflict in the management plans. This will lead to increased public dissatisfaction by the public with the department and the board. Further court action can be expected without resolving this issue.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?**

**WHO IS LIKELY TO BENEFIT?** All users will benefit with this regulation since it will be clear that the board intends to manage the resource for inriver goals.

**WHO IS LIKELY TO SUFFER?** No one should suffer. This statement does not alter the allocation of the resource between users. The entry of salmon into the system is already controlled by department managers to achieve biological objectives relative to harvesting equally over the run.

**OTHER SOLUTIONS CONSIDERED?** There are no other alternatives. If limitations on time and area are left in place the conflict and confusion over which takes priority will continue.

**PROPOSED BY:** Richard Thompson (SC-04-F-109)

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**PROPOSAL 238 - 5 AAC 21.363. Upper Cook Inlet Salmon Management Plan.** Amend this regulation as follows:

From June 20 through August 20, salmon stocks which normally move in Upper Cook Inlet will be managed primarily for high quality commercial uses.

**PROBLEM:** The drift fleet has been denied a reasonable opportunity to harvest abundant commercial salmon stocks.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The department will continue to be unable to biologically manage the Central District salmon stocks, specifically, Kenai and Kasilof sockeye salmon, which will result in economic loss to the state and its residents.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes. Processors will have fish delivered of a much higher quality on a regular, predictable basis, rather than unpredictable, sporadic deliveries.

**WHO IS LIKELY TO BENEFIT?** Commercial fishermen.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Buddy Harris (SC-04-F-119)

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**PROPOSAL 239 - 5 AAC 21.363. Upper Cook Inlet Salmon Management Plan.** Amend this regulation as follows:

Remove the regulations that limit the commissioner’s EO authority.

**PROBLEM:** Prior board adopted regulations that prohibited the commissioner from utilizing EO authority to actively manage the salmon stocks in Upper Cook Inlet. In essence, the board took management and day-to-day decision making away from the commissioner. Both the court and legal opinions obtained on this matter agree the board went beyond its authority when the regulations specifically prohibited the commissioner from issuing EOs to manage the Upper Cook Inlet fishery on a daily basis.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Further conflicts, inability to manage.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Allows for inseason day to day management.

**WHO IS LIKELY TO BENEFIT?** The resource and our communities.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** Further court actions.

**PROPOSED BY:** Roger “Buddy” Harris (SC-04-F-130)

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**PROPOSAL 240 - 5 AAC 21.363. Upper Cook Inlet Salmon Management Plan.** Amend this regulation to provide the following:

Coho salmon should be identified as a consumptive use stock for harvest as a food resource for Alaskans (consumptive user/sport fishermen). The current Northern District Salmon Management Plan directs the department to minimize the harvest of Northern District coho, for the harvest of sport fishermen. To insure the needs of Alaskans are met in times of low coho salmon abundance, when sport fisheries are restricted, consumptive use fisheries should be established.

**PROBLEM:** Currently the only personal use fishery for salmon in Northern Cook Inlet is a dip net fishery for sockeye salmon at Fish Creek. This fishery has been either closed or restricted for the past six years. Because of this, many Alaskans that once relied on the Fish Creek personal use fishery to supplement their annual food supply now harvest coho salmon as their principle source of salmon for consumptive use.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Alaskans that rely on salmon as part of their annual food supply will continue to suffer the consequences of closures or restriction in times of low coho salmon abundance. While the driftnetters, which are the primary harvesters of coho salmon in Cook Inlet, are seldom restricted as inseason coho salmon enumeration data is generally not available until the commercial drift net fishery is winding down.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?**

**WHO IS LIKELY TO BENEFIT?** All Alaskans that rely on salmon to supplement their annual food supply.

**WHO IS LIKELY TO SUFFER?** No one, as it keeps the priority the same.

**OTHER SOLUTIONS CONSIDERED?** Personal use fishery but the department has not supported this in the past.

**PROPOSED BY:** Bruce Knowles (SC-04-F-134)

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**PROPOSAL 241 - 5 AAC 21.363. Upper Cook Inlet Salmon Management Plan.** Amend this regulation to provide the following:

Coho should be identified as a consumptive use stock for harvest as a food resource for Alaskans (consumptive user is an Alaska resident with a sport fishing license or exempt licensing requirement/sport fishermen). The current Northern District Salmon Management Plan directs the department to minimize the harvest of Northern District coho, for the harvest of sports fishermen. To insure the needs of Alaskans are met identifying them, with a consumptive use priority will give coho stocks added protection.

**PROBLEM:** Currently there is not a personal use fishery in northern Cook Inlet region (district). Coho are harvested primarily as a food source by Alaskans in the northern Cook Inlet region since there is not enough sockeye in this area to allow for a personal use fishery, or sport fishing unless you have a riverboat. More than 50 percent of all fishing effort in all of Cook Inlet is expended are of northern Cook Inlet region. The department estimates that approximately 80 percent of the cohos entering Cook Inlet are headed for the northern Cook Inlet region. Coho are the predominate fish taken as a food source by Alaskans under sport fish restrictions at this time in the northern Cook Inlet region.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Alaskans in the northern Cook Inlet region have historically had to live under feast or famine coho returns until current coho plans were placed into effect. Alaskans may not be able to harvest their food supplies during periods of poor returns or overharvest by the commercial fleet. Additional protection is needed for coho while they are in transit in the Central District of Cook Inlet.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?**

**WHO IS LIKELY TO BENEFIT?** Anyone that takes salmon home to eat.

**WHO IS LIKELY TO SUFFER?** No one, as it maintains the priority and at the same time clarifies the primarily consumptive users of the resource.

**OTHER SOLUTIONS CONSIDERED?** Personal use fishery but the department has not supported this in the past.

**PROPOSED BY:** Bruce Knowles (SC-04-F-135)

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**PROPOSAL 242 - 5 AAC 21.363. Upper Cook Inlet Salmon Management Plan.** Amend this regulation as follows:

The department shall manage the Upper Cook Inlet salmon fisheries using reliable science, for maximum sustained yield of the major salmon stocks that have biological escapement goals and for sustained yield of other salmon stocks. The season will close by emergency order. The season will open by emergency order no later than June 20.

**PROBLEM:** The current management plans prevents the local managers from using emergency orders to harvest surplus salmon. The plans also prevent the harvest of surplus pinks, chums, silvers, and reds. Local managers do not have the flexibility to manage by the hour to make real time inseason openings to harvest abundant salmon. Large numbers of salmon enter the rivers above the escapement goals and are not harvested by anyone.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Large numbers of surplus salmon will go unharvested by anyone. The fishermen, crew, processor, support industries, etc., will suffer needlessly from these financial losses. The overescapement has been proven to produce smaller future returns.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes. The harvest will be spread out more evenly over the entire run timing. This will result in fishermen and processors handling the fish better and icing them adequately. This will prevent large numbers of lower quality salmon that result from only allowing most of the harvest to occur during a weak peak as is done now.

**WHO IS LIKELY TO BENEFIT?** Fishermen, their families, crew, processors, local economy, etc. The resource itself from the negative effects caused by overescapement.

**WHO IS LIKELY TO SUFFER?** No one. Biological management for maximum sustained yield produces a stable and abundant harvest for all users. Current management plans produce smaller returns and create restriction on the users.

**OTHER SOLUTIONS CONSIDERED?** No other solutions will solve the problem of unharvested surplus salmon or the problem of diminished future returns created by overescapement.

**PROPOSED BY:** David Martin (SC-04-F-139)

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**PROPOSAL 243 - 5 AAC 21.320(b)(1). Weekly fishing periods; 5 AAC 21.358. Northern District Salmon Management Plan; 5 AAC 21.360. Kenai River Late-Run Sockeye Salmon Management Plan; 5 AAC 21.363. Upper Cook Inlet Salmon Management Plan; and 5 AAC 21.365. Kasilof River Salmon Management Plan.** Amend these regulations as follows:

Insert in the 5 AAC 21.363 UCI Management Plan: (x) It is the intent of the board that meeting the inriver escapement goals for a salmon species take precedent over any other restrictions in regulation on fishing time or area. It is further recognized by the board that the commissioner should exercise emergency order authority provided in statute to alter time and area restrictions inseason to meet these inriver escapement goals.

Modify 5 AAC 21.320(b)(1): salmon may be taken in the Central District from **XX:00 a.m. Monday until XX:00 p.m. Monday**, [7:00 A.M. MONDAY UNTIL 7:00 P.M. MONDAY] from



XX:00 a.m. Wednesday until XX:00 p.m. Wednesday, [7:00 A.M. THURSDAY UNTIL 7:00 P.M. THURSDAY] and from XX:00 a.m. Friday until XX:00 p.m. Friday, except salmon may be taken...

Repeal 5 AAC 21.358(e)(1): [FOR ONE REGULAR FISHING PERIOD DESIGNATED FROM JULY 9 THROUGH JULY 15, THE DEPARTMENT SHALL RESTRICT FISHING TO THE KENAI AND KASILOF SECTIONS OF THE UPPER SUBDISTRICT.]

Repeal the following sections of 5 AAC 21.360: (e), (f), (i) of the Kenai River Late Run Sockeye Salmon Management Plan.

Repeal 5 AAC 21.365(b): Kasilof Salmon Management Plan.

Modify 5 AAC 21.358(a): “The department shall manage the chum, pink, and sockeye salmon stocks for commercial uses in order to provide commercial fisherman with an economic yield from the harvest of these salmon resources based on abundance.”

Modify 5 AAC 21.358(b) by deleting: [ACHIEVEMENT OF THE LOWER END OF THE YENTNA RIVER ESCAPEMENT GOAL SHALL TAKE PRIORITY OVER NOT EXCEEDING THE UPPER END OF THE KENAI RIVER ESCAPEMENT GOAL.]

Repeal the following sections of 5 AAC 21.358: (e)(2), (f), (g), (i), (j) of the Northern District Salmon Management Plan.

**PROBLEM:** Overview: In order to revitalize the commercial salmon fishery, to provide for stable and predictable fishery based on MSY principles and to promote higher quality seafood products, we need the regulatory changed contained in this proposal to be made by the board. Currently, there are many contradicting and confusing regulations. These conflicting and confusing regulations need to be revised and clarified before a revitalization can occur. There are new markets that are responding very positively to the higher quality salmon products coming from Cook Inlet. In Cook Inlet we are positioned very well with electricity, roads, airports, processors, secondary processors and trained individuals to efficiently compete in a quality oriented market. There are three goals that are being achieved by this proposal: industry revitalization, improved quality, and stable supply of fish achieved by area modifications instead of time lost fishing.

This coordinated and comprehensive proposal will also restore the historic harvest as directed by 5 AAC 21.363(a)(5). This proposal contains several elements that will bring a coordinated revitalization to our industry. Therefore the above referenced regulations need to be amended in a collective manner.

This proposal is primarily nonallocative in its content.

First, the conflicts in the current management plans need to be clarified concerning area or time limitations or restrictions on emergency order authority that conflict with achieving escapement goals. Most of the Upper Cook Inlet salmon management plans have performed poorly and need revision.

Second, revise the present weekly fishing periods consisting of two 12-hour periods. This portion of the proposal will revise the fishing periods in the drift gillnet fishery and increase the number of weekly fishing periods to three. These three periods would be on Monday, Wednesday, and Friday.

The reasons for this element of the proposal is to increase the quality of the product harvested in Cook Inlet by the drift gill fleet and reestablish the historical harvest patterns and percentage by the drift gillnet fleet. Presently, fishing Mondays and Thursdays with restrictions on time and area the fishery is forced to be a peak fishery. With a concentrated peak harvest regulated fishery it is not possible to ice and bleed fish for quality. Processors must hold fish for longer times before processing which results in a loss of quality. This part of the proposal is intended to allow a more even harvest and improve quality.

In addition, the economic situation of the commercial fishery has resulted in a reduction of the drift fleet from approximately 600 actively fishing boats to 400. This has resulted in a lower harvest percentage of salmon by the drift fleet. Limitations on fishing areas and times in existing management plans do not recognize this loss of 200 fishing boats. This proposal should help restore the historic fishing patterns and balance of harvest between all users in the Inlet.

Third, the Northern District Salmon Management Plan restricts a regular scheduled period of the drift fleet between July 9 and July 15. This regulation places an undue burden on the flexibility of the department to manage northern bound stocks. The July 9-15 restriction regulation was passed by the board to help ensure that the northern bound sockeye salmon stocks were achieving their escapement objectives.

In the past the department had used the July 9-15 closure via emergency order in years when the sockeye return to the Susitna River were low. However, it is not needed when stocks are at average to above average run strengths. This regulation presently applies to all run strengths and forces the department to use it whether it is needed or not to achieve escapement goals.

The department's use of emergency order authority is a better management tool for meeting Susitna River sockeye escapement objectives. Other management options which are less drastic than total area closures are available for inseason implementation. In addition, the reduction of fleet size to approximately 400 actively fishing vessels makes this regulation less defensible than when it was passed when nearly 600 vessels were fishing. Near collapse of the Northern District fishery and 200 less drift boats make this restriction totally unnecessary.

Fourth, there needs to be revisions to the sockeye escapement descriptions for the Kenai River. What is being proposed is a single BEG that currently exists, and a single inriver goal that includes an allocation for sport fishermen above the sonar counter at river mile 19. This then will allow for the removal of the current OEG that really adds nothing to the management of sockeye in the Kenai River.

Fifth, two specific chum management plan sections were passed years ago when there was a perceived concern that chum salmon stocks were thought to be in decline in Cook Inlet. That has proven not to be the case and therefore this regulation is no longer needed as chum stocks are healthy. Instead, the department should be given the flexibility to manage for yields at a variety of chum salmon run strengths. The current chum restrictions have produced no measurable benefits.

The present regulation in the Kenai River late run sockeye salmon management plan states a districtwide extra period for sockeye salmon harvest may only take place until "significant harvestable surpluses of chum salmon are available." The Northern District Salmon Management Plan states: "To employ a precautionary approach to chum salmon management, no additional fishing periods shall be provided to the drift gillnet fishery outside the Kenai and Kasilof Sections of the Upper Subdistrict, except as provided in this plan." In one plan a chum fishing period is allowed

when significant harvestable surpluses are available and in the other plan no chum periods are allowed. This is a conflict in regulations between the two plans.

These contradictory chum management regulations are an unnecessary restriction on the drift gillnet fleet. It creates a lost opportunity to harvest abundance sockeye salmon stocks and chum salmon stocks. Chum salmon stocks are healthy and should be managed under the sustained yield principle.

Sixth, the Northern District Salmon Management Plan has a number of restrictions on the drift gillnet fleet because of perceived concerns for coho salmon. These restrictions were put in place as a precautionary measure when population and exploitation data was inconclusive on the trend of coho, chum, and pink salmon abundance in Cook Inlet. In addition, the exploitation rate of the drift gillnet fleet was unknown on these stocks. Today, we know from department studies that these stocks are healthy and that the drift gillnet fleet exploitation rate on these stocks is far less than 10 percent. These two factors, healthy population and low exploitation rates, make the regulations implemented for precautionary reasons invalid. This part of the proposal would repeal these regulations.

It should be noted that repeal of these regulations does not impact the emergency order authority of the department. Therefore the department may alter fishing time and area to meet escapement objectives.

Requiring the attainment of the lower end of the escapement goal for the Yentna to take priority over exceeding the upper end of the Kenai River sockeye goal is biologically dangerous and is not following existing policies. This regulation is unnecessary, confounding, and produces no measurable or detectable benefit to either the Yentna or Kenai. Many resources users have suffered under these coho restrictions for no good biological or fishery management purpose.

Requiring the attainment of the lower end of the Kenai River sockeye salmon escapement goals to take priority over not exceeding the upper end of the Kasilof River optimal escapement goal of 150,000 to 300,000 places a cumbersome and unnecessary complication on fishery managers in Upper Cook Inlet. Why sacrifice harvests to achieving the Kenai goals? This is not a real problem. This is a solution looking for a problem that does not exist. Let the area management biologist manage for the goals in both river systems.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The public will continue to have false expectations concerning the management actions by department staff which are in conflict in the plans. This will lead to increased public dissatisfaction by the public with the department and the board.

The commercial fishing community will survive, however; without these regulatory changes conflict, economic hardships, political unrest, lost economic and social benefits will occur.

The quality of product in Cook Inlet will not improve and the drift gillnet fleet will continue to suffer loss of market share as a result of economic limitations.

The ability of the department to have the flexibility to manage all stocks in Cook Inlet will be reduced. This has resulted in lost harvest opportunity to the commercial drift gillnet fleet and a change in the historical harvest percentages.

Chum salmon will continue to be harvested at very low levels and therefore a loss of economic return will continue. Surplus sockeye, pink, and chum salmon will not be utilized in any fishery.

The coho, chum, and pink salmon returns are not being harvested at high sustained yield levels because of these unnecessary restrictive regulations that have produced no measurable benefit. This has created an unnecessary burden on commercial industry. If these regulations are continued then the drift gillnet fleet and processing industry will suffer economic harm for no reason.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Many of these regulation changes are directed at improving quality. The increased flexibility of the department to meet escapement goals should increase quality by removing artificial and unnecessary limitations on fishing areas and times that creates a peak fishery. For example, allowing earlier harvest of fish will provide a higher quality product in UCI, especially when icing and bleeding are also used.

Additionally, the drift gillnet fleet typical harvest between 500 and 1200 fish on average per vessel during the peak period. This proposal is intended to lower the per vessel harvest by increasing the number of fishing periods per week. Both during the peak of the fishery and adjacent to the peak the number of fish per vessel should be reduced to allow proper quality control of the product. In addition, this regulation will provide an economic incentive for fishermen to modify their vessels to increase quality of the harvest. The increased financial reward from high quality product and the reestablishment of the historical harvest patterns and percentage will be a sufficient incentive for the existing fishermen to expend the funds and time to make the vessel conversions that are necessary to improve quality of fish harvested.

Additionally, while these proposals are not written for quality per se, the impact of allowing a regular period in the July 9-15 timeframe will result in a better quality product for sale. The typical harvest of the drift gillnet fleet for a single 12-hour period during this timeframe is 200 to 600 fish per boat near July 9, climbing to 400-1200 fish per vessel by July 15. Sockeye salmon headed to the Kenai and Kasilof tend to hold in the district prior to mid-July and thus a number of them are available for harvest on the next regularly scheduled period. This creates a peak fishery situation on the next open period and thus brings low quality and high quantities of fish to the processor. In contrast, if this proposal is passed this harvest will be spread out over two periods which reduces the burden on processors. In addition, for a number of fishermen they can handle the lower harvest per period by icing and bleeding their harvest and properly handling individual fish. At peak fishing levels this option is not available. By allowing the department the flexibility to use other techniques (such as partial area restrictions), the overall quality of the harvest will increase.

In lieu of late season, less efficient, terminal sockeye fisheries--this proposal would allow the drift fleet to harvest surpluses of sockeye when sockeye are at their highest quality during mid-season.

Lastly, allowing the drift fleet to fish historical periods outside the Kenai and Kasilof sections provides product to the processors that is higher quality than fish captured later in the season when they move toward their rivers or origin. It also allows for an orderly harvest of product during large return years of sockeye salmon. The present regulation requires that the harvest of surplus sockeye salmon during extra periods take place in the Kenai and Kasilof sections only. This results in low quality products as fish tend to be more water-marked and of lower value. In large return years the volume of harvest during the peak periods increases as fish tend to hold in the district and enter the nearshore areas in large numbers. Extra periods in the district would reduce the volume of fish on the beach.

These various elements of the revitalization and quality improvement require regulatory changes that can be accomplished while remaining within the historical catches of the drift fleet.

**WHO IS LIKELY TO BENEFIT?** All users will benefit with this regulation since it will be clear that the board intends to manage the resource for inriver escapement goals.

Concerning the three fishing periods, the industry and the drift gillnet fleet is the obvious benefactor of this proposal. The industry benefits by having higher quality product and the drift gillnet fleet benefits from both quality and historic patterns of harvest.

By removing the July 9-15 closure and encouraging the department to use emergency orders by adjusting areas to achieve the escapement objectives will benefit the drift fleet while still achieving the escapement goals. The commercial fishing industry will benefit from this repeal as the quality should improve. In addition, the drift gillnet fleet should benefit in years when Susitna River sockeye salmon have a significant harvestable surplus.

The portion of the coordinated revitalization proposal that concern chum pinks and cohos will benefit the drift gillnet fleet and the commercial industry as a whole as product quality will improve and in large sockeye returns surplus fish will be effectively harvested. Chum salmon which have been exploited at a very low rate will also be available for harvest.

The commercial fishing industry will benefit as well as the drift gillnet fleet.

**WHO IS LIKELY TO SUFFER?** No one should suffer. These regulatory changes do not alter the allocation of the resource between users and the escapement goals set by the board will be met. The entry of salmon into the system is already controlled by department managers to achieve biological objectives relative to harvesting equally over the entire run.

The reestablishment of the historical harvest patterns and percentage should not hurt other commercial users when viewed in the long-term. However, relative to recent trends in the last three to ten years, commercial set gillnet permit holders may be impacted negatively. Relative to other users the impact should be minimal since management plans and allocations were based on the drift fleet having nearly 600 boats fishing. Therefore, relative to these plans there should not be a reallocation of the resources since only 400 drift boats participate in these fisheries. It should be noted that the fishing time recommendation assumes the same catch or on one slightly higher will be made fishing three periods as opposed to two 12-hour periods. While the total fishing time is nearly the same it is anticipated that harvest will be greater but it is hard to say how much. This possible increased harvest, however, is not outside the historic drift gillnet harvest with 600 boats fishing. It is the intent of this proposal to maintain the long-term historic harvest patterns and not be a reallocation. If this becomes an issue then adjustments to fishing time should take place. These proposals do nothing to the department's emergency order authority to modify fishing times or area for biological concerns. Therefore, there should be no negative impact on escapements.

The escapement objectives for all systems are maintained so there should be no impact on inriver users. There will be a lost harvest to set gillnet fishermen who target Kenai and Kasilof sockeye stocks. However, this should not result in an upsetting of the historical harvest pattern. Other salmon stocks have not entered Cook Inlet in large numbers during this timeframe so incidental harvest of coho salmon should be low.

Additional fishing time, depending on when it occurs, will reduce the amount of salmon available to other users. In the case of the commercial industry the setnet fishery in both the Northern District and Eastside will see smaller volumes of fish as we return to historic patterns. Northern District sport fishermen may also experience a reduction in fish abundance. However, depending on when

the periods take place the impact may or may not be measurable in terms of fishing success. It is noted that only a small fraction of the northern commercial fishermen continue to fish. It is not anticipated that this action will create any widespread closures in any recreational fishery. The possible increased catch of coho when spread across 1,000 streams will be insignificant.

The increase in harvest by the drift gillnet fleet will impact the total abundance of salmon available for harvest by other users. However, since the drift gillnet fleet exploitation rate is so low, less than 10 percent, most of the additional harvest will come from fish surplus to escapement needs and other users many not see a measurable impact on their fisheries. Based on recent run strengths it is also recommended that all precautionary regulations placed on other users be removed.

**OTHER SOLUTIONS CONSIDERED?** Concerning managing for escapement goals there are no other alternatives. If limitations on time and area are left in place the conflict over which takes priority escapement goals or time and area restrictions will continue.

The Central District is about 1800 square miles in size making the location of salmon difficult. Additionally in Upper Cook Inlet we have some of the largest tides in the world. These tides and associated tidal rips thoroughly mix the salmon on a daily basis. The fishing periods must be long enough to locate salmon in the 1800 square mile area during both flood and ebb tides.

By decreasing the options used by the department that could be put into regulations, however, this would defeat the purpose of allowing flexibility. For example, the fishery could be allowed to fish regular periods with a restriction on the fishery to the area below Kalgin Island. This would accomplish the goal of lowering the exploitation rate but would not be needed in all years. Any regulation that does not allow for flexibility based on abundance of the stocks was rejected.

Chum salmon are primarily harvested by the drift gillnet fleet and the current regulations precluded that harvest so there was no option for harvesting chum salmon. Relative to the sockeye salmon harvest an option that increased the size of the Kenai and Kasilof sections was considered and rejected. It was considered a better approach to allow for the full district and let the department restrict area via emergency order authority if needed. The least restrictive option is the most preferable and the department can select that option under this approach.

Lastly, there are no alternatives needed concerning coho since the original reason for this action was invalid. There are currently no coho conservation concerns.

**PROPOSED BY:** United Cook Inlet Drift Association (SC-04-F-083)

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*Identical proposals were submitted by each organization listed at the bottom of the proposal. The submissions are reproduced here as one proposal for publishing purposes:*

**PROPOSAL 244 - 5 AAC 21.356(e). Cook Inlet Pink Salmon Management Plan.** Reauthorize the management plan as follows:

Provision 5 AAC 21.356(e), the sunset clause, would be removed.

**PROBLEM:** The Cook Inlet Pink Salmon Management Plan expires on December 31, 2004. The plan authorizes a commercial pink salmon fishery based on abundance and minimized harvest of coho. The plan follows the overall objectives of the Upper Cook Inlet Salmon Management Plan and needs reauthorization.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Without reauthorization, the commercial pink salmon fishery will be left without a management plan:

AS 16.05.251(h). The Board of Fisheries shall adopt by regulation a policy for the management of mixed stock fisheries. The policy shall provide for the management of mixed stock fisheries in a manner that is consistent with sustained yield of wild fish stocks;

5 AAC 21.363(a) the department should receive long-term direction in management of Upper Cook Inlet salmon stocks and salmon species; and

5 AAC 21.363(2) to provide for the management and allocation of the Upper Cook Inlet salmon resources, the harvest of the Upper Cook Inlet salmon will be governed by specific and comprehensive management plans...

We support the existing Cook Inlet Pink Salmon Management Plan as is for reauthorization.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Not applicable.

**WHO IS LIKELY TO BENEFIT?** The fish. By making a permanent management plan for Cook Inlet Pink Salmon, the long-term sustainability of the resource is ensured.

**WHO IS LIKELY TO SUFFER?** None.

**OTHER SOLUTIONS CONSIDERED?** Forego reauthorization i.e., this would leave no management plan in place for commercial pink salmon fishery, which does not follow guidelines set forth in the Upper Cook Inlet Salmon Management Plan.

<b>PROPOSED BY:</b> Kenai River Sportfishing Association	(HQ-04-F-094)
Kenai River Professional Guide Association	(HQ-04-F-117)
Kenai River Property Owners Association	(HQ-04-F-148)

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*Identical proposals were submitted by each organization listed at the bottom of the proposal. The submissions are reproduced here as one proposal for publishing purposes:*

**PROPOSAL 245 - 5 AAC 21.350(a). Closed waters.** Amend this regulations to provide the following:

The definition of closed waters:

5 AAC 39.290 “Commercial fishing for salmon is prohibited at all times within the streams and rivers of Alaska...at all stages of the tide...”

5 AAC 39.975(14) defines salmon stream terminus as “a line drawn between the seaward extremities of the exposed tideland banks of any salmon stream at mean lower low water.”

The new regulation would bring closed waters regulation along the west side of Cook Inlet in line with the standard definition of closed waters in the State of Alaska in respect that the terminus of rivers is measured at mean lower low water.

“At mean lower low tide” would replace “at mean high tide” in 5 AAC 21.350(b)(2), (5)(A), (C) and (D), and (c)(1). For example, 5 AAC 21.350(b)(5)(A) would read, “within one statute mile of the terminus, at mean lower low tide, of the Kustatan River and the Drift River.”

**PROBLEM:** On the west side of Cook Inlet, standardize closed waters at the terminus of rivers to be measured from “at mean lower low water.” Standard closure areas are the terminus of west side Cook Inlet rivers will prevent confusion as to where commercial fishing is allowed. Currently, commercial fishers have been fishing in closed areas at the mouth of rivers, which has led to dramatic decreases in salmon escapements in these river systems. Allowing commercial fishing at the mean high tide allows such fishers to effectively block all escapements into the river systems during regularly scheduled fishing periods.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Harvest of salmon will continue within these sanctuary areas and negatively affect spawning escapements.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Not applicable.

**WHO IS LIKELY TO BENEFIT?** The fish. This proposal would stop commercial fishing activities from taking place in the mouth of all west side Cook Inlet rivers, which will ensure spawning escapements and genetic diversity, as outlined in the Upper Cook Inlet Salmon Management Plan.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** We considered putting regulatory markers out for greater visibility. The state does not have at this time money for such additional markers.

**PROPOSED BY:** Kenai River Sportfishing Association (HQ-04-F-095)  
Kenai River Property Owners Association (HQ-04-F-147)

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*Identical proposals were submitted by each individual listed at the bottom of the proposal. The submissions are reproduced here as one proposal for publishing purposes:*

**PROPOSAL 246 - 5 AAC 21.356. Cook Inlet Pink Salmon Management Plan.** Amend this regulation as follows:

A plan would direct fisheries managers to allow for the harvest of pink salmon bound for the Kenai River and other tributaries in the Cook Inlet region.

**PROBLEM:** No management for pink salmon.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Waste of salmon resource. Currently, there is insufficient pink harvest in Upper Cook Inlet to allow for quality product development or marketing programs.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, there is a market for Cook Inlet pink salmon. There are current secondary producers in Upper Cook Inlet that rely on quality pink salmon.

**WHO IS LIKELY TO BENEFIT?** All users will share in the bounty of a utilized harvest.

**WHO IS LIKELY TO SUFFER?** Disruption on the spawning beds by excess late running pinks have a high probability of reducing other species of salmon of reaching a high level of emergence.



**OTHER SOLUTIONS CONSIDERED?** Doing nothing will interfere with the success of diverse product development.

**PROPOSED BY:** Brandii O'Reagan  
Elizabeth Chase

(SC-04-F-120)  
(SC-04-F-121)

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**PROPOSAL 247 - 5 AAC 21.356. Cook Inlet Pink Salmon Management Plan, and 5 AAC 21.358. Northern District Salmon Management Plan.** Amend these regulations to provide the following:

The department shall manage for the harvest of pink salmon by the use of their emergency order authority.

**PROBLEM:** Tremendous waste of the pink salmon resource. In 1998 over 10 million pink salmon went unharvested. In 2000, 20 to 40 million pinks went unharvested. In 2002, 10 to 20 million pink salmon went unharvested. The 2004 estimate: 20 million more pinks will go unharvested. This is an unnecessary waste of a high protein food source.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Millions of pinks will go unharvested. Loss of revenue to fishermen, processors, local economies. Waste of a food resource. Pollution of the system from too much decaying carcasses. Sport fishermen will have a hard time catching coho because of all the pinks.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?**

**WHO IS LIKELY TO BENEFIT?** Everyone.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** None. Doing anything less than allowing the biologist the flexibility to harvest pinks will result in a wasted resource.

**PROPOSED BY:** David Martin

(SC-04-F-142)

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**PROPOSAL 248 - 5 AAC 56.050. Waters closed to sport fishing; and 5 AAC 61.050. Waters closed to sport fishing.** Amend these regulations as follows:

No sport fishing in any major spawning bed, as defined by the department, when spawning fish are present.

**PROBLEM:** Fish being caught in their spawning beds.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Fish protecting their redds are hooked and released and die before they spawn.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?**

**WHO IS LIKELY TO BENEFIT?** The spawning salmon and therefore the people of Alaska.

**WHO IS LIKELY TO SUFFER?** People who fish in spawning beds and sort through the salmon they catch.

**OTHER SOLUTIONS CONSIDERED?** End hook-and-release so fish can spawn.

**PROPOSED BY:** Central Peninsula Advisory Committee (SC-04-F-055)

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**PROPOSAL 249 - 5 AAC 56.050. Waters closed to sport fishing; and 5 AAC 61.050. Waters closed to sport fishing.** Amend these regulations in the Cook Inlet Area as follows:

Tributary streams will be closed to sport fishing when salmon are spawning. Major river system spawning areas will be closed to sport fishing when salmon are spawning. The department will classify the major spawning areas and the time salmon are spawning to determine time and area closures.

**PROBLEM:** Inriver fishing on spawning beds where it is a common practice to sort through spawners to catch the fresher bright fish. This hook-and-release practice on major spawning beds has a high mortality. This high mortality can and has reduced the number of successful spawners to be below the escapement goal. This jeopardizes the sustainability of the resource.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** High catch-and-release mortality will continue on the spawning beds especially from the increase of guided clients on these spawning beds. Smaller streams and small runs can be dramatically affected and jeopardize future returns.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?**

**WHO IS LIKELY TO BENEFIT?** The salmon resource. Future salmon returns. All salmon users benefit from protecting spawning salmon and habitat.

**WHO IS LIKELY TO SUFFER?** People who fish on spawning salmon on the spawning grounds.

**OTHER SOLUTIONS CONSIDERED?** None. This practice of too much fishing pressure on spawning salmon on the spawning beds will diminish, deplete, or eliminate salmon stocks as it has in other areas of the world.

**PROPOSED BY:** David Martin (SC-04-F-140)

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**PROPOSAL 250 - 5 AAC 56.022. Waters; seasons; bag, possession, and size limits; and special provisions for the Kenai Peninsula Area (excluding the Kenai River drainage); 5 AAC 56.023. Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage; 5 AAC 58.022. Waters; seasons; bag, possession, and size limits; and special provisions for the Cook Inlet—Resurrection Bay Saltwater Area; 5 AAC 58.024. Harvest record required; annual limits; and 5 AAC 61.022. Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet Area.** Amend these regulations as follows:

Under the annual limit regulations for Upper Cook Inlet include the following “Nonresident anglers are limited to a total of two king salmon 20 inches or longer, six sockeye salmon, four coho salmon, 20 pink salmon, and six chum salmon.

**PROBLEM:** Increased harvest by nonresident anglers is causing resident anglers to have increased restriction on their fishery in Upper Cook Inlet. For example, coho restrictions have precluded resident anglers from a historical three fish bag limit (instead of two fish bag limit is applied to all anglers). In addition, coho salmon fisheries have closed (late Kenai River coho) because of concerns over the unlimited growth of the nonresident fishery. Increasing nonresident angler harvest has also resulted in restrictions on other users including commercial and personal use fisheries.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Resident anglers will continue to see restrictions on fisheries. This will continue to create conflict between user groups.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Resident anglers should see fewer restrictions in their fishery and all users will benefit by having a more stable regulatory framework.

**WHO IS LIKELY TO SUFFER?** Nonresident anglers who harvest more than the annual limit. This regulation does not reduce fishing opportunity since catch-and-release fishing is still maintained. The guide industry may experience a short-term impact as nonresident anglers adjust to the regulation.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** John Sanderson (SC-04-F-125)  
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**PROPOSAL 251 - 5 AAC 56.022. Waters; seasons; bag, possession, and size limits; and special provisions for the Kenai Peninsula area (excluding the Kenai River drainage); 5 AAC 56.023. Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage; 5 AAC 58.022. Waters; seasons; bag, possession, and size limits; and special provisions for Cook Inlet—Resurrection Bay Saltwater area; and 5 AAC 61.022. Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet area.** Amend these regulations as follows:

(Exact wording can be adopted by the Department of Law after reviewing similar regulations currently in place in California and other lower 48 states.) The sum of the new regulation will require all anglers fishing Cook Inlet waters to display their fishing license on their exterior within clear view at all times while actively fishing. Different colored licenses shall be used to distinguish between resident and nonresident anglers.

**PROBLEM:** Minimal enforcement in Cook Inlet waters. This new regulation would allow officers to more easily identify anglers with no fishing license as well as differentiate between resident/nonresident anglers during the Kenai River ER.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Lack of enforcement will continue. Guides will continue to be responsible for asking to verify fishing license is in possession. Enforcement

will not be able to distinguish between resident and nonregular angler without directly contacting each angler individually. Nonresident anglers will continue to illegally purchase resident licenses.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes. Aids with enforcement and provides the department with more accurate creel census data.

**WHO IS LIKELY TO BENEFIT?** Enforcement officers, fishing guides, all anglers.

**WHO IS LIKELY TO SUFFER?** Lawbreakers.

**OTHER SOLUTIONS CONSIDERED?** No other solutions address this problem.

**PROPOSED BY:** Kenai River Professional Guide Association (HQ-04-F-126)

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**PROPOSAL 252 - 5 AAC 56.035(e). Methods, means, and general provisions—finfish; and 5 AAC 61.030. Methods, means, and general provisions--finfish.** Amend these regulations to provide the following:

Ask the department to review and update the pike waters list which allows five lines per angler and two hooks per line as long as the hooks are in a single bait.

**PROBLEM:** The expansion and spread of northern pike in the Southcentral region of Alaska continues to alter the composition of existing fisheries and waters that pike are found in. Some lakes which used to contain a mix of native sport fish and northern pike may now be a pike only fishery due to the elimination of native species by predation. The department should review the waters in Southcentral, including the Kenai Peninsula, Anchorage Bowl, and MatSu Valley, and update/add additional lakes to the five lines per angler regulations list as deemed appropriate or necessary.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Northern pike anglers would be missing an opportunity to maximize their harvesting potential of pike if restricted to only using two lines on lakes that contain only northern pike now.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, it provides an additional opportunity for anglers to harvest northern pike in waters where this species is the only sport fish remaining.

**WHO IS LIKELY TO BENEFIT?** All northern pike anglers benefit as well as the habitat.

**WHO IS LIKELY TO SUFFER?** No victims other than the pike.

**OTHER SOLUTIONS CONSIDERED?** Not applicable.

**PROPOSED BY:** Gary G. Barnes (HQ-04-F-339)

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**PROPOSAL 253 - 5 AAC 56.036. Kenai River guiding and guided fishing requirements; and 5 AAC 61.036. Freshwater guiding requirements.** Amend these regulations as follows:

All commercial guided fishing in the Cook Inlet drainage. Prepare a management plan for guided sport fishing.

**PROBLEM:** There are no management plans in place for the commercial guided charter harvest of any species of fish in the Cook Inlet drainage. Other commercial users have management plans.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** There will be a continued unaccountable amount of habitat and be required to report damage to the resource.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Improves reporting and quality of data.

**WHO IS LIKELY TO BENEFIT?** All users of the fisheries resource.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** Daily fish tickets/reports from all guides. Cost to the state.

**PROPOSED BY:** Chris Garcia (SC-04-F-099)

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**PROPOSAL 254 - 5 AAC 56.036. Kenai River guiding and guided fishing requirements; 5 AAC 56.037. Freshwater guiding requirements; and 5 AAC 61.036. Freshwater guiding requirements.** Amend these regulations to provide the following:

Commercial guides can only guide three days per week.

**PROBLEM:** Too many guides are pushing residents out of all the rivers. Most of us fish for fun and guides are so aggressive and pushy it is not worth fishing unless you can find a place where they are not.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Even more residents will quit fishing.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, it would help eliminate crowding and conflict on all rivers.

**WHO IS LIKELY TO BENEFIT?** People who live in Alaska.

**WHO IS LIKELY TO SUFFER?** People who need guides.

**OTHER SOLUTIONS CONSIDERED?** Guides must stay 100 feet from other sport fishing vessels.

**PROPOSED BY:** John Sanderson (SC-04-F-124)

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**PROPOSAL 255 - 5 AAC 56.036. Kenai River guiding and guided fishing requirements; and 5 AAC 61.036. Fresh water guiding requirements.** Amend these regulations to require the following:

Freshwaters logbook required in Cook Inlet area only.

a) In conjunction with the activities under 5 AAC 75.075, each fishing guide, and/or owner or agent of each fishing service, that operates a charter vessel used to provide fishing guide services in

freshwaters of Cook Inlet shall complete a State of Alaska, Department of Fish and Game, (Year) Freshwater Charter Vessel Logbook. The logbook requires information necessary for the management and conservation of fishery resources of the regulation of the guided sport industry, including:

- 1) the license numbers and names of the vessels licensed under AS 16.05.490 that are used during the provision of fishing guide services in freshwaters of Cook Inlet,
  - 2) the locations of fishing, and
  - 3) the effort, catch, and harvest of fish by persons who are clients of a business that conducts fishing services, or a person who provides fishing guide services.
- b) A person required to complete a logbook under (a) of this section shall do so and return it to the department, in the manner specified in the logbook.
- c) A person may not make a false entry in the logbook required in (a) of this section.

**PROBLEM:** The Statewide Harvest Survey (SWHS) information is not available in a timely manner (approximately 18 months later), and usually this information is later revised by the department. In addition, the SWHS is inaccurate on estimated harvest numbers between resident and guided nonresidents; this has represented a difference of 50 percent compared to actual creel data in some years.

Sport fish guide regulations do not require logbooks for freshwaters of Cook Inlet.

The department has not conducted creel surveys for several years on the Kenai River and other major freshwater drainages of Cook Inlet. The department recognizes creel information as a more accurate estimate of harvest numbers versus SWHS numbers and what they represent.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The information necessary for the management of fishery resources will be lost or unavailable in a timely matter.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** The information and data collected will improve the overall quality of estimating harvest on fishery resources; providing better information for the department to manage fisheries.

**WHO IS LIKELY TO BENEFIT?** The department, sport fishermen, residents of the State of Alaska in obtaining more accurate information which is readily available. Also, funding dedicated to creel surveys could be saved.

**WHO IS LIKELY TO SUFFER?** Commercial guides in time spent.

**OTHER SOLUTIONS CONSIDERED?** The department required to conduct creel surveys on all major rivers within Cook Inlet Area every three years; a better solution to the issues stated but the department will require funding.

**PROPOSED BY:** Kenai Peninsula Fishermen's Association (HQ-04-F-295)  
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**PROPOSAL 256 - 5 AAC 56.036. Kenai River guiding and guided fishing requirements; and 5 AAC 61.036. Freshwater guiding requirements.** Amend these regulations as follows:

Commercial guides must register for a particular area to fish for the salmon season. The areas will be determined by the department. Commercial guides need a 48-hour notice prior to changing areas.

**PROBLEM:** Commercial guide boat overcrowding occurring in fishing areas due to the fact that they are in the best fishing areas.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Continual overcrowding that puts undue stress on the resource.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Reduces crowding improves quality experience.

**WHO IS LIKELY TO BENEFIT?** All unguided users in these areas.

**WHO IS LIKELY TO SUFFER?** Guides perhaps.

**OTHER SOLUTIONS CONSIDERED?** Seasonal registrations--no changing of areas.

**PROPOSED BY:** Chris Garcia (SC-04-F-098)  
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**PROPOSAL 257 - 5 AAC 56.022. Waters; seasons; bag, possession, and size limits; and special provisions for the Kenai Peninsula Area (excluding the Kenai River drainage); and 5 AAC 58.022. Waters; seasons; bag, possession, and size limits; and special provisions for the Cook Inlet—Resurrection Bay Saltwater Area.** Amend these regulations to provide the following:

Derbies will take place in saltwater on surplus or enhanced stocks.

**PROBLEM:** A derby on stocks 100 percent allocated by unlicensed illegal nonprofit.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Smaller/fewer king salmon.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Larger kings, a pleasant experience of the river.

**WHO IS LIKELY TO BENEFIT?** Local resident fishermen.

**WHO IS LIKELY TO SUFFER?** A few visitors.

**OTHER SOLUTIONS CONSIDERED?** Board did not act on this before impact damaging to river and king stocks.

**PROPOSED BY:** John McCombs (HQ-04-F-165)  
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*The following proposal is also listed in the Lower Cook Inlet proposal index:*

**PROPOSAL 23 - 5 AAC 21.357(c). Kenai River Coho Salmon Conservation Management Plan; 5 AAC 56.022. Waters; seasons; bag, possession, and size limits; and special provisions for the Kenai Peninsula Area (excluding the Kenai River drainage); 5 AAC 52.023. Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage; 5 AAC 56.070. Kenai River and Kasilof River early-run king salmon conservation management plan; 5 AAC 58.022. Waters; seasons; bag, possession, and size limits; and special provisions for the Cook Inlet—Resurrection Bay Saltwater Area; 5 AAC 61.022. Waters; seasons; bag,**

**possession, and size limits; and special provisions for the Susitna—West Cook Inlet Area; and 5 AAC 61.030. Methods, means, and general provisions—finfish.** Amend these regulations as follows:

When there is a conservation concern, the department cannot revert to a catch-and-release fishery. The fishery is closed on that particular stock until it is deemed that there is sufficient harvestable surplus to reopen the fishery on the stock of concern.

**PROBLEM:** Mortality rate of hook-and-released fish in the Cook Inlet basin. Worldwide mortality rate for hook-and-released fish ranges from an average of 10 to 30 percent, but with larger fish the mortality rate exceeds this average.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** We will continue to wastefully kill more and more fish.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?**

**WHO IS LIKELY TO BENEFIT?** All users that are concerned about maintaining the resource.

**WHO IS LIKELY TO SUFFER?** Any industry that is unconcerned about the health of the resource.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Chris Garcia (SC-04-F-096)

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**PROPOSAL 258 – 5 AAC 56.023. Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage and 5 AAC 56.022(b)(7)(C)(vii), (b)(10)(D). Waters; seasons; bag, possession, and size limits; and special provisions for the Kenai Peninsula Area (excluding the Kenai River drainage).** Amend existing wild trout regulations in the Northern Kenai Peninsula Management Area to conform to the statewide management standards for wild trout as follows:

This proposal is intended to serve as a placeholder, providing the Board an opportunity to review and, if practical, modify existing wild trout regulations in the Northern Kenai Peninsula Area to conform to the newly adopted Statewide Management Standards for Wild Trout as described in 5 AAC 75.220.

**PROBLEM:** In March 2003 the board adopted a Statewide Wild Trout Fishery Management Plan. A conservative daily harvest limit of two trout per day, only one 20 inches or greater in length, with an annual limit of two fish 20 inches or greater in length were recommended in the plan as a statewide provision unless the board had adopted provisions of a regional trout management plan as regulations or, circumstances exist where harvest limits can be increased or should be decreased. Current bag, possession, and size limits for wild rainbow/steelhead trout in the Northern Kenai Peninsula Area are inconsistent with the conservative harvest limits outlined in the statewide management standards described in 5 AAC 75.220. The current rainbow/steelhead trout regulations for the Northern Kenai Peninsula Area are as follows:

In flowing waters, the general bag limit and possession limit varies from catch and release only fishing, to five fish per day. Daily size limits vary from no limit, to no



retention of fish 18 inches or greater in length, to only one may be over 20 inches in length. There is an annual limit of two fish 20 inches or greater in length, and a harvest record is required. To protect spawning fish, most flowing waters are closed to rainbow/steelhead trout fishing from April 15 - June 14, but seasonal closures may differ in certain portions of the Kenai River drainage.

In lakes and ponds, the current regulations are also inconsistent with the statewide management standard. The general bag limit and possession limit is five fish per day, of which only one may be over 20 inches in length, although this may vary. There is an annual limit of two fish 20 inches or greater in length, and a harvest record is required. Lakes and ponds are open from January 1 to December 31.

Season, bag and possession limits for rainbow/steelhead trout include the following:

- 1) In the lower Kenai River tributaries between the mouth and Skilak Lake (does not include the mainstem Kenai River, or Skilak Lake):
  - a) in flowing waters: two per day/two in possession, of which only one may be over 20 inches in length; Exception in the Moose River drainage - five per day/five in possession, of which only one may be over 20 inches in length;
  - b) in lakes and ponds: open entire year; five per day/five in possession, of which only one may be over 20 inches in length;
- 2) In the upper Kenai River tributaries between Skilak Lake and Kenai Lake (does not include the Russian River, the mainstem Kenai River, or Skilak Lake):
  - a) in flowing waters: no retention;
  - b) in lakes and ponds: open entire year; five per day/five in possession, of which only one may be over 20 inches in length;
- 3) In the Kenai Lake drainages (including Kenai Lake and all other lakes of the Kenai Lake drainage, and all flowing waters tributary to Kenai Lake):
  - a) in flowing waters: no retention;
  - b) in unstocked lakes from April 15 – October 31: two per day/two in possession, of which only one may be over 20 inches in length;
  - c) in unstocked lakes from November 1 – April 14: five per day/five in possession, of which only one may be over 20 inches in length;
- 4) In the lower Kenai River mainstem and Skilak Lake:
  - a) from mouth of Kenai River upstream to the Moose River: one per day/one in possession; no size limit; open June 15 – April 14;
  - b) from the Moose River upstream to Skilak Lake: one per day/one in possession, must be less than 18 inches in length; open June 15 – December 31;
  - c) Skilak Lake: one per day/one in possession; no size limit; open June 15 – April 14;
- 5) In the upper Kenai River mainstem upstream from Skilak Lake to the Sterling Highway bridge at the outlet of Kenai Lake (excluding the Russian River drainage):
  - a) one per day/one in possession, must be less than 18 inches in length; open June 11 – December 31;
- 6) In the Russian River drainage:
  - a) downstream of the outlet of Lower Russian Lake: no retention;
  - b) upstream of the outlet of Lower Russian Lake: two per day/two in possession, of which only one may be over 20 inches in length;
  - c) Upper and Lower Russian Lakes: two per day/two in possession, of which only one may be over 20 inches in length; open June 15 – April 14;
- 7) In the Kasilof River drainage, all rainbow/steelhead trout caught must be released immediately; a person may not remove a rainbow/steelhead trout from the water.

- 8) In the Swanson River drainage, the bag and possession limit for rainbow/steelhead trout is five fish, of which only one per day may be 20 inches or greater in length.

In addition, the bag possession limit for stocked lakes is five fish, of which only one may be over 20 inches in length, however stocked lakes do not fall within the wild trout plan.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Sport fishing regulations for rainbow/steelhead, which are not specified under a management plan for the Northern Kenai Peninsula Area, will remain inconsistent with statewide management standards for wild trout.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Sport anglers.

**WHO IS LIKELY TO SUFFER?** Unknown.

**OTHER SOLUTIONS CONSIDERED?** None. This proposal provides the opportunity for the board to review sport fishing regulations for wild rainbow/steelhead trout in the Northern Kenai Peninsula Area that are not consistent with harvest limits recently recommended in the Statewide Wild Trout Fishery Management Plan.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-04-F-320)

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**PROPOSAL 259 - 5 AAC 56.023(a)(5). Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage.** Amend this regulation as follows:

Entire river; rainbows one per day/one in possession, must be less than 18 inches long.

**PROBLEM:** Under the current rainbow daily limits there are differing size allowances in different parts of the river. To make these regulations less complicated and protect the larger spawning size rainbows this needs to be addressed.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Confusion will exist over where different size allowances exist and the larger spawning size rainbows should be protected.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Not applicable.

**WHO IS LIKELY TO BENEFIT?** Everyone, less confusing and better rainbow spawning stock protection.

**WHO IS LIKELY TO SUFFER?** Perhaps those that want to harvest larger rainbows, however most taxidermists have a large collection of molds to cast almost any size rainbow that someone may like to have mounted.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Kenai/Soldotna Advisory Committee (SC-04-F-023)

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**PROPOSAL 260 - 5 AAC 56.023. Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage.** Amend this regulation to provide the following:

For management purposes the waters of the Kenai River watershed are divided into lakes and ponds and flowing waters. Flowing waters are further divided into waters below and above Skilak Lake. For rainbow trout conservation as now in regulation, the flowing waters above Skilak Lake include the waters of Skilak Lake within a ½ mile radius of the upper Kenai River inlet, the water within ¼ mile above the Sterling Highway Bridge at the Kenai River outlet, and within ¼ mile of all inlet streams into Kenai Lake. Flowing waters below Skilak Lake include all tributaries flowing into Skilak Lake except the Upper Kenai River.

In all lakes and ponds of the Kenai River watershed the season is open to fishing the entire year. In unstocked lakes and ponds the daily bag, possession and size limits are two per day/two in possession, only one fish 20 inches or longer. In stocked lakes and ponds the daily limits are five per day/five in possession, only one 20 inches or longer. The annual Cook Inlet limit of two rainbows 20 inches or longer and the license recording requirement remain as now in regulation.

In all flowing waters, both above and below Skilak Lake as defined above, the season is open to rainbow trout fishing from June 11 to May 1. For further spawning protection all flowing waters above Skilak Lake as defined above are closed to all fishing from May 2 through June 10. All other closures for the conservation of other species now in regulation are not to be altered by this proposal. Examples of some are closures for winter coho, Crescent Creek grayling, and Dolly Varden tributary spawning.

In all flowing waters below Skilak Lake as defined above, the daily bag, possession and size limit are one per day/one in possession must be less than 18 inches long. No retention is allowed 18 inches or longer. This slot limit is for conservation.

The upper Kenai River trophy trout management area remains as now in regulation. In all flowing waters above Skilak Lake as defined above, the daily bag, possession and size limit are one per day/one in possession must be less than 16 inches long. No retention is allowed 16 inches or longer. This slot limit accounts for greater conservation and the social norms of the upper river.

**PROBLEM:** The rainbow trout regulations for the entire Kenai River watershed are unnecessarily complicated, confusing, and not adequate. Some areas do not always provide for adequate conservation and other areas are overly restrictive. Uniform rainbow trout regulations would be biologically sound and beneficial to the angling public.

Of special note and concern to many reviewing this proposal, trout populations in the upper Kenai River, where current regulations call for catch-and-release with no retention, are high and large numbers of small fish are sharing a limited food source. Truly large rainbows are fewer in number than historically. Reducing a small percentage of the population will allow more fish to reach truly trophy size and most of the fish targeted for retention are pre-spawners.

In the Kenai River below Skilak Lake this proposed uniform spawning closures and all present bait restrictions. The only major changes are retention slot limits in flowing water and uniform retention in lakes and ponds.

For conservation purposes this proposal retains the spring spawning closures and all present bait restrictions. The only major changes are retention slot limits in flowing water and uniform retention in lakes and ponds.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The present confusing myriad of regulation will remain throughout the Kenai River watershed. In the upper Kenai River rainbow trout populations will continue at high levels which will result in high catch rates but fewer fish will reach the large sizes that the Kenai was once famous for.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** The upper Kenai River has been managed as a trophy rainbow trout fishery. This proposal will improve the quality of the fishery throughout the Kenai River watershed.

**WHO IS LIKELY TO BENEFIT?** Both anglers who appreciate the opportunity to catch “a fish of a lifetime” and those who like to take a trout home to cook and eat. Also, those who cannot understand how regulations can become so complicated and confusing.

**WHO IS LIKELY TO SUFFER?** Those who feel that catch-and-release is the best management tool to maintain the quality of the upper Kenai River fishery.

**OTHER SOLUTIONS CONSIDERED?** Retention allowed for rainbow trout under 16 inches throughout the Kenai River watershed was rejected as too restrictive and not biologically necessary.

**PROPOSED BY:** Cooper Landing Advisory Committee (SC-04-F-049)  
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**PROPOSAL 261 - 5 AAC 56.023(c). Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage.** Amend this regulation as follows:

From the outlet of Skilak Lake to Warren Ames Bridge, retention of one Dolly Varden and one rainbow trout a day. Fish must be 18 inches or under.

**PROBLEM:** Rainbow trout and Dolly Varden regulations are very confusing with varied regulation throughout the river system that affect the same transient population of fish.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Continued confusion will result in unnecessary violations and portions of the rainbow and dolly population currently protected in some areas will be subject to harvest in others.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, it simplifies regulations and protects fish.

**WHO IS LIKELY TO BENEFIT?** The fish and users.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Kenai River Professional Guide Association (HQ-04-F-125)  
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**PROPOSAL 262 - 5 AAC 56.023(a)(5). Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage.** Amend this regulation to provide the following:

Delete all references to river segments of the lower Kenai River for trout and Dolly Varden: For example:

Delete paragraph (a)(5)(C)

Change open season dates and daily limits to read as follows:

Rainbow/steelhead trout

From the mouth of the Kenai River upstream to the outlet of Skilak Lake...June 15-April 14...one per day/one in possession must be less than 18 inches long.

Arctic char/Dolly Varden

From the mouth of Kenai River upstream to the outlet of Skilak Lake...June 15-April 14...two per day/two in possession must be less than 18 inches long.

Change the notes referring to dates to read as follows:

July 1-July 31: Only one single-hook lure is allowed in the Kenai River from its mouth upstream to the outlet of Skilak Lake.

August 1-September 30: Only one unbaited, single hook, artificial lure is allowed from the Upper Killey River upstream to the outlet of Skilak Lake.

October 1-April 14: Only one unbaited, single-hook, artificial lure is allowed in the Kenai River from its mouth upstream to the outlet of Skilak Lake.

**PROBLEM:** Inconsistencies and unnecessary confusion in the sport fishing regulations governing the lower Kenai River.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Many anglers will remain unnecessarily confused about bag limits and season dates due to the haphazard regulations that govern this section of the lower Kenai River. Furthermore, anglers are unnecessarily prevented from fishing certain areas of the lower Kenai River that are seasonally closed without a biological rationale.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** My change proposal only affects the quality of the resource in regards to bag limits and size of fish harvested. I propose decreasing the permissible size for harvesting rainbow trout to less than 18 inches long for the entire lower Kenai River. Additionally, I propose increasing the bag limit for Arctic char/ Dolly Varden to two per day/two in possession for the entire lower Kenai River but must be less than 18 inches long. These changes may be altered for biological reasons but my intent is to make the size and daily bag limits for rainbow trout and Arctic char/Dolly Varden uniform for the entire lower Kenai River.

**WHO IS LIKELY TO BENEFIT?** All anglers would benefit from these simplified regulations that eliminate much unnecessary confusion concerning open season dates, size limits and bag limits.

**WHO IS LIKELY TO SUFFER?** Those anglers that fish for rainbow trout below the Moose River with a desire to keep rainbow trout larger than 18 inches in length.

**OTHER SOLUTIONS CONSIDERED?** I also proposed a similar change that is watered down compared to this proposal. My other proposal does not contain language concerning fish size limits or bag limits. This proposal does a better job eliminating the confusion produced by the regulations concerning the lower Kenai River.

**PROPOSED BY:** Blake Gettys

(SC-04-F-051)

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**PROPOSAL 263 - 5 AAC 56.023(c)(2). Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage.** Amend this regulation as follows:

Delete the references to this river segment in the regulations governing the lower Kenai River mainstem and Skilak Lake. Delete reference: Seasonally closed waters on the lower Kenai.

**PROBLEM:** Inconsistencies in the sport fishing regulations governing the lower Kenai River. The lower Kenai River from the Upper Killey River to the Kenai River outlet at Skilak Lake is closed to all fishing from January 1 through June 14. This closure unnecessarily segments the lower Kenai River and complicates the regulations governing this fishery leading to much confusion, for no biological reason.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Anglers are prevented from enjoying this resource due to the haphazard nature of this section of the sport fishing regulations.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?**

**WHO IS LIKELY TO BENEFIT?** All sport anglers.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** Delete all references to river segments of the lower Kenai River for trout and Dolly Varden. For example:

Rainbow/steelhead trout: From the mouth of the Kenai River upstream to the outlet of Skilak Lake...June 15-April 14...one per day/one in possession must be less than 18 inches long.

Arctic char/Dolly Varden: From the mouth of Kenai River upstream to the outlet of Skilak Lake...June 15-April 14...two per day/two in possession must be less than 18 inches long.

July 1-July 31: Only one single-hook lure is allowed in the Kenai River from its mouth upstream to the outlet of Skilak Lake.

August 1-September 30: Only one unbaited, single hook, artificial lure is allowed from the Upper Killey River upstream to the outlet of Skilak Lake.

October 1-April 14: Only one unbaited, single-hook, artificial lure is allowed in the Kenai River from its mouth upstream to the outlet of Skilak Lake.

This change would greatly simplify the regulations and would be my first choice. I have submitted this language in a separate proposal.

I offer the above, less drastic proposal, as a compromise to those that are opposed to such rapid change.

**PROPOSED BY:** Blake Gettys (SC-04-F-053)

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**PROPOSAL 264 - 5 AAC 56.XXX. Kenai River Watershed Dolly Varden Special Management Area.** Create a new regulation to provide the following:

Establish a special management area for Dolly Varden, as provided in 5 AAC 56.014, in the Kenai River watershed from its mouth upstream to include all lakes, ponds and flowing waters. For management purposes the waters of the Kenai River watershed are divided into lakes and ponds and

flowing waters. Flowing waters are further divided into waters below and above Skilak Lake. For char and trout conservation as now in regulation, the flowing waters above Skilak Lake include the waters of Skilak Lake within a ½ mile radius of the upper Kenai River inlet, the water within ¼ mile above the Sterling Highway Bridge at the Kenai River outlet, and within ¼ mile of all inlet streams into Kenai Lake. Flowing waters below Skilak Lake include all tributaries flowing into Skilak Lake except the upper Kenai River.

In all lakes and ponds of the Kenai River watershed the season is open to Dolly Varden fishing the entire year. In lakes and ponds the daily bag, possession and size limits are two per day/two in possession only one fish 20 inches or longer.

In all flowing waters both above and below Skilak Lake as defined above, the season is open to Dolly Varden fishing the entire year except for the spawning closure to all fishing in Cooper Creek, Quartz Creek upstream of the Sterling Highway bridge (MP 40.9) and the South Fork of Snow River from September 15 to October 31.

Because Dolly Varden and rainbow trout are fished in a similar manner, making the spring rainbow spawning closure the same for Dolly Varden would simplify regulations and further protect spawning rainbows. For further rainbow spawning protection, all flowing waters above Skilak Lake as defined above are closed to all fishing from May 2 until June 10. All other closures for the conservation of other species, such as Crescent Creek grayling, rainbow trout and Kenai River winter coho, now in regulation are not to be altered by this proposal. In the special management area, bait restriction and other methods and means for rainbow and Dolly Varden protection would remain as now regulated.

In all flowing waters below Skilak Lake as defined above, the daily bag, possession and size limit are one per day/one in possession must be less than 18 inches long. No retention is allowed 18 inches or longer. This slot limit is for conservation.

In all flowing waters above Skilak Lake as defined above, the daily bag, possession and size limit are one per day/one in possession must be less than 16 inches long. No retention is allowed 16 inches or longer. This slot limit accounts for greater conservation and the social norms of the upper river.

**PROBLEM:** While criteria are available in regulation 5 AAC 56.014, no special management area for Kenai River Dolly Varden has been established. Sustainable conservation policies and plans are in place for the management of salmon and trout. The Dolly Varden regulations for the entire Kenai River watershed are confusing and not adequate. Some areas of the river are overly restricted and others are not restrictive enough. Establishing a special management area for Dolly Varden with uniform regulations would provide for Dolly Varden conservation in the Kenai River watershed and improve recreational opportunity with controlled harvest.

A special management area for Dolly Varden should be established. Within this area Dolly Varden would be managed by slot limit harvest and bag limit, spawning closures and bait restrictions. Dolly Varden provide a major sport fishery and are important for the economic well being of the Kenai and especially for Cooper Landing. The criteria listed in 5 AAC 56.014(b)(1) to (9) all apply to the Kenai River watershed and qualify the entire watershed under established criteria. 1) The Dolly Varden population of the Kenai River watershed is natural and maintains historic size and numbers, 2) is considered an important to outstanding fishery, 3) and is recommended by Cooper Landing, 4) most of the uplands in the middle and upper river are publicly owned federal and state conservation units and the mainstem with lakes is navigable, 5) under Alaska state regulations, the

entire area is only open to sport fishing (the future of federal subsistence in the area is unknown at this time), 6) in the proposed special management area over the past several years approximately 100,000 Dolly Varden have been caught annually with many 20 inches or greater, 7) the boundaries of the Kenai River watershed is defined in the KRSMA Management Plan, 8) the economic value to Cooper Landing of the Dolly Varden and rainbow sport fishery is well known and is a significant contribution to the Kenai tourist industry, and 9) the area already has special management plans and policies for salmon and trout.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Dolly Varden sport fishery of the Kenai River will remain a confusing and inadequately regulated fishery with future conservation concerns.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Simplified regulations and conservative management of Dolly Varden will benefit all users of this resource.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** The status quo is not acceptable.

**PROPOSED BY:** Cooper Landing Advisory Committee (SC-04-F-046)

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**PROPOSAL 265 - 5 AAC 56.023(a)(4). Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage.** Amend this regulation as follows:

Entire river; Arctic char/Dolly Varden one per day/one in possession, must be less than 18 inches long.

**PROBLEM:** Under the current Dolly Varden daily limits there are differing size allowances and bag limits for different parts of the river. To make these regulations less complicated and protect the larger spawning size Dolly Varden this needs to be addressed.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Confusing will exist over where different size allowances and bag limits exist and the larger spawning size Dolly Varden should be protected.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Not applicable.

**WHO IS LIKELY TO BENEFIT?** Everyone, less confusing and better Dolly Varden spawning stock protection.

**WHO IS LIKELY TO SUFFER?** Perhaps those that want to harvest larger Dolly Varden, however most taxidermists have a large collection of molds to cast almost any size rainbow that someone may like to have mounted.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Kenai/Soldotna Advisory Committee (SC-04-F-022)

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**PROPOSAL 266 - 5 AAC 56.023. Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage.** Amend this regulation to make Arctic char/Dolly Varden regulations consistent throughout the drainage as follows:

- (a)(4) Arctic char/Dolly Varden;
  - (A) may be taken from January 1 – December 31, in flowing waters from its mouth upstream to the mouth of the upper Killey River, except the Moose River drainage above the Sterling Highway Bridge; bag and possession limit of **one fish less than 18 inches in length [TWO FISH; NO SIZE LIMIT]; no retention of fish 18 inches or greater in length; Arctic char/Dolly Varden caught that are 18 inches or greater in length must be released immediately;**
  - (B) may be taken from **June 11 – May 1** [JUNE 15 – APRIL 14], in the flowing waters of the Moose River drainage upstream of the Sterling Highway Bridge; bag and possession limit of **one fish less than 18 inches in length [TWO FISH; NO SIZE LIMIT]; no retention of fish 18 inches or greater in length; Arctic char/Dolly Varden caught that are 18 inches or greater in length must be released immediately;**
  - (C) may be taken from January 1 – December 31, in the lakes and ponds of the Kenai River drainage, from its mouth upstream to Skilak Lake outlet; bag and possession limit of [FIVE FISH; NO SIZE LIMIT] **two fish, of which only one may be 20 inches or greater in length;**
- (d)(1)(C) from June 11 – September 14, and from November 1 – **May 1** [APRIL 14], Cooper Creek;

**PROBLEM:** The current regulations for seasons, bag and possession limits for Arctic char/Dolly Varden in the Kenai River drainage, tributaries and lakes are a network of disparate and often times conflicting measures. This inconsistent regulatory structure does not always ensure that the necessary biological factors of historical size composition and stock levels will be maintained. As well, the circumstance of confusing rules does not provide the angling public with a system that serves to increase the general ease and overall interest in fishing activity that a more consistent regulatory structure would provide.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The regulatory structure for Arctic char/Dolly Varden management in the Kenai River drainage will remain a confusing system of rules that does not always ensure the important historical biological parameters of size composition and stock levels will be maintained.

**WHO IS LIKELY TO BENEFIT?** The angling public.

**WHO IS LIKELY TO SUFFER?** Unknown.

**OTHER SOLUTIONS CONSIDERED?** Current regulations remain in effect.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-04-F-323)

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**PROPOSAL 267 - 5 AAC 56.023(a)(4). Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage.** Amend this regulation as follows:

Change the “entire year” season for Dolly Varden to only extend up to the Moose River and change the June 15-December 31 season to: from the Moose River upstream to Skilak Lake.

**PROBLEM:** Increasingly, some anglers are taking advantage of the year-round Dolly Varden season below the upper Killey River to target rainbows as a bycatch prior to the June 15 rainbow opener. The June 15 start time is in effect to help protect rainbows that are still on the spawning beds prior to that time.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** This activity will increase as more anglers learn of this loophole.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Not applicable.

**WHO IS LIKELY TO BENEFIT?** Everyone who sees the biological since in truly staying off the rainbow spawning beds until June 15.

**WHO IS LIKELY TO SUFFER?** Those who are taking advantage of this loophole.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Kenai/Soldotna Advisory Committee (SC-04-F-021)

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**PROPOSAL 268 - 5 AAC 56.023. Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage.** Amend this regulation as follows:

No fishing within one-half mile of the outlet of Skilak Lake.

**PROBLEM:** Ice fishing for large rainbows near the outlet of Skilak Lake.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Fish that are currently protected from harvest from June 15 to December 31 will be available for harvest through use of bait while fish are concentrated at the outlet of Skilak Lake.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, large numbers of rainbows that are harvested in this fishery will be available to catch in the June 15 – December 1 season, when many more users participate in the fishery.

**WHO IS LIKELY TO BENEFIT?** Large Kenai River rainbow trout.

**WHO IS LIKELY TO SUFFER?** No one. Fishing opportunity exists beyond the half-mile limit where rainbows are less vulnerable.

**OTHER SOLUTIONS CONSIDERED?** This solution is consistent with all other winter stream mouth closures in the Kenai River drainage.

**PROPOSED BY:** Joe Hanes (HQ-04-F-128)

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**PROPOSAL 269 - 5 AAC 56.023. Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage.** Amend this regulation to provide the following:

Change all references from “the outlet of Skilak Lake” to “waters within a ½ mile radius of the outlet of Skilak Lake.”

**PROBLEM:** Inconsistencies in the sport fishing regulations governing the Kenai River. Currently, anglers are permitted to fish with baited multiple-hooks at the outlet of Skilak Lake despite the seasonal restriction to the lower Kenai River water immediately adjacent. This seasonal restriction limits anglers to unbaited, single-hook artificial only lures to this section of the lower Kenai River. There needs to be a ½ mile buffer zone similar to the regulations governing the upper Kenai River at the Skilak Lake inlet.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Fish are being targeted by methods and means inconsistent with the intent of the regulations governing similar areas of the Kenai River. This flaw in the regulations puts undue pressure on spawning coho salmon and pre-spawn trout.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** My proposal addresses a gap in the regulations. The regulations intended to protect spawning coho salmon and pre-spawn rainbow trout. This proposal will fix that gap.

**WHO IS LIKELY TO BENEFIT?** All anglers will benefit by protecting this vulnerable resource.

**WHO IS LIKELY TO SUFFER?** Anglers who use bait and multiple-hooks in Skilak Lake in waters immediately adjacent to the lower Kenai River outlet will suffer if my proposal is adopted.

**OTHER SOLUTIONS CONSIDERED?** If this regulation truly intends to protect the rainbow trout resource of the mainstem Kenai River, a size limit change for rainbow trout in Skilak Lake should be implemented. I considered proposing a size limit change for Skilak Lake rainbow trout from “unlimited” to “must be less than 18 inches long.” I elected to propose less restrictive regulation guidance that should be more readily accepted.

**PROPOSED BY:** Blake Gettys (SC-04-F-052)

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**PROPOSAL 270 - 5 AAC 56.023(c)(1). Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage.** Amend this regulation as follows:

Delete the August 1-December 31 restriction upstream from the Killey River, and the October 1-December 31 restriction downriver from Skilak Lake.

**PROBLEM:** Lift the bait restrictions (Aug. 1-Dec. 31). Except for the August 1-3 restriction below the Sterling Highway bridge, these restriction on the use of bait above the Upper Killey were adopted to allow completed coho anglers a place to fish for rainbows where there was no option to continue fishing for coho with bait under the pretext of fishing for rainbows. The extension of the no-bait to the remainder of the lower and middle river on October 1 also accomplished that goal. In essence, these closures to the use of bait were aimed at coho fishing.

Rainbow populations in the middle river are known to be healthy and growing and do not require additional protection afforded by a no-bait fishery.

Further complicating the decision is the fact that few, if any, coho fishermen use bait in the middle river where hardware is the preferred method. This is increasingly true as the fall progresses.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** This, more than any other, is a family fishery and success can be limited for those who are not experts with beads or flies. The tendency is for highest catch rates in nonbait fisheries to be skewed towards those who spend the most time on

the river. In the Kenai, that means that guided angler success increases and that of the casual weekend or family fishery declines.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Not applicable.

**WHO IS LIKELY TO BENEFIT?** Everyone. It would improve catch rates at times when other alternatives are less effective. It would also add consistency and make the regulations less complicated.

**WHO IS LIKELY TO SUFFER?** Nobody. Purists do not have to use bait if they do not want to.

**OTHER SOLUTIONS CONSIDERED?** Perhaps allow bait for fishermen that are drifting down the river. This is the preferred method for rainbows while anchoring is preferred for coho. It is rare that you catch a coho while drifting.

**PROPOSED BY:** Dwight Kramer (SC-04-F-025)  
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*Identical proposals were submitted by each organization listed at the bottom of the proposal. The submissions are reproduced here as one proposal for publishing purposes:*

**PROPOSAL 271 - 5 AAC 56.023(c)(3). Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage.** Amend this regulation to provide the following:

No fishing from an anchored vessel from the swan sanctuary sign at the outlet of Skilak Lake to the corresponding swan sanctuary sign at approximately river mile 47 from June 15-December 31.

**PROBLEM:** Fishing from an anchored vessel from the swan sanctuary sign at the outlet of Skilak Lake to the corresponding swan sanctuary sign at approximately river mile 47.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Continued congestion in main river channels will cause safety concerns and user conflicts. This is largely a catch-and release-fishery. Anglers that hook trophy sized rainbow and remain on anchor cause unnecessary stress to the fish and increase likelihood of mortality.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, decreases user conflict, prevents anchoring in braided, high traffic gravel areas below Skilak and eliminates a significant safety concern.

**WHO IS LIKELY TO BENEFIT?** All users.

**WHO IS LIKELY TO SUFFER?** No one, all users will have equal fishing opportunity and safety will improve.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Kenai River Professional Guide Association (HQ-04-F-123)  
Kenai River Property Owners Association (HQ-04-F-143)  
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**PROPOSAL 272 - 5 AAC 56.023. Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage.** Amend this regulation to provide the following:

Change the methods and means to mandate a hook gap between the point and shank of 3/8 inch or less in the upper Kenai River from waters of Skilak Lake within a 1/2 mile radius of the river inlet to 1/4 mile above the Sterling Highway bridge at the outlet of Kenai Lake and in the Russian River regardless of target species.

**PROBLEM:** Trout populations in the upper Kenai River are showing significant damage to jaws and eyes. Most of this is being caused by large hooks with large barbs.

Current regulations for the Kenai River already mandate a 3/8 inch hook gap when fishing for sockeye salmon in the fly-fishing-only waters and this proposal would make a simplified uniform hook gap rule for all species during all open seasons.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Rainbow trout populations will continue to sustain unnecessary injuries.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** The upper Kenai River has been managed as a trophy rainbow trout fishery. This will improve the quality of that fishery.

**WHO IS LIKELY TO BENEFIT?** Those that have respect for the fish that they intend to release.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** Requiring barbless hooks.

**PROPOSED BY:** Cooper Landing Advisory Committee (SC-04-F-048)  
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**PROPOSAL 273 - 5 AAC 56.023(d)(1). Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage.** Amend this regulation as follows:

Close the entire Russian River area to fishing from 10 p.m. to 6 a.m.

**PROBLEM:** Human/bear conflicts. The bears that inhabit the Russian River drainage area are in constant conflict with humans over access to fish resources and use of this area.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** People and bears will continue to be killed.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** This proposal still provides for 16 daylight hours of sport fishing per day.

**WHO IS LIKELY TO BENEFIT?** Both bears and people. The 10 p.m. to 6 a.m. closure provides eight hours for the bears to have access to the salmon resources.

**WHO IS LIKELY TO SUFFER?** There is very little productive sport salmon fishing at night so very few sport fishermen should be denied fishing opportunities.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Kenai Soldotna Advisory Committee (SC-04-F-042)  
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**PROPOSAL 274 - 5 AAC 56.023(d)(3). Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage.** Amend this regulation as follows:

Close the Russian River corridor to fishing between 11 p.m. and 6 a.m. by adding the words “from 6 a.m. to 11 p.m.” to all statements in the regulations and in the sport fishing regulations summary concerning seasonal limits.

**PROBLEM:** Nighttime human/bear encounters along the Russian River corridor (Russian River, Russian River confluence area, and Kenai River downstream from confluence to power line crossing).

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Bear/human conflicts will continue/increase, leading to more injuries and deaths to humans, and further threats to the population of brown bears on the Kenai Peninsula. Over roughly the last ten years, a number of nighttime encounters between people and bears have occurred in this area which resulted in injuries to people or injury/death to bears. In 2003, a man was critically injured by a brown bear in the Russian River corridor. Some years before that, another man was bitten at night. Besides human injury, in 2002 a brown bear sow was shot and killed near the confluence, and in 2003 another brown sow was shot and killed slightly upriver and her three cubs were euthanized, a loss of four brown bears to the population to date in 2003. All these encounters took place at night, when visibility is reduced or almost eliminated, preventing bears and people from seeing each other at a distance and causing them to come upon each other suddenly.

Besides improved safety for humans and loss of fewer bears to DLPs, there are other benefits to a nighttime closure. They include:

a) Better distribution of fish. The opening of the Russian River Sanctuary area each year disrupts the natural pattern of salmon migration. Hundreds of people line the Kenai banks and form several lines completely across the Russian mouth, often elbow to elbow. Salmon resting in the sanctuary either are driven upstream immediately or back into the blue water of the Kenai where they hold for days or weeks. Population pressure may cause an occasional movement upstream into the Russian, but generally what happens is that upstream fishermen are deprived of fish for long periods. For example, during the ten days after the sanctuary was opened in June 2003, there were at least six days when the count through the weir below Russian Lake never reached 100 fish in any 24-hour period, and twice dropped as low as 29 in 24 hours. Those fish that did move upstream tended to go all the way past the upper limit without passing. There was essentially no fishing to be had in the river itself, as opposed to the confluence/sanctuary area, during that period. One could walk the river from the upper fishing limit all the way to the upper end of the sanctuary area and not see more than a handful of fish (an observation borne out by the weir counts during that period). In contrast, once the 2003 nighttime closure went into effect, salmon moved up every night, and upriver fishermen could find salmon well-distributed in sites the length of the river.

b) Better distribution of fishermen. An 11 p.m. to 6 a.m. closure permits fish to move into the Russian River every night. As fish become available upriver, fishermen are not forced to the confluence/sanctuary area to find fish, and fishermen also become better distributed along the river. This not only improves the fishing experience for everyone, but also reduces bank damage at and near the confluence/sanctuary. It also would relieve a situation which was particularly bad in 2003, when the “combat-fishing” area was essentially the only area with fish early in the season. During that time, brown bear triplets learned that the concentration of fishermen in the “combat-fishing” area meant availability of caught fish, and caused them to patrol the area and steal people’s fish for

much of the rest of the season until the twin impetuses of rubber bullets and the presence of fish upstream finally improved the situation.

c) Less stress on bears. A nighttime closure gives bears the opportunity to find food without competition from humans. Bears need invest less energy to find food, which not only is better for the bears, but since bears do not have to spend longer periods and range greater distances to find food, improves safety for humans and bears.

d) Better opportunities for hunters. Every brown bear killed reduces the chances of a fall hunt on the Kenai. The fall hunt has been canceled most recent years because of bear deaths. In 2003, four browns were lost on the Russian. The reduction in DLPs resulting from a nighttime closure on the Russian would increase the likelihood of a brown bear hunting season.

e) Monetary savings. The Forest Service/concessionaire currently mans the Russian River Campground contact station 24 hours a day. According to the concessionaire, the cost of manning the contact station during the night hours exceeds the money collected. A nighttime closure would increase revenues to the Forest Service/concessionaire, which would provide the Forest Service with more money to offset overall costs.

f) Better observance of fish and game regulations. The hours of night give more opportunity to keep illegally-caught fish. Many knowledgeable people have suggested that a significant percentage of people who choose to fish the Russian at night do so because it is easier to escape enforcement, both because there are fewer people around and because darkness prevents others from seeing how fish are actually hooked and how many are kept.

g) Less law breaking. Presently, people who fish at night break the law in a number of ways. They regularly erect tents and camp in noncamping areas along the south bank of the Kenai. They build illegal campfires. They illegally carry and discharge firearms on Kenai National Wildlife Refuge land. If the river were closed, much of this illegal activity would cease.

h) Less rowdiness. Observations indicate that many of the people taking the ferry to stay the night take substantial quantities of alcohol, and night campers often engage in loud revelry late into the night, so that people nearby cannot sleep for the noise.

i) Less littering and vandalism. People who remove trash and litter from the banks noted much less litter once the 2003 nighttime closure was put into effect. This means a reduced maintenance workload for the land stewards.

j) Reduction in legal liability. A permanent night closure to reduce human/bear encounters will also reduce the exposure of the State of Alaska and the land stewards to litigation. In these litigious times, and in the current situation, being sued by a victim, a victim's family, or a third party is a real risk.

Please note that a nighttime closure on the Russian: 1) Would not set a precedent. The department uses nighttime closures in the Matanuska/Susitna valley areas; 2) Would not affect legitimate camping areas in the Russian River campground and elsewhere; and 3) Would not increase human/bear confrontation danger. The Brooks River is closed at night, and that has not caused increased problems in the morning and during the day.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?**

**WHO IS LIKELY TO BENEFIT?** Almost all fishermen, hunters, the stewards of the land on either side of the river (less maintenance and lower cost), the land itself (reduction in erosion), the general public (through improved safety and reduced government costs), and the brown bear population.

**WHO IS LIKELY TO SUFFER?** A small percentage of fishermen who cannot or will not fish during the daylight hours.

**OTHER SOLUTIONS CONSIDERED?** We considered instituting the nighttime closure only during the times when the sanctuary is open, since the closed sanctuary area provides some of the benefits of a nighttime closure (less stress on bears, better distribution of fishermen, less bank erosion) but this solution does not meet the objective of improving safety by preventing nighttime encounters of bears and humans.

**PROPOSED BY:** Dean and Nina Cornett (HQ-04-F-004/SC-04-F-012)

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**PROPOSAL 275 - 5 AAC 56.023. Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage.** Amend this regulation as follows:

A permanent no fishing zone exists within the Russian River sanctuary area from May 2 through August 20. This area is defined as 50 yards upstream and downstream of the confluence of the Russian and Kenai rivers and upstream for 50 yards into the Russian River. ADF&G markers and signs define the area.

**PROBLEM:** Regarding the Russian River early and late sockeye salmon runs, up to the time the department opens the sanctuary zone to sport fishing at the confluence of the Russian/Kenai, the quality of fishing and harvesting opportunities within the clear waters of the Russian River are outstanding. As soon as the sanctuary zone is opened to sport fishing, the number of anglers fishing across the mouth of the Russian River effectively prevents the movement of sockeye up the Russian. This is referred to as the “boot blockade” and causes a significant deterioration in sport fishing quality and harvest opportunities in the Russian River itself. This loss of fish movement up the Russian forces all campground and day-user anglers to move to the confluence area to catch fish and thus increases congestion, overcrowding and a deterioration of the fishing experience.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Campground and day-use anglers will have no option but to walk downstream to the confluence to harvest fish in the already crowded conditions and contribute to further habitat damage.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Absolutely. By allowing sockeye salmon to commit to entering the Russian River with no obstacles or impediments (anglers in waders) they will continue their movement upstream no matter what the angler pressure is like above the no fishing zone. This allows campground and day-use anglers the entire Russian River to fish, alleviates overcrowding, and improves the quality of the fishery and experience.

**WHO IS LIKELY TO BENEFIT?** All anglers who use the Russian River campground (as campers or day-use anglers).

**WHO IS LIKELY TO SUFFER?** No negative impacts or victims.



**OTHER SOLUTIONS CONSIDERED?** No change means continued lack of fishing opportunities for hundreds of anglers per day in the Russian River once the sanctuary area is open leading to continued overcrowding at the mouth.

**PROPOSED BY:** Gary G. Barnes (HQ-04-F-335)

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**PROPOSAL 276 - 5 AAC 56.023. Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage; and 5 AAC 56.065. Riparian Habitat Fishery Management Plan.** Amend these regulations as follows:

Drift only until the boat wake study complete.

**PROBLEM:** Erosion, pollution, crowding, safety, habitat destruction.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** All of the above.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?**

**WHO IS LIKELY TO BENEFIT?** Everyone in the future.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** The board did not follow up on zero net loss, had impaired judgment.

**PROPOSED BY:** John McCombs (HQ-04-F-166)

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**PROPOSAL 277 - 5 AAC 56.023. Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage.** Amend this regulation as follows:

Downstream of the outlet of Skilak Lake, the following regulation applies to fishing from all boats: “No one may fish from any motorized vessel on Monday and Wednesday and Fridays in May, June, and July (except Memorial Day). For purpose of this regulation, a motorized boat is one with a motor onboard.”

**PROBLEM:** The Kenai River is experiencing environmental degradation from power boats on the Kenai River. Recent data suggest that thousands of gallons of unburned gasoline are entering the river each fishing season. In addition, bank erosion rates continue to be very high due to boat wakes. These issues have been documented in numerous scientific reports.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** If the regulatory bodies do not act, the Kenai River system will continue to suffer degradation. As a past president of the American Fisheries Society testified in the 1980s, “a river will bend and bend and bend and then break, when this happens it is too late to recover.” This is the Kenai River. If small incremental steps toward change are not taken the actions needed when the system breaks will be dramatic and significant. This proposal starts that process of change.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** In the long-term all users will benefit as the river's long-term health is maintained. In the short-term those who are able to fish from a drift boat will benefit from reduced effort.

**WHO IS LIKELY TO SUFFER?** Resident and nonresident boat owners who fish the Kenai will suffer some loss of opportunity in the short-term. As the fishery gains longevity, equipment will be replaced and opportunity will increase. The guided industry will have to adapt but this proposal does not prohibit guided anglers from fishing on these days.

**OTHER SOLUTIONS CONSIDERED?** The most obvious solution is to go to a drift-only fishery every day. However, this would cause significant economic harm and would not allow for an orderly transition to a new type of fishery. An additional option would be to zone the river to drift and motorized boats. However, this would impact the residents along the river unfairly.

**PROPOSED BY:** Aaron H. Morse (HQ-04-F-021)  
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**PROPOSAL 278 - 5 AAC 56.023. Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage.** Amend this regulation as follows:

Close the Kenai River to fishing from motor-powered boats downstream from the outlet of Skilak Lake to the Soldotna Bridge on Wednesdays.

**PROBLEM:** The use of motor-powered boats is causing serious habit degradation from boat wakes to the Kenai River banks. These banks are critical for future salmon production. Over 1,000 boats a day can pass popular fishing areas (Dorara and Moore 1997).

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Motor boats will continue to cause bank erosion thus depleting the bank habitat and eventually the salmon resource. Hydrocarbons will increase and possibly affect juvenile salmon.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?**

**WHO IS LIKELY TO BENEFIT?** Salmon resource present and future and the people and industries that use and depend upon sustainable large returns.

**WHO IS LIKELY TO SUFFER?** Those fishermen who want to use power boats on Wednesdays above Soldotna Bridge.

**OTHER SOLUTIONS CONSIDERED?** Restrict more areas and more time to drift only. The public needs some time to adjust to drift only. By doing a little at a time, people will see the results of less habitat degradation, healthier returns and a much more enjoyable fishing experience.

**PROPOSED BY:** David Martin (SC-04-F-144)  
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**PROPOSAL 279 - 5 AAC 56.023. Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage.** Amend this regulation to provide the following:

Allow fishing on the Kenai River from boats with 50 horsepower four stroke motors.

**PROBLEM:** Data from boat wake studies have indicated boat wakes can be reduced by up to 40 percent with the use of 50 horsepower. The restriction to 35 horsepower was done with no scientific data; 35 horsepower is underpowered for many boats and thus results in larger wakes.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Large boat wakes will continue to be produced needlessly and reducing boat wakes through increased horsepower may reduce bank erosion and benefit habitat, also, eliminating two strokes will reduce fuel pollution.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?**

**WHO IS LIKELY TO BENEFIT?** The habitat.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Mel Erickson (SC-04-F-148)

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**PROPOSAL 280 - 5 AAC 56.023(a)(1)(A). Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage.** Amend this regulation as follows:

Cancel the 6 p.m. to 6 a.m. nonresident restriction now in effect in May and June and change to: **Nonresidents may not fish from boats downstream from Skilak Lake on Sundays during May, June, and July.** This change would provide more opportunity to nonresidents in the evenings but would return Sundays to a resident fishing day and decrease crowding and most illegal guiding activity.

**PROBLEM:** Illegal guiding by and for nonresident fishermen on Sundays. If you eliminate nonresidents from fishing from a boat below Skilak Lake on Sundays you would take away that portion of the illegal guiding activity on Sundays that contributes to crowding and conflicts with legal resident fishermen. Enforcement finds it almost impossible to prove illegal guiding. Some guides maintain an unmarked boat or two in their fleet for fishing during nonguide times. Some of it legal, some of it illegal. Another larger element of this situation is illegal resident and nonresident guiding of nonresidents anglers. This would eliminate this activity on Sundays.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Unguided local and resident anglers will continue to lose more opportunity to illegal guiding activities and associated crowding.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Not applicable.

**WHO IS LIKELY TO BENEFIT?** Unguided local and resident fishermen who really do deserve a day set aside for themselves.

**WHO IS LIKELY TO SUFFER?** Nonresident anglers and resident who take nonresident family or friends out on Sundays. However, by changing this wording these affected anglers would still have the days and evenings Tuesday-Saturday. They would, in effect, gain the evenings back in May and June.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Kenai/Soldotna Advisory Committee (SC-04-F-019)

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**PROPOSAL 281 - 5 AAC 56.023(b)(2). Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage.** Amend this regulation as follows:

Eliminate the unnecessary regulation prohibiting nonresidents from fishing from boats downstream from the outlet of Skilak Lake in May and June between the hours of 6:00 p.m. and 6:00 a.m., and address the real problem: too many guide boats operating on the river.

**PROBLEM:** Last year, the board prohibited nonresidents from fishing from boats downstream from the outlet of Skilak Lake in May and June between the hours of 6:00 p.m. and 6:00 a.m. There is no problem with crowding on the river during these hours; the problem is too many guide boats between 6:00 a.m. and 6:00 p.m. This new regulation unnecessarily restricts fishing opportunities for nonresident anglers.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Resident anglers with out of state visitors cannot take them fishing before 6:00 a.m. and after 6:00 p.m. when the river is not crowded with guide boats. Those visitors to Alaska with summer jobs will not be able to fish from a boat during their nonworking hours.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Nonresident anglers and resident boat owners who wish to take guests fishing when the river is not crowded.

**WHO IS LIKELY TO SUFFER?**

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Dick Marshall (HQ-04-F-006)

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**PROPOSAL 282 - 5 AAC 56.023. Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage; and 5 AAC 56.036. Kenai River guiding and guided fishing requirement.** Amend these regulations as follows:

Remove the restriction on nonresidents in May and June. Change the time when guides can fish from 8:00 a.m. to 4:00 p.m. all year in the Kenai River.

**PROBLEM:** During the early Kenai king run in May and June change the time when nonresidents can fish from 6:00 p.m. to 6:00 a.m. instead of how it is now. Somehow the board got snookered into thinking it was wise to restrict all nonresidents at the busiest time on the river. This is foolish and makes it so I have to take off work to go fishing with my father or pay someone to be his guide. He has fished this river longer than most.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** People wanting to take their folks fishing will have to pay a guide or take off work. This is ridiculous.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Residents who have been pushed off the river by the guides.

**WHO IS LIKELY TO SUFFER?** No one, guides are already getting too much.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Gary Barber (HQ-04-F-198)

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**PROPOSAL 283 - 5 AAC 21.359. Kenai River Late-Run King Salmon Management Plan; and 5 AAC 56.070. Kenai River and Kasilof River early-run king salmon conservation management plan.** Amend these regulations as follows:

Rather than to recommend a single approach, we ask the board to approach this problem in several steps as follows:

- 1) Recognize that there is a long-developing and continuing problem in management of the inriver king salmon fishery on the Kenai that has resulted in diminished harvests and quality of fishing by nonguided resident anglers.
- 2) Recognize that allowing unlimited numbers of commercial operators (guides and rental boats) has adverse effects on other users and the environment;
- 3) Develop a set of management goals to fairly address resource allocation and angling opportunity between the guided/nonguided anglers and resident/nonresident guides
- 4) Following steps (1), (2) and (3), the board will implement appropriate time/area measures to equitably address the king resource allocation issue for inriver sport fishers.

Rather than recommend a specific course of action for time/area measures, we instead offer a suite of possible alternatives actions for the board to consider. We have our preferred set of alternatives and will testify on those at the board meeting. These alternatives are intended to be viewed as separate actions, i.e., we are not advocating that the board enact all of these measures, but rather that the board chose those that will be most effective in achieving the goals of the fishery.

Potential Action “Menu”

The first-run Kenai king salmon fishery on the Kenai will be converted to a weekend-only fishery. This fishery will provide an opportunity for anglers to use bait and harvest a king salmon. We believe given a choice, resident anglers would prefer a more limited opportunity to participate in an early-run king fishery that has a higher chance of success (using bait) for a more limited period, than the existing situation where the fishery is unrestricted in time, but managed to be inefficient (no bait) and with harvest restrictions in place.

The first-run Kenai king salmon fishery will be converted to a resident-only fishery prior to June 15 or until 15,000 kings are in the river. Bait and harvest would be allowed in this fishery and guides would be allowed to serve resident anglers.

Guide hours would be rescheduled to begin at 8 a.m. rather than the existing 6 a.m. in order to allow nonguided anglers greater fishing opportunity on the river without the presence of guides. In order to make this restriction effective (as opposed to the current situation), the 8 a.m. start would mean that guide boats would not be on the river until 8 a.m. This would prevent the continuation of the current situation where guide boats get out on the river well before their allowed starting time and idle in place to reserve their preferred fishing location.

Add another day--Fridays for example--as a drift-only, nonguided angling day for both the first and second run king salmon fishery. This would have the double effect of adding opportunity and harvest for nonguided anglers, and also reduce the environmental effects of the fishery to Kenai River habitat.

Limit the number of nonresident king salmon harvest tags to be no more than 50 percent of the planned escapement of king salmon. If the projected escapement were exceeded, additional tags could be released.

Provide a seasonal harvest limit for nonresidents of one Kenai River king salmon.

Institute drift-only fishing areas on parts of the river to prevent anglers from "hogging" holes.

The board and the department will undoubtedly have some ideas of their own on measures to help achieve fishery allocation goals between guided/nonguided and resident/nonresident anglers on the Kenai.

**PROBLEM:** In the board meeting in February 2002, the board approved a catch-and-release regulation for the first run of Kenai chinook salmon that set off a firestorm of protest and ultimately was modified prior to the fishing season.

We believe the difficult situation and public controversy over the early-run Kenai king catch-and-release regulation is a symptom of a flawed management approach to management of the king resource. We believe the main problem the board has in regulating the Kenai River chinook fishery is the lack of management goals for the inriver sport fishery. This lack of goals has created a piecemeal approach to addressing proposals and problems in the fishery over the years.

As an initial step to remedy this situation, we propose the board adopt two management goals for the early- and late-run Kenai chinook fishery as follows:

- At least 50 percent of Kenai chinook salmon harvested will be allocated to nonguided anglers
- At least 50 percent of Kenai chinook salmon harvested will be allocated to resident Alaska anglers

If the board can agree to these management (and perhaps other) goals for the Kenai chinook fishery, it will be easier to develop and implement a successful management plan to achieve those goals.

The largest issue facing the inriver Kenai chinook fishery is that nonguided and resident Alaska anglers have been and are being displaced and crowded out of the Kenai king salmon fishery by steadily increasing pressure by escalating numbers of nonresident anglers whose primary access to the resource is through commercial guides. The number of commercial guides operating on the Kenai River is not currently restricted by regulation and numbers of nonresident anglers are not restricted or differentially regulated. Past efforts by the board to control the nonresident and guided harvest have been ineffective and inconsistent. For example, in the mid-1980s, the board implemented a restriction on guided operation to the hours of 7 a.m. to 6 p.m. to help to achieve priority between the guided and nonguided anglers on the Kenai. At the next board cycle, the board reversed itself and changed the hours back to 6 a.m. to 6 p.m. In addition, the current time limitations leave loopholes that unfortunately some operators use to gain an unfair advantage over other user groups. For example, under current regulations, guides are allowed to go out on the river

well before the 6 a.m. start time and “squat” on their preferred fishing holes until 6 a.m. arrives. The intent of the initial board action--to provide the nonguided anglers a period of time to fish on the river without the presence of guides--has not been achieved.

The Department of Natural Resources attempted to implement a guide limit on the Kenai River in 1991. The limitation plan supported in cooperation with the guide industry received a great deal of public support, but was ultimately doomed by a pronouncement by the Department of Law that the proposed plan would not be legal under the state constitution.

For over ten years, the Kenai River Special Management Advisory Board has attempted to address the issue of guide limitation. The guide industry recognizes the problem and has publicly advocated a guide limitation that is fair and legal. Recently, the governor and the Department of Natural Resources published notice of the creation of a 13 member working group of interested citizens with a goal to devise a fair and legal way to set numeric limits on Kenai River commercial operators, including sport fishing guides, rental boat businesses and other on-water commercial activities, and to recommend the specific numeric limits for those businesses. We applaud that effort as a way of dealing with one segment of the problem: too many commercial operators on the Kenai River. However, even if that group succeeds when previous efforts over the last 20 years have failed, additional changes should still be instituted to protect the river and ensure opportunity for resident anglers.

This proposal is based on the premise that if the working group succeeds in developing a fair and legal way of reducing numbers commercial operators that is subsequently implemented by the state, certain of these recommendations may become unnecessary or moot. Specifically, if a reasonable numeric limit is in place by the time the board meeting convenes and that numeric limit reduces overall numbers within a reasonable time period, such steps would partially achieve the results intended by this proposal. However, other problems, particularly the establishment of 50 percent harvest goals for resident and unguided anglers should be adopted. We wish to be clear that we do not see the well-intended effort described above as a reason for the board not to address the allocation problems addressed in this proposal.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Nonguided resident anglers will continue to have a diminishing share of the Kenai River king resource.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Under the status quo, there is continuing overcrowding and user conflicts between guided and nonguided anglers during the king season. The measures recommended in this proposal would serve to more equitably allocate the scarce king salmon resource between the two groups. At the same time, some of the measures will help to reduce motorized congestion and the environmental effects of motorized boat operation on the Kenai.

**WHO IS LIKELY TO BENEFIT?** Nonguided resident Alaskan anglers, hoping to continue to enjoy king salmon fishing on the Kenai River for themselves and their children.

**WHO IS LIKELY TO SUFFER?** Nonresident anglers would be differentially regulated. Since this group currently harvests around 60 percent of the late-run king salmon on the Kenai and up to 90 percent of the early-run king salmon, we believe the group “suffering” has been the nonguided, predominantly Alaska resident anglers who have been subject to restricted harvest opportunities, crowding and diminished angling quality as a result of the overdeveloped commercial recreation fishery on the Kenai River.

**OTHER SOLUTIONS CONSIDERED?** This problem has been before the board for many years without any meaningful relief. Many ideas have surfaced over the years and have been defeated or adopted and then abandoned. Other solutions, like the pending efforts at numeric limitations should be allowed to proceed on a parallel path with the understanding that any successes at the time of the meeting should be considered.

**PROPOSED BY:** Jim Richardson, Ted Wellman, Russ Redick, Phil Cutler (HQ-04-F-140)

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**PROPOSAL 284 - 5 AAC 56.070. Kenai River and Kasilof River Early-Run King Salmon Management Plan.** Amend this regulation as follows:

Chinook salmon measuring 44 inches or greater and less than 55 inches in length may not be retained in the Kenai River in all areas open to chinook salmon fishing downstream from the outlet of Skilak Lake. Chinook salmon within this nonretention slot may not be removed from the water and must be released unharmed.

**PROBLEM:** Inadequate protection of the depleted five-ocean substock of early-run chinook salmon returning to the Kenai River.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Further depletion of this depressed substock with unknown negative consequences to the long-term productivity of the entire stock as a whole.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** By reducing exploitation on this substock, the totality of the stock shall be restored to its historic natural age-class composition. This measure will help to preserve the full spectrum of stock's genetic diversity and ensure its natural long-term productivity for generations to come.

**WHO IS LIKELY TO BENEFIT?** 1) The fish, particularly the depressed five-ocean age class.  
2) The recreational fishermen who can once again look forward to increased opportunity to catch these fish in greater numbers over time.

**WHO IS LIKELY TO SUFFER?** The recreational fishermen who wish to continue harvesting the large 44 to 55 inch salmon, which make up the vast majority of the depressed early-run five-ocean age class.

**OTHER SOLUTIONS CONSIDERED?** 1) Keep the current nonretention slot rules as is, i.e., through June 30 below Soldotna bridge and through July 14 above Soldotna bridge: This option fails to protect large early-run mainstem spawners through their peak spawning activity in the third week of July. Studies show that one-fifth of early run chinook are mainstem spawners. Large five-ocean fish preferentially spawn in the mainstem and become vulnerable to a full harvest fishery allowing the use of bait during July. The entire mainstem above RM 12 constitutes spawning habitat for these fish, and studies suggest that the density of spawners is greatest in the reach below Soldotna Bridge. Significant numbers of early-run five-ocean fish are harvested throughout July in all areas open to the retention of large chinook salmon (below Soldotna bridge July 1 through July 31, and above Soldotna bridge July 15 thru July 31) without any accounting of that harvest in the early-run escapement. Far too many of these fish are being indiscriminately harvested as "late-run" fish in July. The valuable conservation efforts of May-June should not be squandered in July.

2) Extension of the current nonretention slot above Soldotna Bridge through July 31: Studies suggest this option still leaves 27 percent of large early-run mainstem spawners vulnerable to



harvest below Soldotna Bridge. This reach supports the greatest density of mainstem spawning activity, and simultaneously the greatest density of angling activity on the entire river. This option unfairly requires upriver users to shoulder 100 percent of the conservation burden for protecting early-run mainstem spawners in July while their downriver counterparts can continue to harvest these “protected” fish below Soldotna Bridge.

**PROPOSED BY:** Francis V. Estalilla, M.D. (HQ-04-F-039)

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**PROPOSAL 285 - 5 AAC 56.070. Kenai River and Kasilof River early-run king salmon conservation management plan.** Amend this regulation as follows:

Allow the use of bait in early-run kings on the Kenai River when the projected escapement is in the upper half of the BEG range.

**PROBLEM:** Not being able to use bait on early-run kings until the upper end of the BEG is exceeded. Using a range of the BEG to implement EO use of bait will be much better than a fixed number of 14,400.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Lost opportunity of fishing with bait when the run is healthy and will fall in the upper half of the range with the use of bait but might not exceed the upper limit. Data has shown that higher escapements have produced smaller returns.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Not applicable.

**WHO IS LIKELY TO BENEFIT?** All sport fishermen, the economy of the whole Peninsula.

**WHO IS LIKELY TO SUFFER?** No one except anglers who booked July 1 expecting opening day of bait.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Mel Erickson (SC-04-F-062)

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*Identical proposals were submitted by each organization listed at the bottom of the proposal. The submissions are reproduced here as one proposal for publishing purposes:*

**PROPOSAL 286 - 5 AAC 56.023(a). Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage.** Amend this regulation as follows:

5 AAC 56.023(a)(1) king salmon 28 inches or greater in length, as follows:

(a)(1)(A)(iii) if retention is permitted under this subparagraph, a king salmon [20] **28** inches or greater in length...

(a)(1)(B) king salmon [20] **28** inches or greater in length...

(a)(2) king salmon less than [20] **28** inches in length may be taken from January 1- December 31; **under 20 inches**, bag and possession limit of 10 fish; **between 20 inches and 28 inches, bag and possession limit of one per day.**

**PROBLEM:** The definition for the size of jacks does not match up with the scientific data. The 20 inch definition of jack is too small for the Kenai River king salmon and needs to be raised to 28 inches to reflect the biological data from the river.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The four year jack population of king salmon has shown a rapid rise in recent years. Jacks under 28 inches are not being counted by sonar counts, while jacks under 20 inches are able to be kept. Need to have the definition of a jack match up with how king salmon are measured.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Not applicable.

**WHO IS LIKELY TO BENEFIT?** The fish and the sport fishing public.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** Doing nothing does not solve issue of growing abundance of jack population in king salmon stocks. Put bag and possession limit of ten up to 28 inches--but favored a more graduated approach between 20 inches and 28 inches.

**PROPOSED BY:** Kenai River Sportfishing Association (HQ-04-F-090)  
Kenai River Professional Guide Association (HQ-04-F-119)  
Kenai River Property Owners Association (HQ-04-F-152)

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**PROPOSAL 287 - 5 AAC 56.023. Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage; and 5 AAC 56.022. Waters; seasons; bag, possession, and size limits; and special provisions for the Kenai Peninsula Area (excluding the Kenai River drainage).** Amend these regulations as follows:

5 AAC 56.023

(a)(2) [KING SALMON LESS THAN 20 INCHES IN LENGTH MAY BE TAKEN FROM JANUARY 1 – DECEMBER 31; BAG AND POSSESSION LIMIT OF 10 FISH]

(c)(2)(K) from January 1 – July 14, the waters in that portion of the Kenai River from an ADF&G regulatory marker located approximately 300 yards downstream from the mouth of Slikok Creek, upstream to an ADF&G regulatory marker approximately 100 yards upstream from the mouth of Slikok Creek is closed to taking king salmon [20 INCHES OR GREATER IN LENGTH];

(d)(5) the Russian River drainage upstream of and ADF&G regulatory marker located approximately 600 yards downstream from the falls is closed to sport fishing for salmon, [OTHER THAN KING SALMON, 16 INCHES OR GREATER IN LENGTH].

(e)(4)(A) waters of the Kenai Lake drainage are closed to fishing for salmon [KING SALMON 20 INCHES OR GREATER IN LENGTH AND SALMON, OTHER THAN KING SALMON, 16 INCHES OR GREATER IN LENGTH];

(e)(7) Quartz Creek drainage, excluding Crescent Creek;

(B) closed to sport fishing for salmon [KING SALMON 20 INCHES OR GREATER IN LENGTH AND SALMON, OTHER THAN KING SALMON, 16 INCHES OR GREATER IN LENGTH];

(e)(8) Snow River drainage:

(B) is closed to sport fishing for salmon [KING SALMON 20 INCHES OR GREATER IN LENGTH AND SALMON, OTHER THAN KING SALMON, 16 INCHES OR GREATER IN LENGTH];

5 AAC 56.022

(b)(10) Swanson River drainage:

(B) flowing waters, from June 15 – April 14, are open to sport fishing, except for king salmon [20 INCHES OR GREATER IN LENGTH];

**PROBLEM:** Allowing anglers to target jack salmon in areas closed to fishing for larger salmon causes regulatory inconsistency and renders salmon closures unenforceable because anglers target large king salmon for catch and release and claim they are fishing for jacks. Enforcement personnel can do little to protect these fish unless clear evidence of poaching exists (e.g., a fish on a stringer).

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Salmon protected by closures will continue to be harassed anglers under the guise of fishing for jack salmon. Enforcement of closed waters for king salmon 20 inches and other salmon 16 inches or greater will be ineffective.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Anglers interested in increasing brood stock to area systems so that fisheries may be possible in the future. Personnel enforcing closed waters regulations.

**WHO IS LIKELY TO SUFFER?** Unknown.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-04-F-322)

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**PROPOSAL 288 - 5 AAC 56.023(c)(1). Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage.** Amend this regulation as follows:

Prohibit the use of bait above the Soldotna River bridge until August 31.

**PROBLEM:** The use of bait above the Soldotna River bridge. The use of bait above the bridge causes king salmon that are on their spawning grounds to be regularly caught.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Disruption of spawning, higher levels of mortality. The fishing pressure on the Kenai River is just becoming so intense. Something has to be done to reduce fishing effort.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Ensures that spawning king salmon will successfully spawn.

**WHO IS LIKELY TO BENEFIT?** King salmon stocks.

**WHO IS LIKELY TO SUFFER?** Everyone that uses bait in this portion of the river will suffer to some extent.

**OTHER SOLUTIONS CONSIDERED?** Close the river three to four days per week. Concentrates fishing effort to three-four days per week.

**PROPOSED BY:** Matthew Morse (HQ-04-F-018)

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**PROPOSAL 289 - 5 AAC 56.023(c)(2). Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage.** Amend this regulation as follows:

No king or other fishing from a boat in this area. Bank fishing with fly rods only on north bank only.

**PROBLEM:** The closing of the Kenai River in the Kenai River Keys area to all fishing. This is to let the early-run kings a chance to go up the Killey River to spawn.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The kings are safe. The fishermen and women will not be able to fish from the bank for the early run of reds and trout. Ninety-five percent of these fishermen fish with fly rods.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, it would allow fishing in a way as to save the king, not as it is at present.

**WHO IS LIKELY TO BENEFIT?** The general public.

**WHO IS LIKELY TO SUFFER?** No one. It would be to the benefit of all.

**OTHER SOLUTIONS CONSIDERED?** To allow people to fish from the bank in this area and timeframe would be beneficial to all. To keep closed denies the people a right to fish for the first run of reds.

**PROPOSED BY:** Ronald Gibbens (HQ-04-F-050)

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**PROPOSAL 290 - 5 AAC 56.023. Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage.** Amend this regulation as follows:

Keep the Funny River and Lower Killey River described areas closed to all fishing until the end of the king salmon season or July 31, whichever is later. The Slikok Creek described area would remain closed to king salmon fishing and fishing from boats until the end of the king salmon season or July 31, whichever is later.

**PROBLEM:** Current regulations allow designated sanctuary areas to open at the mouths of spawning tributaries to king salmon fishing July 14. When this occurs the majority of fish taken are spawning phase fish. We would like to see these areas kept closed throughout the entire king season to allow mainstream and tributary spawners more protected holding areas.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Most fish will hold for awhile before going upstream to spawn. By continuing harvest in these critical areas we reduce that opportunity and thus spawning opportunity as well.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** The quality of most fish harvested in these areas is poor, because they are in the spawning phase, and fishing pressure or retention should not be desirable.

**WHO IS LIKELY TO BENEFIT?** The resource itself. This would greatly reduce harvest mortality on these spawning phase kings.

**WHO IS LIKELY TO SUFFER?** Anglers who do not care about the quality of the fish only the opportunity to harvest.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Kenai/Soldotna Advisory Committee (SC-04-F-043)

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**PROPOSAL 291 - 5 AAC 56.023. Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage.** Amend this regulation as follows:

No fishing from June 25-July 14 between signs located at upstream edge of the Upper Killey edge downstream to sign located just below the Third Hole.

**PROBLEM:** Harvest of vulnerable first run Kenai River king salmon at the outlet of tributary streams. This can be prevented for the most part by moving current closure sign located just above Wally's Creek upstream to the downstream edge of the Upper Killey River.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Continued harvest of "stock of concern" first run Kenai River king salmon in vulnerable staging areas.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, gives added measure of protection to stock of concern first run Kenai River king salmon for all future Kenai River user groups.

**WHO IS LIKELY TO BENEFIT?** The fish and future users of the Kenai River first-run Kenai king salmon.

**WHO IS LIKELY TO SUFFER?** Few anglers that target Kenai River first-run king salmon staging at mouth of tributary streams.

**OTHER SOLUTIONS CONSIDERED?** Status quo, but this was rejected due to the thought that the board tightened closure area between signs in both 1999 and 2002 but we felt that an important piece of water was left unprotected.

**PROPOSED BY:** Kenai River Property Owners Association (HQ-04-F-141)

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**PROPOSAL 292 - 5 AAC 56.023. Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage.** Amend this regulation as follows:

No fishing from a vessel, single hook artificial hook only, no retention of king salmon allowed from January 1-July 14 in Funny River, Slikok, and Moose River sanctuaries. Same as above for Wally's Hole-Third Hole sanctuary except the dates of June 25-July 14 would apply.

**PROBLEM:** Current regulations prohibit all fishing in sanctuary areas which were established to protect first run Kenai River king salmon which in its current format deprives anglers wishing to target species other than king salmon in these areas.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Continued lack of access and opportunity for anglers wishing to fish in the sanctuary areas for species other than king salmon.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes. Allows for more public access for anglers and also protects more first run Kenai River king salmon staging at the confluence of the Moose and Kenai River.

**WHO IS LIKELY TO BENEFIT?** All Kenai River anglers as this regulation would actually increase the amount of legally fishable waters on the Kenai River.

**WHO IS LIKELY TO SUFFER?** Few Kenai River anglers that target staging first run Kenai River king salmon at the confluence of the Moose and Kenai River.

**OTHER SOLUTIONS CONSIDERED?** Considered closing sanctuary areas to all fishing from January 1-July 14 but felt that this would be overly restrictive for those wishing to enjoy angling in these sanctuary areas for species other than king salmon.

**PROPOSED BY:** Kenai River Property Owners Association (HQ-04-F-144)  
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**PROPOSAL 293 - 5 AAC 56.023(d)(1). Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage.** Amend this regulation as follows:

From the Upper Killey River upstream to Skilak Lake closed to fishing for king salmon.

**PROBLEM:** Fishing trends are constantly changing depending on opportunity and success. There is a recent trend of increased guided angler effort in the area from the Upper Killey River upstream to Skilak Lake for king salmon. The majority of these fish are mainstream spawners on spawning beds and make them easy targets because of their protective nature during spawning. This increased effort has caused undo mortality and stress on these stocks. This effort needs to be curtailed until we can further assess exactly what amount of harvest these stocks can afford.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Most spawning king salmon that have built up in this area throughout the run will be harvested even though they are in the spawning phase and their flesh is not desirable.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** The quality of most of the fish harvested in this area is poor, because they are in the spawning phase, and fishing pressure or retention should not be desirable. It would seem more important to protect the resource than harvest these poor quality fish.

**WHO IS LIKELY TO BENEFIT?** The resource itself. This would eliminate harvest mortality in this critical spawning area.

**WHO IS LIKELY TO SUFFER?** Anglers who do not care about the quality of the fish only the opportunity to harvest.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Kenai/Soldotna Advisory Committee (SC-04-F-044)

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**PROPOSAL 294 - 5 AAC 56.023(c). Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage.** Amend this regulation as follows:

Prohibit sockeye fishing in the Kenai River from the outlet of Skilak Lake downstream to the confluence of the Upper Killey River during the month of August.

**PROBLEM:** Sport fishing is occurring on the critical spawning beds just below Skilak Lake.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Fishermen will continue to harass spawning salmon. When these red spawning salmon are captured they often weep sperm or eggs prior to being released. Allow these salmon to spawn unmolested.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** This four-mile area is where 70 percent of the Kenai sockeye spawn. This four-mile area is the critical spawning area in the Kenai. These fish are producing the vast majority of the future returns that we all depend upon.

**WHO IS LIKELY TO BENEFIT?** Sockeye salmon.

**WHO IS LIKELY TO SUFFER?** Fishermen who sift through eight to ten fish in order to harvest a fresh sockeye.

**OTHER SOLUTIONS CONSIDERED?** Total fishing closure, this is also a good area for rainbow and Dolly Varden fishing.

**PROPOSED BY:** Roland R. Maw (SC-04-F-086)

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**PROPOSAL 295 - 5 AAC 56.023(a)(3). Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage.** Amend this regulation as follows:

The bag limit for coho on the Kenai River is three coho daily. In addition, for the first three days of August the department may extend the king salmon season for unguided Alaska residents only for the first seven days of August if the escapement goal of 35,700 kings is projected to be exceeded. Also, coho fishing is open to Alaska residents only from August 1-3.

**PROBLEM:** Change the bag limit for coho back to three for the Kenai River and open the fishery August 1-3 for all residents not using a guide for kings and coho.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** People will not be able to keep three coho when there is no good reason and also the first three days of August will be closed to fishing for kings and coho when there is no good reason.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Resident who have been pushed off the river by guides.

**WHO IS LIKELY TO SUFFER?** No one, guides are closed anyway and have the river the rest of the season already.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Gary Barber (HQ-04-F-199)

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**PROPOSAL 296 - 5 AAC 56.023. Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage.** Amend this regulation as follows:

Close sport fishing on the Kenai River from 11 p.m. until 6 a.m.

**PROBLEM:** Illegal fishing activities along the Kenai and Russian Rivers.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Growth in nighttime illegal fishing activities, snagging, and over bag limits.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Enforcement of the fisheries and park regulations is limited because of cuts in the Department of Natural Resources. The number of enforcement officers on the river has dropped over the years even as the use of the state’s most popular sport fishery has steadily increased. There are large blocks of time when there is no enforcement. Law enforcement on the Kenai River is becoming a major issue. Many local anglers were cited for illegal snagging. There are major violations taking place every day that go unchecked.

**WHO IS LIKELY TO BENEFIT?** Provides for a legal, enforced sport fishery.

**WHO IS LIKELY TO SUFFER?** Illegal fishermen, nighttime fishermen in general

**OTHER SOLUTIONS CONSIDERED?** Status quo. Present situation does not represent an orderly legal fishery.

**PROPOSED BY:** John Sanderson (SC-04-F-123)

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**PROPOSAL 297 - 5 AAC 56.023(c). Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage.** Amend this regulation as follows:

On the mainstream Kenai River children under the age of 12 years old may fish with a single hook using single eggs within six feet of shoreline using no more than six feet of line to catch sculpin “mud fish” May 1 to October 3.

**PROBLEM:** To allow children under the age of 12 years old to use a single hook with a single egg to fish for sculpin “mud fish” within six feet of shoreline with no more than six feet of fishing line on Kenai River May 1 to October 3.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The children of Alaska will, and are being, deprived of their fishing rights as kids on the Kenai River.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** This allows Alaska’s smallest user group “kids” to fish the Kenai River as kids.



**WHO IS LIKELY TO BENEFIT?** All children who come to the Kenai River.

**WHO IS LIKELY TO SUFFER?** Nobody.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Kevin D. McDowell (SC-04-F-008)

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**PROPOSAL 298 - 5 AAC 56.024. Harvest record required; annual limits.** Amend this regulation in the Kenai Peninsula Area to provide the following:

Export limit of 125 pounds/nonresidents. Cook Inlet only.

**PROBLEM:** Pressure on resource in Cook Inlet.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Stocks are 100 percent allocated in Cook Inlet. Resident anglers compete with nonresidents.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** More available for resident Alaskan anglers.

**WHO IS LIKELY TO BENEFIT?** Residents.

**WHO IS LIKELY TO SUFFER?** Some nonresidents.

**OTHER SOLUTIONS CONSIDERED?** The board called for this proposal in the past, no action was taken. It is good for this area.

**PROPOSED BY:** John McCombs (HQ-04-F-169)

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**PROPOSAL 299 - 5 AAC 56.036. Kenai River guiding and guided fishing requirements.** Amend this regulation to provide the following:

Under "Guide Fishing on the Kenai River" change the guide boats section to read: **guide boats and commercial vessel operators (rented or leased boats).**

**PROBLEM:** Illegal guiding by resident and nonresident fishermen using leased or rented boats. An increasing amount of illegal guiding, by mostly nonresidents, that come here for a short time during the peak of the king run and perform these services with the use of a rental boat. By using a rental boat they avert having to pay for and maintain a boat here for the short time of their activity.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** This type of activity will continue to escalate.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Not applicable.

**WHO IS LIKELY TO BENEFIT?** Legal guides and unguided anglers.

**WHO IS LIKELY TO SUFFER?** Illegal guides. Legal resident and nonresident anglers would have to fish during more crowded times when guiding is allowed, but we should keep in mind that

both are commercial activities and perhaps should be managed as such. Especially if it will help curb some of the illegal guiding activity on the river.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Kenai/Soldotna Advisory Committee (SC-04-F-018)

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*Identical proposals were submitted by each organization listed at the bottom of the proposal. The submissions are reproduced here as one proposal for publishing purposes:*

**PROPOSAL 300 - 5 AAC 56.023. Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage.** Amend this regulation to provide the following:

Vessels rented for the purpose of sport fishing on the Kenai River shall be restricted to the same days and hours that govern the usage of registered guide vessels as outlined in 5 AAC 56.036

**PROBLEM:** Usage of rental boats has increased during recent years. As a result of regulations adopted by the board, the number of days registered guide vessels are prohibited from fishing has increased from approximately five days to 20 days pre-season. This in turn allows the legal operation of commercially rented (nonguided) vessels for a like number of days without commensurate increase (parity) in guided fishing opportunity. Additionally, there is significant abuse of rented vessels to circumvent existing guide registration requirements on the Kenai River. This proposal seeks to address these issues by restricting the numbers of days allowed for the operation of rented vessels on the Kenai River to the same days and hours that are currently allowed for registered guide vessels.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Unrestricted growth in the rental boat business will continue to be allowed. Abuse of current regulations governing the registration and operation of guides will continue to increase, thus contributing to future social conflict and detracting from the orderly prosecution of the recreational fishery on the Kenai River.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes. Adoption of this regulation will decrease potential social conflict and enhance the orderly prosecution of the recreational fishery on the Kenai River.

**WHO IS LIKELY TO BENEFIT?** Enforcement officer, fishing guides, all anglers.

**WHO IS LIKELY TO SUFFER?** Rental boat businesses and illegal guides attempting to circumvent current regulations governing guide registration and guide operations on the Kenai River.

**OTHER SOLUTIONS CONSIDERED?** No other solutions address this problem.

**PROPOSED BY:** Kenai River Professional Guide Association (HQ-04-F-121)

Kenai River Property Owners Association (HQ-04-F-142)

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**PROPOSAL 301 - 5 AAC 56.036(k). Kenai River guiding and guided fishing requirements.** Amend this regulation as follows:

Under guided fishing on the Kenai River, “guide boats” where it currently says, “In May, June, and July fishing is allowed only from 6:00 a.m. to 6:00 p.m.,” add, “Prior to their authorized start time

for that day, guide boats may not interfere with or restrict, in any manner, unguided anglers ability to fish as desired.”

**PROBLEM:** Increasingly, guides are moving into fishing holes earlier every year to hold a spot or build up fish beneath them for their start time. Often up to a half-hour before. Unguided anglers are complaining that this type of activity is interfering with their ability to fish the holes the way they would like to and cuts into their less crowded time.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** User conflicts between guided and unguided anglers will continue to escalate causing unguided anglers to ask for more dedicated fishing time.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Not applicable.

**WHO IS LIKELY TO BENEFIT?** Everyone. Unguided fishermen will be happier and guides would be looked on more favorably.

**WHO IS LIKELY TO SUFFER?** Nobody.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Kenai/Soldotna Advisory Committee (SC-04-F-020)

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**PROPOSAL 302 - 5 AAC 56.036(k). Kenai River guiding and guided fishing requirements.**

Amend this regulation as follows:

The regulation should say that guide boats cannot be underway on the river before 6:00 a.m. with clients aboard.

**PROBLEM:** On the Kenai River, fishing from guide boats is allowed only from 6:00 a.m. until 6:00 p.m. The problem is that guides station their boats in favorite fishing areas well before 6:00 a.m. thereby interfering with nonguided anglers fishing those areas.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Nonguided anglers will continue to be frustrated and angered while attempting to fish favorite areas before 6:00 a.m.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Nonguided anglers.

**WHO IS LIKELY TO SUFFER?** Guides who circumvent the intent of the regulations by moving their boats into fishing position before 6:00 a.m.

**OTHER SOLUTIONS CONSIDERED?** Guide boats may not be underway on the river before 6:00 a.m. This might prevent guides from meeting their clients prior to 6:00 a.m and place an unnecessary burden on some guides.

**PROPOSED BY:** Dick Marshall (HQ-04-F-013)

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**PROPOSAL 303 - 5 AAC 56.036(k). Kenai River guiding and guided fishing requirements.**

Amend this regulation to restrict the following:

Fishing guide services are not allowed on the Kenai River between the hours of 5:50 a.m. and 6:10 p.m.

**PROBLEM:** On the Kenai River guides are getting to the fishing areas up to one hour early and sitting in the prime fishing spots until legal fishing time of 6 a.m. The method of fishing is back bouncing and therefore a guide boat can prohibit a nonguided angler in his boat from entering the area by their physical presence. This is causing conflict with nonguided anglers who are to have guide-free fishing until 6 a.m.

If this proposal is passed the limitation on hours will be on “fishing guide services” instead of fishing. Fishing guide services are defined in regulation as “to assist, for compensation or with the intent to receive compensation, a sport or personal use angler to take or to attempt to take fish by accompanying or personally directing the angler in sport or personal use fishing activities during any part of a guided fishing trip...” The intent of this proposal is to not allow the guide to accompany the fishermen until a set time by adding to the regulations a limitation hours available for fishing guide services.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The conflict between guides and nonguided anglers will increase.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Nonguided anglers who must be in competition with guide vessels during a time when they are allocated guide-free conflict.

**WHO IS LIKELY TO SUFFER?** Only those inconsiderate guides who are on the river up to one hour before legal fishing time to tie up prime fishing holes. This regulation allows ten minutes before and after the legal fishing time for transport of personnel to the fishing area.

**OTHER SOLUTIONS CONSIDERED?** There is one option to not allow a fishing guide to enter a fishing area until 6 a.m. These areas must be defined along the river which is costly to the State of Alaska and it is more difficult to enforce. Options on travel time were considered. Ten minutes was a reasonable time for travel since the parties will be on board the vessel and the guide just has to sit into the boat and leave the docking area. Guides who run longer distances will suffer a minor loss of fishing time but not an unreasonable amount of time.

**PROPOSED BY:** Aaron H. Morse (HQ-04-F-020)

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**PROPOSAL 304 - 5 AAC 56.023. Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage; and 5 AAC 56.036. Kenai River guiding and guided fishing requirements.** Amend these regulations as follows:

In the Kenai River it is drift boat only for guided anglers on Mondays and Tuesdays in 2004 and another day added each year until 2009. In addition, guides are only permitted to be on the river from 8:00 a.m. to 4:00 p.m. on the Kenai River.

**PROBLEM:** There are too many guides and they have pushed most of the regular people off the river; it is time for a change. In the Kenai River, start transition guided fishing to drift boats by starting this year and add a day each year to the drift boat only on Monday's regulation. So in 2004 drift boats only on Mondays and Tuesdays, etc.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The Kenai will be reserved for a bunch of greedy guides.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Residents who have been pushed off the river by the guides.

**WHO IS LIKELY TO SUFFER?** No one, guides are already getting too much.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Gary Barber (HQ-04-F-196)

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**PROPOSAL 305 - 5 AAC 56.036. Kenai River guiding and guided fishing requirements.**  
Amend this regulation to provide the following:

Fishing from a guided boat is not allowed on Sundays, Mondays, or Wednesdays during May, June, and July (except Memorial Day). This applies to the Kenai River downstream of the outlet of Skilak Lake.

**PROBLEM:** There are significant conflicts between guided anglers and nonguided anglers on the Kenai River. Data documenting this conflict has been collected by DNR (carrying capacity survey) and by the department (Resource Management Consultants 2003). In addition, numerous complaints have been expressed to the Kenai/Soldotna Advisory Committee. Resident anglers have stopped fishing the Kenai River because of these conflicts. In addition, the harvest between guided and nonguided anglers will tend to favor guided anglers as resident anglers quit fishing the system. This proposal will slow or stop this trend.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The nonguided public distrust and dislike of guides and guided anglers will continue on the Kenai River if some balance is not restored.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** The resident of the State of Alaska who do not use a guide but fish from private vessels.

**WHO IS LIKELY TO SUFFER?** The guide industry will suffer economic loss and the guided angler will have less opportunity.

**OTHER SOLUTIONS CONSIDERED?** Since guided anglers have a high percentage of nonresidents one could limit nonresident angler participation and this would result in an indirect reduction of guide boats. This was rejected as the problem is with crowding and interaction with guides, not resident anglers per se.

**PROPOSED BY:** Matthew Morse

(HQ-04-F-022)

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**PROPOSAL 306 - 5 AAC 56.036. Kenai River guiding and guided fishing requirements.**

Amend these regulations as follows:

Allow residents to fish with a guide on Sundays and Mondays in May, June, and July, and Mondays in August.

**PROBLEM:** Residents with disabilities and need assistance to fish and residents without their own boats left on the beach while residents and nonresidents with their own boats get to fish. Separate who gets to fish and not to fish by residency, not guided and unguided.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Resident anglers that do not have the ability to fish without assistance will continue to sit on the beach while nonresidents with their own boat get to fish.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Not applicable.

**WHO IS LIKELY TO BENEFIT?** Resident anglers that are disabled. Resident anglers that do not have their own boat.

**WHO IS LIKELY TO SUFFER?** Nonresident, nonguided anglers.

**OTHER SOLUTIONS CONSIDERED?** Let everybody fish seven days a week. The department will not go for a seven-day fishery even though it would reduce crowding.

**PROPOSED BY:** Jill Skidmore-Erickson

(SC-04-F-060)

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**PROPOSAL 307 - 5 AAC 56.023. Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage.** Amend this regulation to provide the following:

Designate one day a week on the Kenai River late-run to guided anglers only.

**PROBLEM:** The unguided private angler wants their one day a week to fish without guides and in less crowded conditions, and guided anglers should get the same opportunity to fish in less crowded conditions and without interference of inexperienced boaters. Solutions to crowding should be shared by all.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Unguided anglers will continue to have a day a week to fish in less crowded conditions while guided anglers have to fish every day with inexperienced boats and crowded conditions. Burden of crowding should be shared by all users.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Not applicable.

**WHO IS LIKELY TO BENEFIT?** Guided anglers.

**WHO IS LIKELY TO SUFFER?** Unguided anglers.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Mel Erickson

(SC-04-F-061)

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**PROPOSAL 308 - 5 AAC 21.357(c)(3). Kenai River Coho Salmon Conservation Management Plan; 5 AAC 56.023. Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage; and 5 AAC 56.036(j) and (k). Kenai River guiding and guided fishing requirements.** Amend these regulations as follows:

Allow guided fishing seven days a week. But each individual guide would only be allowed to fish five days a week. Enforcement and reporting could be done with daily activity reports instead of end of season reports.

**PROBLEM:** Reduce crowding. Current regulations jam all the guides and guided trips into a five-day period. Spread the use out over a seven-day period without increasing the total number of days an individual guide can fish.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Guided anglers will continue to be funneled into small timeframes for several fisheries. The Kenai Tuesday-Saturday, Kasilof, Cook Inlet, and Westside fly-outs on Sunday and Monday. You could reduce crowding and increase quality of all fisheries.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?**

**WHO IS LIKELY TO BENEFIT?** The Kenai River fishery, Kasilof, Deep Creek marine, and Westside fly-out fisheries would all benefit, along with both guided and unguided anglers.

**WHO IS LIKELY TO SUFFER?** Nobody.

**OTHER SOLUTIONS CONSIDERED?** Open all fisheries seven days a week for all anglers.

**PROPOSED BY:** Mel Erickson

(SC-04-F-147)

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**PROPOSAL 309 - 5 AAC 56.036(o). Kenai River guiding and guided fishing requirements.** Amend this regulation as follows:

Allow all vessels to carry six occupants all year on the Kenai River.

**PROBLEM:** Only allowing four passengers for guide boats on the Kenai River in July adversely affects families and increases crowding.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Continued guide growth, increased boat traffic, increase inconvenience for families and parties of five.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, families can now stay together on the river.

**WHO IS LIKELY TO BENEFIT?** Families.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Kenai River Professional Guide Association (HQ-04-F-122)  
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**PROPOSAL 310 - 5 AAC 56.036. Kenai River guiding and guided fishing requirements.**  
Amend this regulation as follows:

All commercial operators on the Kenai River shall be required to keep a daily logbook.

**PROBLEM:** Insufficient data and harvest statistics on guided Kenai River anglers.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Data is not available for both in season and board regulatory decision making.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, it provides valuable information on user statistics and fisheries themselves.

**WHO IS LIKELY TO BENEFIT?** State of Alaska, the department, fisheries.

**WHO IS LIKELY TO SUFFER?** More paperwork for operators with a slight inconvenience.

**OTHER SOLUTIONS CONSIDERED?** State surveys, additional creel surveys, more data collection from regulatory agencies.

**PROPOSED BY:** Kenai River Professional Guide Association (HQ-04-F-127)  
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**PROPOSAL 311 - 5 AAC 56.036. Kenai River guiding and guided fishing requirements; and 5 AAC 61.036. Freshwater guiding requirements.** Amend these regulations as follows:

A licensed sport fishing guide shall report daily on a departmental fish ticket the number of salmon, by species taken during the operation of his/her commercial guiding business.

**PROBLEM:** To estimate the inseason sport harvest of salmon the department must secure special funding to conduct an inseason creel census on an annual basis. Guided anglers are responsible for a major portion of the sport harvest and should this proposal be adopted, the department will be supplied with accurate inseason data submitted by professional guides.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The department will have to rely on 1 ½ year old census data, or annually, try to secure funding to conduct inseason costly creel census to secure necessary inseason counts.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Department biologists and managers who need accurate inseason baseline data on a continuous basis.

**WHO IS LIKELY TO SUFFER?** No one, this proposal is not a burden to guides, but rather a necessary management tool which will eventually benefit their industry.



**OTHER SOLUTIONS CONSIDERED?** Harvest punch cards for public to use. This method is not feasible, too costly, difficult to enforce, and an unnecessary burden on the sport angler.

**PROPOSED BY:** Robert Merchant (SC-04-F-092)

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**PROPOSAL 312 - 5 AAC 56.022(7). Water; seasons; bag, possession, and size limits; and special provisions for the Kenai Peninsula Area (excluding the Kenai River drainage).** Amend this regulation to provide the following:

- (7) Kasilof River drainage, excluding Crooked Creek and Tustumena Lake and its tributaries:
  - (A) the season for king salmon 20 inches or greater in length is open from January 1 – July 31 downstream of the Sterling Highway Bridge and from January 1 – June 30 upstream of the Sterling Highway Bridge, with a bag and possession limit of one fish; from January 1 – June 30;
    - (i) [ONLY HATCHERY FISH MAY BE RETAINED;] **naturally produced king salmon may be retained only on weekends and the Monday following those weekends; for the purposes of this paragraph, “naturally produced” king salmon is a king salmon with an intact adipose fin;** a [HATCHERY] king salmon 20 inches or greater in length that is removed from the water must be retained and becomes part of the bag limit of the person originally hooking it; a person may not remove a king salmon from the water before releasing the fish; [FOR THE PURPOSES OF THIS PARAGRAPH, “HATCHERY KING SALMON” IS A KING SALMON WITH A CLIPPED ADIPOSE FIN AS EVIDENCED BY A HEALED FIN CLIP SCAR WHERE THE ADIPOSE FIN IS NORMALLY LOCATED;]
    - (ii) a person may not possess a king salmon that has been filleted, mutilated, or otherwise disfigured in a manner that prevents the determination that the fish is a hatchery king salmon, until the fish is permanently offloaded from the vessel if the fish was taken from a vessel or permanently transported away from the fishing site if the fish was taken from the riverbank; for the purposes of this sub-subparagraph, “fishing site” means the riverbank where the fish was hooked and removed from the water becoming part of the person’s bag limit **and “hatchery” king salmon” is a king salmon with a clipped adipose fin as evidenced by a healed fin clip scar where the adipose fin is normally located;**
  - (B) the annual limit for king salmon is **five** [THREE] fish, [AND] **of which only three may be naturally produced king salmon. Only one of these three naturally produced king salmon may be harvested prior to July 1.** A harvest record is required as specified in 5 AAC 56.024. After taking and retaining a king salmon 20 inches or greater in length from January 1 through June 30, a person may not sport fish for king salmon in any water open to sport fishing for king salmon on that same day;

**PROBLEM:** The current regulations for bag and possession limits for the Kasilof River do not provide for the harvest of naturally produced “wild” king salmon which spawn in Crooked Creek and are surplus to the spawning escapement goal for Crooked Creek. In addition, the harvest opportunity for surplus hatchery fish in the Kasilof River/Crooked Creek sport fishery is also currently underutilized by the angling public within the present bag and possession limit regulation.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The angling public will continue to lose available harvest opportunity that could be provided by both naturally produced king salmon that are surplus to the spawning escapement needs for Crooked Creek as well as surplus hatchery king salmon.

**WHO IS LIKELY TO BENEFIT?** The angling public.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** None

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-04-F-315)

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**PROPOSAL 313 - 5 AAC 56.022(b)(4). Waters; seasons; bag, possession, and size limits; and special provisions for the Kenai Peninsula Area (excluding the Kenai River drainage).** Amend this regulation to provide the following:

Allow limited harvest of Crooked Creek early-run natural king salmon. New regulation would state:

No more than five king salmon, 20 inches or longer may be taken each year from the Kasilof River. Prior to July 1, only one of which may be a natural fish possessing an adipose fin. After July 1, up to three of which can be a natural fish possessing an adipose fin. No more than three natural fish possessing an adipose fin can be harvested annually.

**PROBLEM:** A surplus of Crooked Creek early-run natural king salmon is presently off limits to harvest.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Surplus of Crooked Creek early-run natural king salmon will continue to go unharvested.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes. Improves public access to an available and abundant public resource.

**WHO IS LIKELY TO BENEFIT?** All users.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Kenai River Professional Guide Association (HQ-04-F-114)

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**PROPOSAL 314 - 5 AAC 56.022(b)(7). Waters; seasons; bag, possession, and size limits; and special provisions for the Kenai Peninsula Area (excluding the Kenai River drainage).** Amend this regulation as follows:

January 1 – June 30 only two king salmon 20 inches or longer may be taken and one of those must have clipped adipose fin. Retain one per day/one in possession. July 1- July 31 one per day/one in possession. No more than three king salmon 20 inches or longer may be taken each year from the Kasilof River.

**PROBLEM:** Because of the clipped adipose retention only rules, too many early-run, wild stock fish are going up Crooked Creek causing an unnecessary loss of opportunity.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Angler opportunity will suffer and more fish than needed will be wasted.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Will make better use of fish resource and reduce catch-and-release sorting.

**WHO IS LIKELY TO BENEFIT?** All anglers.

**WHO IS LIKELY TO SUFFER?** Nobody.

**OTHER SOLUTIONS CONSIDERED?** Return to pre-2000 regulations.

**PROPOSED BY:** Kenai/Soldotna Advisory Committee (SC-04-F-026)

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**PROPOSAL 315 - 5 AAC 56.022(b)(7). Waters; seasons; bag, possession; and size limits; and special provisions for the Kenai Peninsula Area (excluding the Kenai River drainage).** Amend this regulation to provide the following:

Raise annual Kasilof king salmon limit to five adipose-clipped hatchery fish. New regulation would state: No more than five king salmon 20 inches or longer may be taken...each year from the Kasilof River. Anglers may continue to fish after retention of an adipose-clipped hatchery fish.

**PROBLEM:** Current regulations do not allow for maximum harvest of available adipose-clipped hatchery king salmon on the Kasilof River.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Adipose clipped hatchery fish available for harvest will not be harvested.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes. Improves public access to an available and abundant public resource.

**WHO IS LIKELY TO BENEFIT?** All users.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** No other solutions address this problem.

**PROPOSED BY:** Kenai River Professional Guide Association (HQ-04-F-115)

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**PROPOSAL 316 - 5 AAC 56.022(b). Waters; season; bag, possession, and size limits; and special provisions for the Kenai Peninsula Area (excluding the Kenai River drainage).** Amend this regulation as follows:

When the Kenai is closed to guiding then the Kasilof is also.

**PROBLEM:** Migration of guides from the Kenai River to the Kasilof River when the Kenai is closed to guided fishing.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Depletion of late run of kings by added guiding pressure.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** People who guide only on the Kasilof.

**WHO IS LIKELY TO SUFFER?** Kenai River guides who move to the Kasilof.

**OTHER SOLUTIONS CONSIDERED?** Requiring a guide to fish only one river the entire season.

**PROPOSED BY:** Central Peninsula Advisory Committee (SC-04-F-059)

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**PROPOSAL 317 - 5 AAC 56.022(b)(7)(A). Waters; seasons; bag, possession, and size limits; and special provisions for the Kenai Peninsula Area (excluding the Kenai River drainage).**

Amend this regulation as follows:

No guide boats or guided anglers on Sundays and Mondays May through July.

**PROBLEM:** Guided angler dominance of the Kasilof River.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Nonguided anglers will continue to be displaced by guided anglers.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?**

**WHO IS LIKELY TO BENEFIT?** Nonguided anglers.

**WHO IS LIKELY TO SUFFER?** Guided anglers.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Kenai/Soldotna Advisory Committee (SC-04-F-017)

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**PROPOSAL 318 - 5 AAC 56.022(7)(C). Waters; seasons; bag, possession, and size limits; and special provisions for the Kenai Peninsula Area (excluding the Kenai River drainage).**

Amend this regulation as follows:

Guided anglers may not fish from a motorized boat in the Kasilof River, however, keep the 10 horsepower allowance downstream of Trujillo's Landing.

**PROBLEM:** Motorized guided angler dominance of the Kasilof River during August and September.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Unguided motorized anglers and guided and unguided drift boat operators will continue to be displaced by motorized guided anglers.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Not applicable.

**WHO IS LIKELY TO BENEFIT?** Nonguided anglers and drift boat guides.

**WHO IS LIKELY TO SUFFER?** Kenai River guides who want to fish the Kasilof River in August and September with motorized boats.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Kenai/Soldotna Advisory Committee (SC-04-F-016)

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**PROPOSAL 319 - 5 AAC 56.022(b)(7)(C). Waters; seasons; bag, possession, and size limits; and special provisions for the Kenai Peninsula Area (excluding the Kenai River drainage).** Amend this regulation as follows:

Sportfishing from a motorized boat downstream of the Sterling Highway Bridge is not allowed at any time.

**PROBLEM:** Sportfishing from a motorized boat downstream from the Sterling Highway Bridge in the Kasilof River beyond current closure of January 1 through July 31.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Increased sportfishing from motorized vessels, particularly in the months of August and September. Potential for increased user conflict. Potential for increased harvest. Loss of quality experience for one of the few remaining road accessible, drift-only fisheries.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes. Ensures a quality experience and limits harvest.

**WHO IS LIKELY TO BENEFIT?** Those users seeking a quiet, drift-only fishery.

**WHO IS LIKELY TO SUFFER?** Those users wishing to fish this traditionally drift-only section of the Kasilof River in a power boat.

**OTHER SOLUTIONS CONSIDERED?** No other solutions address this problem.

**PROPOSED BY:** Kenai River Professional Guide Association (HQ-04-F-112)

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**PROPOSAL 320 - 5 AAC 21.365(e)(3). Kasilof River Salmon Management Plan.** Amend this regulation to provide the following:

Change the wording in the current regulation to state “or” rather than “and.” The new regulation should read:

Each guide boat must have its CFEC vessel license triangle **or** its ADF&G registration numbers plainly and legibly displayed.

**PROBLEM:** Redundant and unnecessary duplication of some Kasilof guide identification numbers.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Inaccurate reporting of violations and added difficulty for enforcement officers, increased expense for commercial operators, and confusion amongst new operators.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes. New wording of this regulation would make enforcement easier and therefore more effective.

**WHO IS LIKELY TO BENEFIT?** Commercial operators, law enforcement, general public reporting potential violations.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** No other solutions address this problem.

**PROPOSED BY:** Kenai River Professional Guide Association (HQ-04-F-113)

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**PROPOSAL 321 - 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.** Amend this regulation as follows:

Dip nets shall have a maximum mesh size of three inches.

**PROBLEM:** Dip net mesh size. Under current regulations, many dip nets can still use gillnet for mesh. This has created a situation where a considerable portion of the dip nets are actually used like an inriver gillnet, which I hardly believe is the intention of having a dip net fishery.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Gillnets are not suitable for an inriver dip net fishery. Commercial gillnets are banned from fishing in rivers, so should dip-gillnets. This is an effectiveness issue. It is the same type of thing as prohibiting snagging in fresh water.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Creates an orderly fishery.

**WHO IS LIKELY TO BENEFIT?** Dipnetters who use a real dip net will not have a gillnet laid out directly in front of them.

**WHO IS LIKELY TO SUFFER?** People who use a gillnet with a dip net permit.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Teague Vanek (HQ-04-F-067)

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**PROPOSAL 322 - 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.** Amend this regulation as follows:

In the dip net fishery the stretch mesh shall not be larger than three inches.

**PROBLEM:** The personal use dip net fishery has turned into an inriver gillnet fishery. Over half the dip nets used are five foot diameter frames with five inch or larger gillnet web. The lack of a fixed upper size mesh has deviated from the intent of the dip net fishery.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** More people will switch from using the intended dip net three inch mesh to using gillnet web.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?**

**WHO IS LIKELY TO BENEFIT?** Those fishermen who are abiding by the intent of the law and using dip net mesh. They will be on an even playing field instead of being circled with five foot frames of gillnets.

**WHO IS LIKELY TO SUFFER?** Those who use gillnet web instead of dip net web.

**OTHER SOLUTIONS CONSIDERED?** Rename the fishery “Personal use inriver gillnet fishery.” It still deviates from the intent of using a standard dip net when this fishery was developed.

**PROPOSED BY:** David Martin (SC-04-F-146)

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**PROPOSAL 323 - 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.** Amend this regulation as follows:

Dip net mesh must be 2 ½ inches or less and cannot be made using gillnet material.

**PROBLEM:** Personal use dip nets being made from gillnet. Stop the use of gillnet webbing.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Gillnets will continue to be used inriver.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?**

**WHO IS LIKELY TO SUFFER?** People who use gillnets instead of a dip net.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Chris Garcia (SC-04-F-095)

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**PROPOSAL 324 - 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.** Amend this regulation as follows:

Allow the use of rod-and-reel in personal use fishing.

**PROBLEM:** The use of a rod-and-reel is not an approved means of personal use fishing. Currently the only approved means for personal use in Cook Inlet is with a set gillnet or a dip net. The majority of Alaskans that are engaged in sport fishing are in fact personal use fishing for their winter supply of fish. In the future, the growth of sport fishing could make additional restrictions on both sport fishermen residents and nonresidents necessary. Alaskans would have a difficult time providing for their families if restricted to sport fishing limits. Subsistence users in western Alaska are authorized to use rod-and-reel to subsistence fish.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** With the identification as a sport fishermen, Alaska residents could see their ability to provide for their families eliminated or reduced during periods of poor returns.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Alaskan residents that will be able to fill their freezers as personal use fishermen.

**WHO IS LIKELY TO SUFFER?** Anyone not qualified as a personal use fishermen.

**OTHER SOLUTIONS CONSIDERED?** Snagging in saltwater in Cook Inlet was ruled out as it was stopped approximately ten years ago.

**PROPOSED BY:** Matanuska/Susitna Valley Advisory Committee (SC-04-F-039)  
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**PROPOSAL 325 - 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.** Amend this regulation to provide the following:

Create a personal use management plan for Upper Cook Inlet. The personal use fishery is very popular and expanding. Develop a personal use management plan that will guide the existing fishery and provide for similar opportunities in additional areas of Upper Cook Inlet. Provide for flexibility in creating additional personal use fisheries as salmon stocks and species become seasonally abundant.

**PROBLEM:** An expanding and almost uncontrolled personal use fishery.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Uncontrolled growth of the personal use fishery.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Provides for additional personal use opportunities.

**WHO IS LIKELY TO BENEFIT?** Citizens who choose to participate.

**WHO IS LIKELY TO SUFFER?** Hopefully, no one.

**OTHER SOLUTIONS CONSIDERED?** Developing specific times and areas for new personal use fisheries.

**PROPOSED BY:** Roland R. Maw (SC-04-F-087)  
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**PROPOSAL 326 - 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.** Amend this regulation as follows:

Dipnet fishery will not open until July 15 between 7 a.m. and 7 p.m.

**PROBLEM:** Growth in dipnet fishery.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Many nonresidents as well as residents will combine to replace a hundred years old industry.



**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** More fish will be present after this date.

**WHO IS LIKELY TO BENEFIT?** Everyone benefits from abundance and safety.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** The board did not consider economic impacts when it expanded this fishery.

**PROPOSED BY:** John McCombs (HQ-04-F-170)

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**PROPOSAL 327 - 5 AAC 77.525. Personal use salmon fishery.** Amend this regulation as follows:

Reduce the limit to 25 fish per household for less than five people, and 35 for households with five or more persons.

**PROBLEM:** The serious waste of fish and crowding caused by people harvesting huge numbers of fish with little chance of taking care of them in the personal use fishery. The average person does not eat 40 to 50 pounds of salmon a year. So much is wasted it is sad.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** A valuable fish that could be caught and eaten by someone else will likely be wasted.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, by harvesting a number that can be dealt with before they go bad, people will eat better fish. Driving back to Anchorage with 55 fish is poor practice. By the time those fish are cleaned and frozen they are in poor shape.

**WHO IS LIKELY TO BENEFIT?** Everyone.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** Cannot think of a better solution.

**PROPOSED BY:** Craig Olson (HQ-04-F-197)

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**PROPOSAL 328 - 5 AAC 77.525(c). Personal use salmon fishery.** Amend this regulation as follows:

(c)...the total annual limit for each personal use salmon fishing permit is **15** [25] salmon for the head of household and **5** [10] salmon for each dependent of the permit holder.

**PROBLEM:** The present personal use limits are excessive relative to actual need. The department's subsistence studies indicate that most households use 20 salmon per year in urban areas. The liberal limits promote waste and increase the potential for illegal use of personal use caught fish.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Waste of the resource will continue.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** The general public as fish will be used and evenly distributed between users. Fisheries with quotas such as the Kasilof gillnet fishery will last longer and more people can participate.

**WHO IS LIKELY TO SUFFER?** Those individuals who require more than the suggested limits.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** John Sanderson (SC-04-F-127)

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**PROPOSAL 329 - 5 AAC 77.525(c). Personal use salmon fishery.** Amend this regulation as follows:

(c)...the total annual limit for each personal use salmon fishing permit is 20 [25] salmon for the head of household and 10 salmon for each dependent of the permit holder. **However, no more than 50 percent of the annual limit may be taken from the Kenai River.**

**PROBLEM:** The increasing growth of the Kenai River personal use salmon fishery has created a reallocation of the resource away from commercial and sport fishing interests to personal use fishermen. When the Kenai River personal use fishery was created it was anticipated that this fishery would take 80,000 sockeye salmon. Today, this fishery takes over 200,000 sockeye salmon. This increase in growth violates the original intent of the personal use fishery allocation understanding when it was formed.

In addition, growth of the fishery is creating significant habitat problems within the river and adjacent to it in the wetland and sand dune areas. A major increase in the harvest of fish has resulted for a growing boat fishery. The boat fishery adds to the pollution of the Kenai River and the City of Kenai has indicated that a second boat ramp is planned to accommodate this growth. In addition to the boat fishery, the public use of the south shore of the Kenai River has resulted in damage to wetland areas through the use of off-terrain vehicles and waste disposal.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Continued growth in this fishery will create allocation issues and increased habitat destruction.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** The general public, as habitat degradation should be reduced. In addition, the original allocation intent of the board relative to the Kenai River personal use fishery will be restored.

**WHO IS LIKELY TO SUFFER?** Those individuals who must fish at other sites if they wish to catch their total annual limit.

**OTHER SOLUTIONS CONSIDERED?** The fishery could be limited to a shore-based fishery on the north side of the river. This area has sand dunes but measures have been taken to reduce the habitat damage. In addition, access does not require off-terrain vehicles. This is a viable solution

and should be considered. It was felt that this option would create crowding and social problems so it was put at a lower priority.

**PROPOSED BY:** John Sanderson (SC-04-F-126)

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**PROPOSAL 330 - 5 AAC 77.540(c)(1). Upper Cook Inlet Personal Use Salmon Fishery Management Plan.** Amend this regulation as follows:

(c)(1)(A) would read “from July 10 through [JULY 31] **August 20**, seven days...” In addition, section (c)(1)(B) would read “the annual limit is as specified in 5 AAC 77.525, except that only one king salmon may be retained per household, **and in even years 25 percent of the annual harvest must be Kenai River pink salmon if the permit holder has retained sockeye salmon in the Kenai River personal use fishery. Only pink salmon may be retained in August.**”

**PROBLEM:** Because of board actions in the commercial fishery and the season closing date in the personal use fishery there is a substantial surplus of pink salmon which enter the Kenai River in even years (millions available for harvest). This proposal would allow a personal use fishery on these stocks.

In addition, this proposal would require that 25 percent of the annual personal use harvest be pink salmon in even years. This is to help restore the original intent of the board when the Kenai River personal use fishery was created. At the time of creation it was testified by the department that only 80,000 sockeye salmon would be harvested in this fishery. Today, the harvest is over 200,000. This is a de facto reallocation of the resource by nonregulated growth without a full discussion of the allocation implications. By having a 25 percent requirement for pink salmon in the annual harvest, growth in the sockeye harvest will be slowed but not eliminated.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Surplus pink salmon will not be harvested and the personal use sockeye salmon fishery will continue to grow at the expense of the commercial industry.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Commercial fishermen will be allowed to harvest sockeye salmon which have been designated a commercial priority. Personal use fishermen who want pink salmon will be able to harvest them.

**WHO IS LIKELY TO SUFFER?** Personal use fisherman will see a decrease in the annual allowable limit of sockeye salmon in even years. In even years, personal use fishermen who want only sockeye salmon and who harvest their annual limit will be forced to fish outside the Kenai River.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Roland R. Maw (SC-04-F-089)

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**PROPOSAL 331 - 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.** Amend this regulation as follows:

Add: provided flounder caught while dipnetting for salmon may be retained for personal consumption.

**PROBLEM:** Permit the retention of flounder caught incidentally to personal use dipnetting salmon near the mouth of the Kenai River.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** A desirable and underused fishery resource will be wasted.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** It permits the use of flounder for personal use food consumption, an underutilized bottom fish.

**WHO IS LIKELY TO BENEFIT?** All those people who like to eat flounder.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** Having a special dipnet fishery for flounder. Rejected because it would result in more boat congestion on the river.

**PROPOSED BY:** Cooper Landing Advisory Committee (SC-04-F-050)  
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**PROPOSAL 332 - 5 AAC 77.525. Personal use salmon fishery; and 5 AAC 77.527. Personal use herring fishery.** Amend these regulations as follows:

Commercial guide boats shall not be used to hold or transport, in any manner, fishermen, gear or fish that pertain to a personal use fishery.

**PROBLEM:** Nonresident fisherman accessing Cook Inlet personal use fisheries.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The legal users (that being Alaskan residents) will be restricted due to the overexploitation of the resource.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?**

**WHO IS LIKELY TO BENEFIT?** All Alaskan residents.

**WHO IS LIKELY TO SUFFER?** All illegal users.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Chris Garcia (SC-04-F-097)  
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**PROPOSAL 333 - 5 AAC 56.036. Kenai River guiding and guided fishing requirements; 5 AAC 56.037. Freshwater guiding requirements; 5 AAC 28.036. Saltwater chartering requirements; 5 AAC 61.036. Freshwater guiding requirements; and 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.** Amend these regulations as follows:

Commercial guide boats shall not be used in any personal use fishery. Conflicts disorderly fishery.

**PROBLEM:** Commercial guiding for dipnetters.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** A new unforeseen expansion in the personal use fishery.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** This will create a more orderly fishery.

**WHO IS LIKELY TO BENEFIT?** Most personal use fishermen.

**WHO IS LIKELY TO SUFFER?** Some guides.

**OTHER SOLUTIONS CONSIDERED?** An oversight by the board.

**PROPOSED BY:** George Lundquist (SC-04-F-118)

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**PROPOSAL 334 - 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.** Amend this regulation as follows:

Commercial guides cannot participate in transporting or guiding individuals in the personal use or dip net fishing.

**PROBLEM:** Commercialization of a personal use fishery. Guides should not be allowed to profit from a personal use fishery. Personal use fisheries generally have very liberal bag limits (25 fish per head of household, and ten fish per additional family member).

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Commercial guides will continue to cause conflicts with other personal use individuals, especially on days when they are closed to other guiding on the Kenai River.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?**

**WHO IS LIKELY TO BENEFIT?** User conflicts will not be irritated by this harvest potential, so all users except guides will benefit.

**WHO IS LIKELY TO SUFFER?** Guides who may try to profit from a personal use fishery.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Danny Thompson (SC-04-F-128)

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**PROPOSAL 335 - 5 AAC 77.XXX. Cook Inlet personal use hooligan fishery.** Create a new regulation to provide the following:

Restore the use of small, hand-drift gillnets or dip nets for traditional harvest of hooligan in the Kenai River. Open same area for hooligan as for dipnetting salmon.

**PROBLEM:** Loss of the gillnet fishery in the Kenai River for hooligan under the guise of conservation of forage fish for marine mammals. The total annual harvest of hooligan in the Kenai

River is inconsequential to the welfare of marine mammals, but the regulation change has displaced many local residents from harvesting traditionally gathered hooligan in the Kenai River. Annual harvest levels are inconsequential to either the sustainability of hooligan stocks or marine mammals. There are so few of us that take hooligan that this fishery will have little impact on the sea lion food source. We have maybe 10 to 12 people that fish for hooligan and most take only enough for food. Several of us will put up hooligan for a taste during the winter months, but that entails about 100 fish, if that.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Unforeseen displacement of local fishermen who have traditionally harvested hooligan with small gillnets. The use of dip net in the Kenai River of hooligan is not practical, and would yield no fish from the bank. Fishing for hooligan in the Kenai River is not like fishing around the Turnagain Arm where there is a small channel that runs right along the road up to the creek. Dip nets would better because of the currents. That is not so for the Kenai River where we have always used the small drift nets.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?**

**WHO IS LIKELY TO BENEFIT?** Residents of Alaska.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Dyer VanDevere (SC-04-F-103)

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**PROPOSAL 336 - 5 AAC 56.065. Riparian Habitat Fishery Management Plan.** Amend this regulation to provide the following:

(d) From July 1 through August 15, the following Kenai River riparian habitats are closed to all fishing, except fishing from a boat that is located more than 10 feet from shore and not connected to the shore or any riparian habitat:

(6) on the north bank of the Kenai River, between ADF&G regulatory markers located at river mile 18.8 [18.9] and at river mile 19.0 [18.8];

(7) at the Soldotna Airport property, on the south bank of the Kenai River, between ADF&G regulatory markers located at river mile 22.7 [2.7] and river mile 23.5;

(8) on the south bank of the Kenai River, between ADF&G regulatory markers located at river mile 29.0 and river mile 29.5 [29.5];

(15) on the south bank of the Kenai River, near river mile 82.0 at the outlet of Kenai Lake, from an ADF&G regulatory marker located at the Sterling Highway bridge to an ADF&G regulatory marker located approximately 1,000 feet downstream;

(17) [ON THE NORTH BANK OF THE KENAI RIVER, BETWEEN ADF&G REGULATORY MARKERS LOCATED AT RIVER MILE 9.7 AND RIVER MILE 9.9;]

(25) on the north bank of the Kenai River, between ADF&G regulatory markers located at river mile 13.2 and river mile 13.5;

**(26) on the north bank of the Kenai River, between ADF&G regulatory markers located at river mile 19.0 and river mile 19.6;**

**(27) on the south bank of the Kenai River, between ADF&G regulatory markers located at river mile 17.5 and river mile 18.0; and**

**(28) on the north bank of the Kenai River, between ADF&G regulatory markers located at river mile 45.8 and river mile 46.3.**

**PROBLEM:** These riparian areas adjacent to the Kenai River have been identified as requiring additional protection due to past habitat losses and/or these locations have been recognized as critical fish habitat that has been prone to bank degradation by shoreline anglers. Several locations were acquired through and EVOS purchase with a stipulation on the sale that they be placed in a conservation status. The recent management history of these locations has required the department to close these areas annually by emergency order to all fishing during the sockeye salmon season in July and through August 15.

One property is now privately owned and shore angling is permitted. This property should be removed from the regulation.

In addition, some of the river miles have been incorrect in the regulations and should be changed to accurately reflect the proper locations.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The department will have to issue an Emergency Order and a news release annually to protect these riparian bank habitat areas.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BY IMPROVED?**

**WHO IS LIKELY TO BENEFIT?** The fishery resources of the Kenai River. Present and future anglers who use and enjoy the resources of the Kenai River.

**WHO IS LIKELY TO SUFFER?** Unknown.

**OTHER SOLUTIONS CONSIDERED?** Continued inseason emergency order closures implemented for these sensitive habitat areas.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-04-F-344)

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**PROPOSAL 337 - 5 AAC 56.065. Riparian Habitat Fishery Management Plan.** Amend this regulation as follows:

As determined by the department, areas of riverbanks that are highly susceptible to erosion will be closed to bank fishing and also will be posted as a no-wake zone.

**PROBLEM:** Bank erosion created by bank fishing and boat wakes.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Destruction of riparian habitat for salmon, production and siltation deposited on spawning beds. This results in irreversible loss of salmon production.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?**

**WHO IS LIKELY TO BENEFIT?** Everyone present and future. Protecting salmon habitat is the only way to ensure future sustainable salmon production.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** Drift boats only will greatly stop bank erosion.

**PROPOSED BY:** David Martin (SC-04-F-145)

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**PROPOSAL 338 - 5 AAC 21.358. Northern District Salmon Management Plan.** Amend this regulation as follows:

It is mandatory that the BEG goals for maximum sustained yield be followed.

**PROBLEM:** Upper Cook Inlet Northern District Salmon Management Plan shall provide the constitutionally required BEG to ensure maximum sustained yield for all chinook, sockeye, coho, pink, and chum salmon stocks and provide reasonable opportunity for the personal consumptive common property users.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The fisheries will be closed for all users in Cook Inlet.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** All Cook Inlet user groups.

**WHO IS LIKELY TO SUFFER?** In the short-term all users may suffer, but the long-term benefit of sustained yield will benefit all users.

**OTHER SOLUTIONS CONSIDERED?** We have no hydroelectric dam problems, no stream pollution and no Judge Bolt decisions. Protecting sustained yield and equal common property rights.

**PROPOSED BY:** Sam E. McDowell (HQ-04-F-082)

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**PROPOSAL 339 - 5 AAC 61.022(d). Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet Area.** Amend this regulation as follows:

Open a portion of Alexander Creek that is currently closed to catch-and-release only.

**PROBLEM:** Crowding on Alexander Creek due to limited area open for fishing king salmon.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Combat fishing experience due to excessive amounts of traffic.



**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?**

**WHO IS LIKELY TO BENEFIT?** Catch-and-release fishermen that want to enjoy the Alexander Creek without the combat fishing experience.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Arctic Adventures (HQ-04-F-155)

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**PROPOSAL 340 - 5 AAC 61.022(d)(5). Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet Area.** Amend this regulation as follows:

Close the Alexander Creek drainage and the confluence with the Big Su to king fishing until the fish are able to withstand the harvest.

**PROBLEM:** The declining number of kings in Alexander Creek.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** King salmon numbers will continue to decline until they disappear altogether.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Everyone.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** Close the river to harvesting and allow catch-and-release, rejected because it is not right.

**PROPOSED BY:** Gary S. Bell (HQ-04-F-201)

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**PROPOSAL 341 - 5 AAC 61.022(d). Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet Area.** Amend this regulation as follows:

Close king salmon fishing at the mouth of Alexander Creek until escapements are reached.

**PROBLEM:** Alexander Creek has had problems of achieving escapement goals.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Not achieving escapement goals.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Ensures escapement goals will be met.

**WHO IS LIKELY TO BENEFIT?** King salmon in Alexander Creek and those that utilize these fish upstream locations.

**WHO IS LIKELY TO SUFFER?** Everyone who utilizes these fish at the mouth of Alexander Creek.

**OTHER SOLUTIONS CONSIDERED?** Close mouth of Alexander Creek until escapements are projected to be met.

**PROPOSED BY:** Roland R. Maw (SC-04-F-088)

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**PROPOSAL 342 - 5 AAC 61.0XX. Deshka River King Salmon Management Plan.** Create a new management plan as follows:

The plan objectives are to 1) ensure adequate king salmon spawning escapement into Deshka River; 2) allow public participation in selection of harvest strategies; and 3) provide the department management guidelines for maximizing benefits from the Deshka River king salmon resource when weir projections and counts indicate adequate escapements to provide additional sport fishing opportunities. The biological escapement goal is set at 13,000 – 28,000 king salmon past Deshka River weir.

Matanuska Valley Advisory Committee, after consulting with the department area fisheries biologist, submits points 1, 2, and 3 for consideration as part of a Deshka River King Salmon Management Plan. Point 4 is a place holder for additional considerations or different priority of points within the plan.

1) In the Deshka River drainage, from its mouth upstream approximately 17 miles to ADF&G markers near Chijuk Creek, and all waters within a ½ mile radius of the Deshka's confluence with the Susitna River, only unbaited, artificial lures are allowed September 1-**May 14** [JUNE 7]. Bait is allowed **May 15** [JUNE 8] – August 31 upstream approximately two miles to the Fish and Wildlife cabin and from **June 1** [JUNE 8] – August 31 bait is allowed the remainder of the distance to the markers at Chijuk Creek. However, if the most recent department Deshka River weir king salmon escapement projection (from previous year or inseason after June 5) predicts a king salmon escapement less than 16,750 (25 percent of the escapement goal range) then bait shall be prohibited until escapement can again be projected past 16,750 or until the king salmon season closure, whichever comes first.

2) When the inseason Deshka River weir king salmon escapement projection exceeds 20,500 and 5,125 kings have passed the weir, the daily limit for king salmon shall increase to two per day/four in possession, however, only one per day/two in possession may exceed 30 inches.

3) When the Deshka River weir king salmon escapement count exceeds 16,750 before July 1 then fishing shall be allowed 24 hours per day in Deshka waters open to king salmon.

4) This is a placeholder provision for the public, the department, and members of the board to consider additional Deshka River king salmon opportunities, harvest strategies, trigger points for implementation, or a different priority of options for adoption as part of a Deshka River King Salmon Management Plan.

**PROBLEM:** Deshka River King Salmon Management Plan. Deshka River is one of only two Cook Inlet streams with biological escapement goal quality king salmon escapement data. Furthermore, Deshka River is the most productive king salmon drainage in the entire Susitna River system with king salmon escapements that have exceeded the top end of its biological escapement goal range for each of the past five years from 1998-2003. Since the basic scientific concept of

Alaska's Sustainable Salmon Fisheries Policy is that salmon harvest shall be managed to achieve escapements randomly distributed within an escapement goal range, then Deshka River sportfishing regulations, once necessary to rebuild the king salmon run, must now be liberalized in order to manage for maximum benefits as mandated by the state constitution.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** If Deshka River king salmon regulations are not liberalized, this resource will continue producing far less than maximum benefits. For example, the 2003 Deshka River weir king salmon escapement count exceeded the goal range midpoint by over 19,000 harvestable surplus fish.

The magnitude of how much Deshka River regulations currently minimize benefits from the king salmon sport fishery can be illustrated by considering: the entire annual early run of world famous Kenai River king salmon averages less than 19,000 fish.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Sport anglers who fish for Deshka River king salmon would benefit from additional fishing and harvest opportunities during years with an identifiable surplus of harvestable fish. Anglers participating in other king salmon fisheries may enjoy less crowded fisheries if some participants decide to fish the Deshka, because of the new opportunities available there. Many Mat-Su Valley and Anchorage area businesses would enjoy added economic benefits during years when large numbers of king salmon return to Deshka River.

**WHO IS LIKELY TO SUFFER?** The most likely group to suffer would be Deshka River sport fishermen, since new opportunities identified in the proposal will undoubtedly attract additional participants to the fishery and may result in a more crowded fishery. That is the cost of these opportunities, but the benefits obtained would exceed the cost.

**OTHER SOLUTIONS CONSIDERED?** Opening additional area to king salmon fishing upstream of the current legal waters was considered, but the department area fisheries biologist believes heavy fishing pressure in that area was a primary contributor to the previous decline in Deshka River king salmon production.

**PROPOSED BY:** Matanuska/Susitna Valley Advisory Committee (SC-04-F-035)

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*Identical proposals were submitted by each organization/individual listed at the bottom of the proposal. The submissions are reproduced here as one proposal for publishing purposes:*

**PROPOSAL 343 - 5 AAC 61.022(d)(6)(B). Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet Area.** Amend this regulation as follows:

Adopt a Deshka River King Salmon Management Plan as follows:

The plan objectives are to 1) Ensure adequate king salmon spawning escapement into Deshka River, 2) allow public participation in selection of harvest strategies, and 3) provide the department management guidelines for maximizing benefits from the Deshka River king salmon resource when weir projections and counts indicate adequate escapements to provide additional sport fishing opportunities. The biological escapement goal is set at 13,000-28,000 king salmon past Deshka River weir.

a) In the Deshka River drainage, from its mouth upstream approximately 17 miles to ADF&G markers near Chijuk Creek, and all waters within a ½ mile radius of the Deshka's confluence with the Sustina River, only unbaited, artificial lures are allowed September 1-May 14 [JUNE 7]. Bait is allowed May 15 [JUNE 8]—August 31. **However, if the most recent Deshka River weir king salmon escapement projection (from previous year or inseason after June 5) predicts a king salmon escapement less than 16,750 (25 percent of the escapement goal range) then bait shall be prohibited until escapement can again be projected past 16,750 or until the king salmon season closure, whichever comes first.**

b) **After June 5 when the inseason Deshka River weir king salmon escapement projection exceeds 16,750, then the daily limit for king salmon shall increase to two per day/four in possession, however only only per day/two in possession may exceed 30 inches.**

c) **When the Deshka River weir king salmon escapement count exceeds 16,750 before July 1 then: Fishing shall be allowed 24 hours per day in Deshka River drainage waters open to king salmon.**

This is a placeholder provision for the public, the department, and members of the board to consider additional Deshka River king salmon fishing opportunities, harvest strategies, trigger points for implementation, or a different priority of options for adoption as part of a Deshka River King Salmon Management Plan.

**PROBLEM:** Deshka River is one of only two Cook Inlet streams with biological escapement goal quality king salmon escapement data. Furthermore, Deshka River is the most productive king salmon drainage in the entire Susitna River system with king salmon escapements that have exceeded the top end of the biological escapement goal range for each of the past five years from 1998-2003. Since the basic scientific concept of Alaska's sustainable salmon fisheries policy is that salmon harvest shall be managed to achieve escapements randomly distributed within an escapement goal range, then Deshka River sport fishing regulations, once necessary to rebuild the king salmon run, must now be liberalized in order to manage for maximum benefits as mandated by the state constitution.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** If Deshka River king salmon regulations are not liberalized, this resource will continue producing far less than maximum benefits. For example, the 2003 Deshka River weir king salmon escapement count exceeded the goal range midpoint by over 19,000 harvestable surplus fish.

The magnitude of how much Deshka River regulations currently minimize benefits from the king salmon sport fishery can be illustrated by considering: the entire annual early run of world famous Kenai River king salmon average less than 19,000 fish.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Sport anglers who fish for Deshka River king salmon would benefit from additional fishing and harvest opportunities during years with an identifiable surplus of harvestable fish. Anglers participating in other king salmon fisheries may enjoy less crowded fisheries if some participants decide to fish the Deshka, because of the new opportunities available there. Many Mat-Su Valley and Anchorage area businesses would enjoy added economic benefits during years when large numbers of king salmon return to Deshka River.

**WHO IS LIKELY TO SUFFER?** The most likely group to suffer would be Deshka River sport fishermen, since new opportunities identified in the proposal will undoubtedly attract additional participants to the fishery and may result in a more crowded fishery. That is the cost of these opportunities, but the benefits obtained would exceed the cost.

**OTHER SOLUTIONS CONSIDERED?** Opening additional area to king salmon fishing upstream of the current legal waters was considered, but the department area fisheries biologist believes heavy fishing pressure in that area was a primary contributor to the previous decline in Deshka River king salmon production.

**PROPOSED BY:** Andy Couch and Greater Wasilla Chamber of Commerce (HQ-04-F-329)  
Andy Couch and Anchorage Advisory Committee (HQ-04-F-341)

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**PROPOSAL 344 - 5 AAC 61.022(d)(6). Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet Area.** Amend this regulation as follows:

In the Deshka River drainage, from its mouth upstream approximately two miles to the Fish and Wildlife cabin, all waters within a ½ mile radius of the Deshka’s confluence with the Susitna River, only unbaited, artificial lures are allowed September 1-May 14 [JUNE 7]. Bait is allowed May 15 [JUNE 8]-August 31. From June 1 [JUNE 8]-August 31 bait is allowed the remaining 15 miles to the ADF&G markers near Chijuk Creek. This change would make bait fishing and king salmon hours start on the same day. This is one of four Susitna River drainage king salmon regulation dates that should be adjusted for consistency.

**PROBLEM:** Deshka River bait dates. The starting date bait is allowed on Deshka River should be adjusted to match the starting date for king salmon hours on most of the Susitna River drainage. This is one of four Susitna River drainage king salmon regulation starting dates the Matanuska/Susitna Valley Advisory Committee proposes adjusting for consistency.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** If something is not done the starting date for bait fishing on the Deshka River drainage will remain as one of four different king salmon regulation starting dates throughout the Susitna River drainage. Currently there is little biologically significant savings gained through the use of different dates, and multiple starting dates makes regulations confusing.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Sport fishermen who prefer regulations that makes sense and are easier to understand.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** Matanuska/Susitna Valley Advisory Committee is submitting three additional proposals seeking more consistency in Susitna River drainage king salmon regulation.

**PROPOSED BY:** Matanuska/Susitna Valley Advisory Committee (SC-04-F-036)

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**PROPOSAL 345 - 5 AAC 61.022(d)(6). Waters; seasons; bag, possession; and size limits; and special provisions for the Susitna—West Cook Inlet Area.** Amend this regulation as follows:

In the Deshka River drainage, from its mouth upstream approximately 17 miles to ADF&G markers near Chijuk Creek, and all waters within a ½ mile radius of the Deshka's confluence with the Susitna River, only unbaited, artificial lures are allowed September 1-May 14 [JUNE 7]. Bait is allowed May 15 [JUNE 8]-August 31. This change would make bait fishing and king salmon hours start on the same day.

**PROBLEM:** The starting date bait is allowed on Deshka River should be adjusted to match the starting date for king salmon hours on most of the Susitna River drainage.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** If something is not done the starting date for bait fishing on the Deshka River drainage will remain as one of four different king salmon regulation starting dates throughout the Susitna River drainage. Currently there is little biologically significant savings gained through the use of different dates, and multiple starting dates and fishing areas make regulations confusing.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Sport anglers who prefer regulations that make sense and are easier to understand. Sport king salmon anglers would also catch more king salmon if bait were allowed earlier in the season, and since the Deshka River king salmon escapement has been over the top end of its biological escapement goal for each of the past five years there are more than enough harvestable surplus king salmon to provide such a fishery.

**WHO IS LIKELY TO SUFFER?** People who believe rainbow trout should only be caught with artificial lures might see a few additional rainbow trout caught by Deshka River king salmon anglers using bait. However, since rainbow trout fishing and retention of rainbow trout would remain closed April 15-June 15, and since approximately three-fourths of the Deshka River drainage is closed year round to the use of bait this change would likely have little impact on the Deshka River rainbow population.

**OTHER SOLUTIONS CONSIDERED?** I considered more restrictive May-June Deshka River bait fisheries, but after examining department Deshka River rainbow trout data, I determined this proposal would likely have little impact on rainbow trout numbers, so why incorporate unnecessary restrictions?

**PROPOSED BY:** Andy Couch (HQ-04-F-212)

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**PROPOSAL 346 - 5 AAC 61.022(d)(6). Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet Area.** Amend this regulation as follows:

When king salmon escapement past Deshka River weir exceeds 20,500 fish by July 10, then downstream of the weir only, the Deshka River king salmon season shall be extended through July 31.

**PROBLEM:** For the past five years from 1998-2003 the king salmon escapement past Deshka River weir has exceeded the top end of the biological escapement goal, yet a regulation remains in place which prohibits fishing for or harvesting surplus king salmon without providing any significant biological benefit.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** If nothing is done, sport anglers will continue to be denied a legitimate fishing opportunity and the resource will continue to be managed at a level providing less than maximum benefits.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** People who would like to fish for king salmon in the Mat-Su Valley after July 13 would benefit from having a legal king salmon fishery during years with an identifiable surplus of Deshka River king salmon. Local businesses would gain additional economic benefits during years with extended king salmon fishing seasons.

**WHO IS LIKELY TO SUFFER?** People who prefer no king salmon fishing after July 13 could choose not to participate in the fishery, but if they fished Deshka River after July 13, they could see someone fishing for or harvesting king salmon.

**OTHER SOLUTIONS CONSIDERED?** A different trigger point to extend the Deshka River king salmon season below the weir would be when king salmon escapement past the weir exceeds the top end of the escapement goal: 28,000 fish. This would be an acceptable solution, although it would likely provides less additional king salmon fishing opportunity. It should also noted that according to department data maximum sustained yield is achieved with Deshka River king salmon spawning escapements slightly less than 18,000 fish, so a trigger point closer to 18,000 seems the logical choice.

**PROPOSED BY:** Andy Couch (HQ-04-F-213)

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**PROPOSAL 347 - 5 AAC 61.022. Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet area.** Amend this regulation as follows:

Unless otherwise stated by emergency order, the open season for all fisheries east of the Susitna River drainage shall be from July 1 through April 14 between the hours of 6:00 a.m. and 6:00 p.m.

**PROBLEM:** Overcrowding in the eastside Susitna River drainage.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Continue damage to salmon habitat.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, by reducing damage to salmon habitat.

**WHO IS LIKELY TO BENEFIT?** Those people who like fishing for salmon.

**WHO IS LIKELY TO SUFFER?** Those who do not care about the eastside Susitna River drainage.

**OTHER SOLUTIONS CONSIDERED?** Give the department the power to limit the number of people fishing in an area at one time.

**PROPOSED BY:** Jacob Joseph Dahley (HQ-04-F-029)

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**PROPOSAL 348 - 5 AAC 61.022. Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet Area.** Amend this regulation as follows:

All waters of the Susitna and Little Susitna River drainages including all lakes and ponds that drain into the Susitna and Little Susitna River drainages upstream of mile 35 of the Susitna and Little Susitna drainages will be open from February 2 through April 1.

**PROBLEM:** Sport fish being taken on and/or on their way to their spawning beds.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Sport fishing will decline until having to become closed due to the taking of fish on and near their spawning beds.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** This will protect most of the spawning beds on the Susitna River and Little Susitna River drainages. From a business point of view, five to seven years after this proposal is passed, fishing on the Susitna and Little Susitna River will make the fishing on the Kenai River look poor. Ten years down the road we may even have a March king salmon fishery.

**WHO IS LIKELY TO BENEFIT?** All users of the resource will benefit.

**WHO IS LIKELY TO SUFFER?** None.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Jacob Joseph Dahlen (SC-04-F-003)

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**PROPOSAL 349 - 5 AAC 61.022. Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet Area.** Amend this regulation as follows:

All waters of the Susitna River drainage upstream of the Parks Highway bridge will be closed to all fishing from April 1 through February 2.

**PROBLEM:** Sport fishing over spawning game fish in the Susitna River drainage.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Continue decline of sport fishing due to unneeded harm done to game fish in the Susitna River drainage.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** By allowing more game fish to spawn, we will have more game fish, which means larger bag and size limits.

**WHO IS LIKELY TO BENEFIT?** All users of the resource will benefit.

**WHO IS LIKELY TO SUFFER?** None.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Jacob Joseph Dahlen (SC-04-F-006)

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**PROPOSAL 350 - 5 AAC 61.022(e)(1) and (i)(4)(A). Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet Area.** . Open streams along the Parks Highway to king salmon fishing for an additional three-day weekend and clarify king salmon open season dates as follows:



(e)(1) From January 1 through the third Monday in June and on Saturday, Sunday, and Monday for three [TWO] consecutive weeks starting on the **Saturday following the third Monday in June** [FOURTH SATURDAY IN JUNE], Unit 2 is open to sport fishing for all finfish species, including king salmon 20 inches or greater in length.

(i)(4)(A) From January 1 through July 13, the waters are open to sport fishing for all finfish species, including king salmon 20 inches or greater in length; king salmon 20 inches or greater in length may be retained only from January 1 through the third Monday in June and on Saturday, Sunday, and Monday for three [TWO] consecutive weeks starting on the **Saturday following the third Monday in June** [FOURTH SATURDAY IN JUNE], the remaining days are catch and release sport fishing only for king salmon.

**PROBLEM:** The king salmon season has been extended by emergency order for several Eastside Susitna River streams (Unit 2 and Unit 6 of the Susitna River drainage) for 12 of the 14 years beginning in 1990 and has been extended annually since 1995. The streams in which seasons have been extended have varied yearly from including only Willow Creek to including all Unit 2 streams (Birch, Caswell, Goose, Grey's, Little Willow, Montana, Rabideux, Sheep, Sunshine, Trapper creeks, and Kashwitna River) along with the East Fork of the Chulitna River in Unit 6. Extending the season for Units 2 and 6 king salmon fisheries for an additional three-day weekend in regulation would provide consistency for the fishery and eliminate the need to annually issue a late season emergency order.

In addition, the current regulatory language describing the open fishing season should be modified to prevent a weekend closure in the middle of the season. When June 1 or June 2 falls on a Sunday or a Monday, the following Saturday is only the third Saturday of the month and fishing would be closed during that weekend.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The department will continue to issue an emergency order to extend these fisheries. In addition, every five years when June 1 or June 2 falls on a Sunday or a Monday, the fishery will be interrupted with a weekend closure during the middle of the season.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Provides for a consistent king salmon fishery.

**WHO IS LIKELY TO BENEFIT?** Recreational and commercial users such as guides, outfitters and lodges will benefit from the consistent regulations.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-04-F-311)  
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**PROPOSAL 351 - 5 AAC 61.022(e)(9). Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet Area.** Amend this regulation as follows:

Amend the waters of the Kashwitna River drainage open to king salmon fishing as follows: Kashwitna River drainage from its mouth to the Alaska Railroad Bridge (Parks Highway).

**PROBLEM:** Amend the waters of the Kashwitna River drainage open to king salmon fishing as follows: Kashwitna River drainage from its mouth to the Alaska Railroad Bridge (Parks Highway).

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Sport king salmon anglers will be unnecessarily crowded into the short section of river below the Parks Highway. Bank anglers fishing the river from the free public access along the Parks Highways will continue to have almost no decent holding water to fish.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Sport fishermen fishing the Kashwitna River would benefit from a larger area open to king salmon fishing.

**WHO IS LIKELY TO SUFFER?** People who prefer the present regulation.

**OTHER SOLUTIONS CONSIDERED?** Perhaps more river miles above the Parks Highway could be opened to king salmon fishing, however, the railroad is an easily identifiable boundary, and the department area fisheries biologist is comfortable opening that much additional water.

**PROPOSED BY:** Matanuska/Susitna Valley Advisory Committee (SC-04-F-013)

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**PROPOSAL 352 - 5 AAC 61.022. Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet Area.** Amend this regulation as follows:

Amend Susitna River drainage, Unit 2 king salmon season as follows: January 1 to third Monday in June, then each following Saturday, Sunday, and Monday through July 13. (Saturday, Sunday and Monday for the following two weeks). This will make the season length more consistent on a yearly basis, more consistent with the Unit 2 artificial lure restriction, and maximize fishing opportunity, while ending the season more consistently with most Susitna drainage king salmon seasons which run through July 13.

**PROBLEM:** Make the season length more consistent on a yearly basis, more consistent with the Unit 2 artificial lure restriction, and maximize fishing opportunity, while ending the season more consistently with most Susitna drainage king salmon seasons which run through July 13.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The regulation book will remain unnecessarily confusing with inconsistent season dates for several Susitna River drainage king salmon regulations. The Unit 2 king salmon season will remain shorter than necessary even though drainages open to fishing are already protected by extensive spawning area closures and all king salmon fishing is currently prohibited on Tuesdays, Wednesdays, Thursday, and Fridays in late June through mid-July.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Sport fishermen who would prefer a slightly longer Unit 2 king salmon season.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** We are submitting three additional proposals seeking more consistency in season dates.

**PROPOSED BY:** Matanuska/Susitna Valley Advisory Committee (SC-04-F-014)

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**PROPOSAL 353 - 5 AAC 61.022(e). Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet Area.** Amend this regulation as follows:

In flowing water of Unit 2 Susitna River drainage, open to king salmon fishing, amend the season unbaited artificial lures are allowed to **May 15** [JUNE 1] – July 13 and the season only one unbaited, single-hook, artificial lure is allowed to Sept. 1 – **May 14** [MAY 31].

**PROBLEM:** Susitna Drainage—Unit 2 multiple hook start date. The Unit 2 starting date multiple hooks are allowed in waters open to king salmon fishing should be adjusted to match the starting date for king salmon hours on other portions of the Susitna River drainage. This is one of four Susitna River drainage king salmon regulation starting dates the Matanuska/Susitna Valley Advisory Committee proposes adjusting for consistency.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** If something is not done the starting date for use of multiple hooks in Unit 2 will remain as one of four different king salmon regulation starting dates throughout the Susitna River drainage. Currently there is little biologically significant savings gained through the use of different dates, and multiple starting dates makes regulations confusing.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Fishermen who prefer simpler, less restrictive, king salmon regulations.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** Matanuska/Susitna Valley Advisory Committee is submitting three additional proposals seeking more consistency in Susitna River drainage king salmon regulation dates.

**PROPOSED BY:** Matanuska/Susitna Valley Advisory Committee (SC-04-F-034)

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**PROPOSAL 354 - 5 AAC 61.022(g)(7). Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet Area.** Amend this regulation as follows:

On the Lake Creek drainage for that portion located 100 yards upstream of its mouth to department makers ¼ mile upstream of Bulchitna Lake amend season dates as follows:

--August 16-**May 14** [MAY 15], only one unbaited, single hook, artificial lure is allowed.

--**May 15** [MAY 16] – July 13, only unbaited, artificial lures are allowed.

**PROBLEM:** Lake Creek dates consistency. The starting date multiple hooks are allowed while fishing a portion of Lake Creek should be adjusted to match the starting date for king salmon hours on most of the Susitna River drainage. This is one of four Susitna River drainage king salmon regulation starting dates the Matanuska/Susitna Valley Advisory Committee proposes adjusting for consistency.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** If something is not done the starting date for use of multiple hooks in this portion of Lake Creek will remain as one of four different king salmon regulation starting dates throughout the Susitna River drainage. Currently, there is little biologically significant savings gained through the use of different dates, and multiple starting dates makes regulations confusing.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Sport fishermen who want a regulation book that makes sense and is easier to understand.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** Matanuska/Susitna Valley Advisory Committee is submitting three additional proposals seeking more consistency in Susitna River drainage king salmon regulation dates.

**PROPOSED BY:** Matanuska/Susitna Valley Advisory Committee (SC-04-F-031)

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**PROPOSAL 355 - 5 AAC 61.022(f). Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet area.** Amend this regulation in the Larsen Creek drainage as follows:

Limit red salmon to one per day and one in possession. Limit guided fishing to Monday through Friday.

**PROBLEM:** Overfishing and habitat destruction and poaching and over limit.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The run will die out and the habitat will be destroyed.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** The area that can be fished is quite small, accommodating four to eight people. Less people would fish with the new limits enhancing the experience.

**WHO IS LIKELY TO BENEFIT?** All people that would fish the area as well as the surrounding habitat and trail system.

**WHO IS LIKELY TO SUFFER?** Poachers and those fishing over limit.

**OTHER SOLUTIONS CONSIDERED?** We have talked with our friends and neighbors and discussed numerous issues and settled on this one.

**PROPOSED BY:** Tony Blomfield (HQ-04-F-030)

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**PROPOSAL 356 - 5 AAC 61.022(h)(4). Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet Area.** Amend this regulation as follows:

Eliminate the 1000 foot fishing restriction from mouth of Larson Creek drainage. Limit sockeye salmon to one per day/one in possession. Limit guided fishing to Monday thru Friday.

**PROBLEM:** Overfishing and habitat destruction, poaching and overlimit.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The run will die out and habitat will be destroyed.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** The area that can be fished is small, accommodating four to eight people; less people would fish with the new limits, enhancing the experience and increase fish.

**WHO IS LIKELY TO BENEFIT?** All those that fish the area. Improve habitat and trail systems.

**WHO IS LIKELY TO SUFFER?** Poachers and those fishing overlimit.

**OTHER SOLUTIONS CONSIDERED?** We discussed issues with friends, neighbors and homeowners and settled on these.

**PROPOSED BY:** Talkeetna Bluffs Homeowners Association (HQ-04-F-066)

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**PROPOSAL 357 - 5 AAC 61.022(h). Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet Area.** Amend this regulation as follows:

Open a portion of Prairie Creek or other rivers off the Susitna that are currently closed. Open them up to king salmon catch-and-release only.

**PROBLEM:** Need for catch-and-release king salmon fisheries on rivers flowing into the Susitna from the east. (For example, Prairie Creek and Clear Creek.)

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Combat fishing experience due to excessive amounts of traffic.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?**

**WHO IS LIKELY TO BENEFIT?** Catch-and-release fishermen that want to enjoy these rivers without the combat fishing experience.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Arctic Adventures (HQ-04-F-154)

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**PROPOSAL 358 - 5 AAC 61.022(i)(4). Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet Area.** Amend this regulation as follows:

Open the Chulitna for catch-and-keep three days per week, for example Mon-Wed-Fri, until the end of king salmon season.

**PROBLEM:** Limited number of days for catch-and-keep for king salmon on the Chulitna.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** King salmon usually appear on the Chulitna at the end of June. This is after the majority of the catch-and-keep season.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?**

**WHO IS LIKELY TO BENEFIT?** Late June and July fishermen that would like to keep a king salmon.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Arctic Adventures (HQ-04-F-153)

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**PROPOSAL 359 - 5 AAC 61.022(i)(4). Waters; seasons; bag, possession, and size limits; and special provisions.** Amend this regulation as follows:

Amend waters open to king salmon fishing as follows:

**The Chulitna River including the East, West, and Middle Fork and all flowing waters within a ¼ mile radius of the river.** [THE EAST FORK OF THE CHULITNA RIVER AND ITS DRAINAGES, INCLUDING ALL WATERS WITHIN ¼ MILE RADIUS OF THE CONFLUENCE OF THE EAST FORK AND WEST FORK AND INCLUDING THE MIDDLE FORK OF THE CHULITNA AND THE FIRST ¼ MILE OF HONOLULU CREEK]

**PROBLEM:** The Chulitna River drainage is the only Susitna River drainage closed to king salmon fishing from its mouth upstream approximately 50 miles to a point where king salmon fishing once again becomes legal. Opening flowing waters of the Chulitna River drainage within a ¼ mile radius of the Chulitna River upstream from its mouth to king salmon fishing would make the regulation more consistent with other Susitna River drainages and allow additional king fishing opportunities while protecting all tributary spawning areas more than ¼ mile upstream from the Chulitna River.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Chulitna River and tributaries within a ¼ mile radius of the river from its mouth upstream to the area currently open will remain unnecessarily closed to king salmon fishing. In addition, the definition of open waters will remain long and confusing, since the Chulitna River drainage would remain the only Susitna River drainage with a large closed area between its mouth and the open waters.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Sport fishermen, who would like to fish for king salmon in the Chulitna River and its tributaries within ¼ mile of the river from its mouth upstream 50 miles to the area currently open, would benefit. Businesses near or operating on the Chulitna River would benefit.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** 1) The same area could be opened with more restrictive season dates or to catch-and-release only, if it was determined too many fish would be harvested

with the fishery as proposed. 2) The same area could be open for less days. 3) The same area could be open with exceptions closing critical harvest areas. I prefer allowing some harvest.

**PROPOSED BY:** Andy Couch (HQ-04-F-214)

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**PROPOSAL 360 - 5 AAC 61.030. Methods, means, and general provisions—finfish.** Amend this regulation as follows:

In all waters of Cresent Lake a bow-and-arrow may be used to harvest sockeye salmon. The arrow must have a barbed tip and be attached to the bow with a line.

**PROBLEM:** Underutilization of the sockeye salmon resource in Cresent Lake and difficulty in harvesting sockeye salmon legally with traditional sport fishing gear.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Resource will continue to be underutilized. People will continue to snag and attempt to snag sockeye salmon.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?**

**WHO IS LIKELY TO BENEFIT?** Anyone who wants to harvest sockeye salmon in a legal manner.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Eric Johnson (HQ-04-F-041)

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**PROPOSAL 361 - 5 AAC 61.030(c) and (d). Methods, means, and general provisions—finfish.** Repeal the following regulation:

[[C) IN THOSE LOCATIONS SPECIFIED IN 5 AAC 61.022 AS CLOSED TO SALMON FISHING, THE CLOSURE APPLIES ONLY TO KING SALMON 20 INCHES OR GREATER IN LENGTH, AND OTHER THAN KING SALMON, SALMON 16 INCHES OR GREATER IN LENGTH.]

(d). Except as specified in 5 AAC 61.022, all waters of the Susitna – West Cook Inlet Area are closed to fishing for king salmon [20 INCHES OR GREATER IN LENGTH].

In addition, each regulation within 5 AAC 61.022 that provides an open season for jack salmon in waters closed to fishing for large salmon will need to be amended.

**PROBLEM:** Allowing anglers to target jack salmon in areas closed to fishing for larger salmon causes regulatory inconsistency and renders salmon closures unenforceable because anglers target large king salmon for catch and release and claim they are fishing for jacks. Enforcement personnel can do little to protect these fish unless clear evidence of poaching exists (e.g., a fish on a stringer).

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Salmon protected by closures will continue to be harassed anglers under the guise of fishing for jack salmon. Enforcement of closed waters for king salmon 20 inches and other salmon 16 inches or greater will continue to be ineffective.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Anglers interested in increasing brood stock to area systems so that fisheries will be possible in the future. Personnel enforcing closed waters regulations.

**WHO IS LIKELY TO SUFFER?** Unknown.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-04-F-314)

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**PROPOSAL 362 - 5 AAC 61.022(a)(2)(B), (j)(2)(B), (j)(12)(D), (l)(2)(B), and (m)(13)(B). Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet Area.** Amend this regulation as follows:

- (a)(2) salmon, other than king salmon,
  - (B) less than 16 inches length may be taken from January 1–December 31; bag and possession limit **of 10 fish** [IS 10 OF EACH SALMON SPECIES];
- (j)(2) salmon, other than king salmon,
  - (B) less than 16 inches length may be taken from January 1 – December 31; bag and possession limit **of 10 fish** [IS 10 OF EACH SALMON SPECIES];
- (l)(2) salmon, other than king salmon,
  - (B) less than 16 inches length may be taken from January 1 – December 31; bag and possession limit **of 10 fish** [IS 10 OF EACH SALMON SPECIES];
- (b)(1) in the drainages between the Susitna River and the West Foreland:
  - (A) in flowing waters, only unbaited, artificial lures may be used **from September 1 through July 13;**
- (j)(12) the Wasilla Creek drainage, including Rabbit Slough;
  - (D) from June 15 – April 14, downstream of the Alaska Railroad Bridge is open to sport fishing for salmon, except king salmon 20 inches or greater in length, only on Saturday and Sunday from 6:00 a.m. to 6:00 p.m.; bag and possession limit of three fish, of which only two may be coho salmon, a person who takes the bag limit of salmon from Wasilla Creek may not sport fish for any species of fish **that same day in waters open to sport fishing for salmon** [IN WASILLA CREEK FOR THE REMAINDER OF THAT DAY];
- (m)(13) in the Rabbit Creek drainage, sport fishing is closed;
  - (B) **to salmon fishing** in the waters upstream of the Old Seward Highway;

**PROBLEM:** It appears that certain regulatory language changes occurred without specific board action. It is likely the changes were made when the regulatory language changed from a matrix format to a text format. In all other areas of the state, the bag and possession limit for salmon, other than king salmon, less than 16 inches in length is ten fish, not ten of each species. The bag and possession limits are inconsistent even within 5 AAC 61.022.

Regulations for the Susitna – West Cook Inlet area consistently prevent anglers from sport fishing in all waters open to salmon fishing after they take their bag limit. The current regulation for Wasilla Creek is inconsistent with the remainder of the management area.

The use of bait in drainages between the Susitna River and the West Foreland after the king salmon season has been allowed for many years and no board action was taken to eliminate its use. In



addition, it appears that language allowing for sport fishing for fish other than salmon in the Rabbit Creek drainage above the Seward Highway was not included in the recent versions of the codifieds.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Bag of possession limits of salmon, other than king salmon, less than 16 inches in length will be inconsistent within the Cook Inlet area. In addition, management of the Rabbit Creek drainage that has allowed fishing above the Seward Highway will continue to be inconsistent with the regulations.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Anglers and enforcement officers.

**WHO IS LIKELY TO SUFFER?** Anglers that would like the opportunity to catch ten of each species of salmon less than 16 inches in length in a few select areas of the Susitna – West Cook Inlet Area.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-04-F-321)  
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**PROPOSAL 363 - 5 AAC 61.022(a)(2). Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet Area.** Amend this regulation as follows:

Change the bag limit for coho back to three in the Inlet streams.

**PROBLEM:** Change the bag limit for coho back to three for all of Cook Inlet. Most of the state had bad coho runs in 1999, Cook Inlet is the only area where this restriction was imposed and it simply is not necessary or prudent management.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** People will not benefit from good coho runs.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Everyone.

**WHO IS LIKELY TO SUFFER?**

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Gary S. Bell (HQ-04-F-202)  
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**PROPOSAL 364 - 5 AAC 61.022. Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet Area.** Amend this regulation as follows:

Cook Inlet other salmon daily limit: three per day (three may be coho). A person, after taking a daily limit of three salmon 16 inches or longer, may not continue to fish in flowing Cook Inlet fresh waters for the remainder of that same day. Note: Daily limit exceptions would remain on waters with harvestable surplus salmon or a lack thereof.

**PROBLEM:** The Cook Inlet coho salmon conservation plan reduces sport fishing exploitation in some Cook Inlet fresh waters by reducing the daily coho salmon limit from three to two, and since implementation of this and other plan points, coho salmon escapements have responded positively. However, another strategy, utilized in west Cook Inlet fresh waters between West Forelands and Cape Douglas, provides similar results by requiring anglers to choose between keeping a higher daily bag limit of three salmon (three may be coho) or continuing to fish. The intent of this proposal is to maintain positive coho salmon escapements achieved with the plan, while allowing sport anglers throughout Cook Inlet fresh waters the opportunity to choose between keeping a daily limit of three salmon (three could be coho) or continuing to fish.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Sport anglers fishing Cook Inlet fresh waters with a daily bag limit of two coho salmon will continue to be unnecessarily restricted, since the second strategy allowing anglers to make a choice has also proven effective. Cook Inlet daily coho limits will remain inconsistent.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Cook Inlet fresh water sport fishermen would benefit from having the choice to keep a daily limit of three coho salmon. Anglers would benefit from regulation consistency with the same daily limit throughout Cook Inlet. Many businesses dependent upon the sport fishing economy should enjoy increased financial benefits as well.

**WHO IS LIKELY TO SUFFER?** Businesses currently operating where daily coho salmon limits exceed two would lose some marketing advantage.

**OTHER SOLUTIONS CONSIDERED?** Rather than applying to all Cook Inlet fresh waters, a smaller portion could be tried: Susitna River drainages, Knik Arm drainages, and Anchorage Bowl perhaps. The entire area is simpler.

**PROPOSED BY:** Andy Couch and Greater Wasilla Chamber of Commerce (HQ-04-F-330)  
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**PROPOSAL 365 - 5 AAC 61.022(d). Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet Area.** Amend this regulation as follows:

Westside Susitna River drainages other salmon daily limit: three per day (three may be coho). A person, after taking a daily limit of three salmon 16 inches or longer, may not continue to fish in flowing Cook Inlet fresh waters for the remainder of that same day. Note: Daily limit exceptions would remain on waters with harvestable surplus salmon or a lack thereof. The department suggests Alexander Creek coho limit remain at two.

**PROBLEM:** Westside Susitna River drainage coho limit. The Cook Inlet coho salmon conservation plan reduces sport fishing exploitation in some Cook Inlet fresh waters by reducing the daily coho salmon limit from three to two, and since implementation of this and other plan points, coho salmon escapements have responded positively. However, another strategy, utilized in West Cook Inlet fresh waters between West Forelands and Cape Douglas, provides similar results by requiring anglers to choose between keeping a higher daily limit of three salmon (three may be coho) or continuing to fish. The intent of this proposal is to maintain positive coho salmon escapements achieved with the plan, while allowing sport anglers fishing westside Susitna River

drainages the opportunity to choose between keeping a daily limit of three salmon (three could be coho) or continuing to fish.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Sport anglers fishing westside Susitna River drainages with a daily limit of two coho salmon will continue to be unnecessarily restricted, since the second strategy allowing anglers to make a choice, has also proven effective.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Westside Susitna River fresh water sport fishermen would benefit from having the choice to keep a daily limit of three coho salmon. Many businesses dependent upon the sport fishing economy should enjoy increased financial benefits as well.

**WHO IS LIKELY TO SUFFER?** Businesses currently operating where daily coho salmon limits exceed two would lose some marketing advantage.

**OTHER SOLUTIONS CONSIDERED?** The committee has also submitted a proposal to allow sport fishermen fishing throughout Cook Inlet fresh waters a choice between keeping a limit of three other salmon or continuing to fish.

**PROPOSED BY:** Matanuska/Susitna Valley Advisory Committee (SC-04-F-032)

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**PROPOSAL 366 - 5 AAC 61.022. Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet area.** Amend this regulation to provide the following:

The legal daily bag limit of coho salmon in Cook Inlet is two fish from the Sustina draingage south to and including Chinitna Bay.

**PROBLEM:** The sportfishing pressure on the westside of Cook Inlet (namely Silver Salmon Creek, Shelter Creek, and Clearwater Creek) is increasing to the point where a viable fishery will be threatened by too large a harvest of coho salmon. The daily bag limit of coho salmon needs to be reduced from three fish per person per day to two, as it is north of the West Forelands and the Kenai River.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Increasing sport fishing pressure will result in an overharvest of returning coho salmon, with future returns decreasing to the point where a once viable fishery is lost or severely impacted.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** By fewer fish harvested, more returning coho salmon will spawn, resulting in greater returns.

**WHO IS LIKELY TO BENEFIT?** All sport fishermen enjoying West Cook Inlet coho fishing.

**WHO IS LIKELY TO SUFFER?** Those fishermen intent on maximizing their harvest for subsistence purposes.

**OTHER SOLUTIONS CONSIDERED?** Reducing the daily bag limit to one fish. This was rejected in all fairness to fly-in fishermen who desire coho for consumption.

**PROPOSED BY:** David Coray

(HQ-04-F-048)

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**PROPOSAL 367 - 5 AAC 61.022. Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet Area.** Amend this regulation as follows:

Susitna River drainage and Knik Arm fresh waters other salmon daily limit: three per day (three may be coho). A person, after taking a daily limit of three salmon 16 inches or longer, may not continue to fish in flowing Susitna River drainage and Knik Arm fresh waters for the remainder of that same day. Note: Daily limit exceptions would remain on waters with harvestable surplus salmon or a lack thereof.

**PROBLEM:** The Cook Inlet coho salmon conservation plan reduces sport fishing exploitation in some Cook Inlet fresh waters by reducing the daily coho salmon limit from three to two, and since implementation of this and other plan points, coho salmon escapements have responded positively. However, another strategy, utilized in west Cook Inlet fresh waters between West Forelands and Cape Douglas, provides similar results by requiring anglers to choose between keeping a higher daily bag limit of three salmon (three may be coho) or continuing to fish. The intent of this proposal is to maintain positive coho salmon escapements achieved with the plan, while allowing sport anglers fishing Susitna River and Knik Arm fresh waters the opportunity to choose between keeping a daily limit of three salmon (three could be coho) or continuing to fish.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Sport anglers fishing Susitna River drainage and Knik Arm fresh waters with a daily bag limit of two coho salmon will continue to be unnecessarily restricted, since the second strategy allowing anglers to make a choice, has also proven effective for maintaining higher coho spawning escapements.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Susitna River drainage and Knik Arm fresh water sport fishermen would benefit from having the choice to keep a daily limit of three coho salmon or continue fishing. Many businesses dependent upon the sport fishing economy should enjoy increased financial benefits as well.

**WHO IS LIKELY TO SUFFER?** Businesses currently operating where daily coho salmon limits exceed two would lose some marketing advantage.

**OTHER SOLUTIONS CONSIDERED?** This proposal was also written for all Cook Inlet fresh waters, but Anchorage Advisory Committee member said they would support Susitna drainage and Knik Arm only.

**PROPOSED BY:** Andy Couch and Anchorage Advisory Committee

(HQ-04-F-342)

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**PROPOSAL 368 - 5 AAC 61.022(k)(9). Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet Area.** Amend this regulation as follows:

The daily limit for coho salmon on Little Susitna River downstream of the public use facility boat launch at river mile 28 is the first two coho 16 inches or longer caught, and after catching two coho salmon or taking a three salmon daily limit or taking a king salmon 20 inches or longer below river mile 28 a person may not fish Little Susitna River for any species for the remainder of that same

day. However, when 4,500 coho salmon have passed Little Susitna River weir and the inseason coho projection past the weir exceeds 18,000 fish, the coho salmon daily bag limit on Little Susitna River shall increase to three per day/three in possession

**PROBLEM:** Reducing Little Susitna coho catch-and-release mortality. In a coho salmon catch-and-release study, conducted by the department on Little Susitna River, the department documented a mortality rate of nearly 70 percent on coho salmon caught, tagged, and released in the lower river. After being tagged in the lower river these fish were not accounted for in the sport fishery creel census nor were they counted through the Little Susitna River weir located, during the study, at river mile 32.5. Department biologists suspected that lower river coho salmon, while adjusting from salt to fresh water, were much more vulnerable to catch-and-release mortality than coho salmon that had migrated further upstream. To test this theory, the department continued the study upstream near the weir where coho salmon were caught (under similar conditions as those tagged in the lower river) then kept in a holding pen to measure the mortality rate over several days time. The mortality rate on the upriver caught and held coho was much lower at approximately 12 percent.

After results of the catch-and-release study became public knowledge a regulation was adopted requiring a person taking a limit of salmon from Little Susitna River below river mile 32.5 to quit fishing Little Susitna River for the remainder of that same day. In addition, the department has conducted an informational campaign by posting signs explaining the high mortality rate on coho salmon caught and released in the lower river, and stating the take a limit/quit fishing regulation.

Despite department warnings about high mortality of coho salmon caught and released in the lower river, some Little Susitna anglers continue to catch-and-release large numbers of coho salmon in the lower river throughout the season. This very likely results in a accumulative mortality far in excess of daily bag limits. Some anglers justify catch-and-release of coho in the lower river by saying it is perfectly legal, and since there is no regulation against it, then the department (through knowledge of what is happening) condones the practice.

With current commercial and sportfishing coho salmon restrictions there may be no biological problem with the catch-and-release mortality of large numbers of prime ocean-fresh coho salmon in lower Little Susitna River, but a significant social problem exists. Most people fishing the river would rather see lower river coho salmon kept to eat rather than released a stage when the majority will likely die before spawning.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** If the board does nothing about this problem, then the department's data shows that large numbers of prime Little Susitna River coho salmon will continue to be caught and released in the lower river, only to die before spawning, when they could have been harvested for food.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** People who prefer to see ocean-fresh lower Little Susitna River coho salmon kept for food, rather than thrown back in the river at a stage where the majority of coho likely die before spawning, would benefit.

All user groups could benefit from increased coho salmon spawning escapements, especially during years of low coho returns when large enough coho savings in the lower Little Susitna River could possibly prevent emergency restrictions to all user groups.

Sport anglers who may be allowed to harvest three coho salmon daily limits with elimination of their accumulative catch-and-release mortality in the lower river and after sufficient coho salmon spawning escapement has passed Little Susitna River weir could benefit.

**WHO IS LIKELY TO SUFFER?** Sport anglers would be the only user group restricted. Anglers who would like to continue fishing after catching two coho salmon in one day from Little Susitna River would only be allowed to do so upstream of the Little Susitna River public use facility boat launch at river mile 28.

**OTHER SOLUTIONS CONSIDERED?** The committee considered using river mile 32.5 as the boundary downstream of which each coho salmon caught counts as part of the daily limit, but the public use facility boat launch at river mile 28 is much easier for the public to identify since river mile 32.5 is poorly marked and sometimes not marked at all. If Little Susitna River weir were moved back to river mile 32.5, the committee would support using the weir as a clearly identifiable boundary. Note: if the weir were returned to the lower river 5,000 coho passing the weir with a projection exceeding 20,000 would be a better trigger point since it would account for coho harvest between the weir and the Parks Highway.

A second solution would be to have the number of coho salmon caught apply to an angler's daily coho limit after which he or she would be required to quit fishing on all waters of Little Susitna River downstream of the Parks Highway. This would make a simpler, but more restrictive regulation.

A third solution would be to have an emergency order triggered by coho passing Little Susitna River weir increase the coho bag limit on all Knik Arm and Susitna River drainages. This solution would better maximize benefits from years with strong coho salmon returns, only if Little Susitna River coho salmon escapement can be accurately used as a surrogate for other Knik Arm and eastside Susitna drainage coho escapements. Otherwise, it has the potential to overharvest already heavily utilized stocks.

**PROPOSED BY:** Matanuska/Susitna Valley Advisory Committee (SC-04-F-033)

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**PROPOSAL 369 - 5 AAC 61.022(K)(9). Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet Area.** Amend this regulation as follows:

Only unbaited artificial lures are allowed year round in the Little Susitna River. Maybe other rivers if this same death rate is applicable.

**PROBLEM:** The wasted fish due to hooking and releasing coho in the fall using bait. I went down to salt water last year and was shocked to find a bunch of dead fish in the river mouth. Many had visible hook scars. I called the department and was informed that hooking mortality studies in the Little Susitna showed 70 percent of coho die when released. This is a serious waste, which should be stopped.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** People will release fish without realizing they are just wasting them.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, hundreds maybe thousands of coho are wasted by catch-and-release each year.

**WHO IS LIKELY TO BENEFIT?** Everyone as fish will not be wasted.

**WHO IS LIKELY TO SUFFER?** People who fish with bait and waste fish.

**OTHER SOLUTIONS CONSIDERED?** Close the river, rejected because it is not necessary.

**PROPOSED BY:** Tom Olsen (HQ-04-F-203)

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**PROPOSAL 370 - 5 AAC 61.022. Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet area.** Amend this regulation to provide the following:

From the Susitna River drainage south to and including Chinitna Bay, artificial single-hook only tackle may be used for the taking of coho salmon.

**PROBLEM:** Reducing the mortality rate of sport-caught coho salmon on the west side of Cook Inlet. Coho salmon typically exhaust themselves when sport-caught, and a high mortality rate results when they are released.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The present legal use of treble hooks will continue to injure sport-caught coho, resulting in a high mortality rate of released fish, thus threatening the viability of the run.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Fewer caught-and-released coho salmon will die due to less impact from a single hook.

**WHO IS LIKELY TO BENEFIT?** All sport fishermen enjoying West Cook Inlet coho fishing.

**WHO IS LIKELY TO SUFFER?** Fishermen intent on maximizing their catch in a shorter period of time.

**OTHER SOLUTIONS CONSIDERED?** 1) Maintaining the legal use of treble hooks--high mortality rate. 2) Reducing the legal daily bag limit to one fish--unfair to fly-in fishermen.

**PROPOSED BY:** David Coray (HQ-04-F-049)

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**PROPOSAL 371 - 5 AAC 61.022. Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet Area.** Amend this regulation as follows:

All water of the Little Susitna River drainage upstream of a marker about 35 miles upstream from its mouth will be closed to all fishing from April 1 through February 2.

**PROBLEM:** Sport fishing overspawning game fish in the Little Susitna River drainage.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Continue decline of sport fishing due to unneeded harm done to game fish.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** By allowing more game fish to spawn, we will have more game fish, which means larger bag and size limits and longer open seasons.

**WHO IS LIKELY TO BENEFIT?** All users of the resource will benefit.

**WHO IS LIKELY TO SUFFER?** None.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Jacob Joseph Dahlen (SC-04-F-005)

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**PROPOSAL 372 - 5 AAC 61.022. Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet Area.** Amend this regulation as follows:

All flowing waters of the Palmer/Wasilla zone will be closed to all fishing the entire year. All lakes and ponds that are not stocked will be closed to all fishing from April 1 through February 2.

**PROBLEM:** Sport fishing over spawning game fish in the Palmer/Wasilla zone.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Continue decline of sport fishing due to unneeded harm done to game fish.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** By allowing more game fish to spawn, we will have more game fish, which means larger bag and size limits, and longer open seasons.

**WHO IS LIKELY TO BENEFIT?** All users of the resource will benefit.

**WHO IS LIKELY TO SUFFER?** None.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Jacob Joseph Dahlen (SC-04-F-007)

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**PROPOSAL 373 - 5 AAC 61.022(k)(8). Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet Area; and 5 AAC 61.030(i). Methods, means, and general provisions—finfish.** Open the Eklutna Tailrace to fishing for king salmon 20 inches or greater as follows:

5 AAC 61.022(k)(8)(E). **In the Eklutna Tailrace upstream to a marker 100 feet downstream of the Old Glenn Highway, and in all waters within a ½-mile radius of its confluence with the Knik River, king salmon 20 inches and greater in length may be taken from January 1 through December 31, 24 hours per day, seven days per week. The use of bait is allowed. The bag and possession limit for king salmon 20 inches and greater is one fish. The annual limit and harvest record requirement as specified in 5 AAC 61.024 remains effective.**

5 AAC 61.030(i). Notwithstanding 5 AAC 61.022, a person, after taking a king salmon 20 inches or greater in length, may not fish for any species of fish on the same day in the following water open to fishing for king salmon:



**(15) Eklutna Tailrace from a marker 100 feet downstream of the Old Glenn Highway, including all waters within a ½-mile radius of its confluence with the Knik River.**

**PROBLEM:** The waters of the Eklutna tailrace are currently closed to fishing for king salmon 20 inches and greater in length unless opened by emergency order. Beginning in 2002, the Eklutna tailrace was stocked with king salmon smolt and a return of all age classes is expected in 2005. This will be a terminal fishery and all returning king salmon will be available for harvest.

Anglers fishing in the waters of the Eklutna tailrace do not have to stop fishing after they have retained a king salmon 20 inches or greater in length. Regulations for most of the streams in the Susitna-West Cook Inlet Area require that a person, after taking a king salmon 20 inches or greater in length, may not fish for any species of fish on the same day in water open to fishing for king salmon.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** King salmon stocked in Eklutna tailrace to create a sport fishery will not be harvested unless the season is opened by emergency order.

Not listing the newly developed Eklutna tailrace king salmon fishery would create an inconsistency in area regulations and likely exacerbate problems associated with crowded fisheries. In crowded fisheries, the objective of harvesting all of the returning stocked king salmon may be impeded if anglers who have retained a king salmon are allowed to continue to catch and release fish while other anglers wait for a fishing spot to open up.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** A new road accessible king salmon fishery will be created allowing opportunity not presently available. The stocking program is planned to produce a return of 4,000 adult king salmon to Eklutna tailrace and generate 10,000 angler-days of sport fishing effort annually.

**WHO IS LIKELY TO BENEFIT?** Recreational anglers interested in increased chinook salmon harvest opportunity. Other Northern Cook Inlet area chinook fisheries may benefit from a decrease in participation affording some relief to over crowding.

**WHO IS LIKELY TO SUFFER?** Anglers that would like to catch and release fish after harvesting a king salmon 20 inches or greater in length.

**OTHER SOLUTIONS CONSIDERED?** Allowing fishing in the tailrace and all waters of the Knik River downstream to the Inlet. This was rejected, as there is a small population of wild king salmon traveling through this area of the Knik River to reach spawning areas upstream.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-04-F-312)  
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**PROPOSAL 374 - 5 AAC 61.022(k)(8). Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet Area.** Amend this regulation as follows:

Create a king salmon season for the Knik River drainage as follows: Knik River drainage from its confluence with Knik Arm to a point ¼ mile upstream of Eklutna Power Plant Tailrace, including all waters of the tailrace and all flowing water within ¼ mile radius of Knik River, open season is January 1-December 31 and the daily limit for king salmon 20 inches or longer is one per day/two in possession. Bait shall be allowed. Fishing shall be allowed 24 hours per day.

**PROBLEM:** Knik River king salmon fishery. The department has been stocking king salmon in Eklutna Power Plant Tailrace, and these salmon have been returning to the Knik River and the tailrace since the summer of 2003, yet there is currently no legal king salmon fishing for fish 20 inches or larger allowed on this stock of hatchery produced king salmon.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The department may open a king salmon fishery through use of an emergency order, yet by definition, no emergency really exists, since harvestable numbers of surplus king salmon returning to the Knik River and Eklutna Tailrace cannot possibly be considered an unpredictable event because that is the reason the department stocked king salmon smolt in the first place—in order to establish a king salmon run. Without a regulation change this stock of harvestable surplus king salmon may not be managed for maximum benefits.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** People who would like to fish for king salmon in the Eklutna Power Plant Tailrace, and business owners who would enjoy economic benefits from the new fishery.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** No other solutions considered.

**PROPOSED BY:** Matanuska/Susitna Valley Advisory Committee (SC-04-F-028)

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**PROPOSAL 375 - 5 AAC 61.022(m). Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet Area.** Amend this regulation to provide the following:

A regulation that allows for a harvest of king salmon for youth within Anchorage such as: King salmon will be open to harvesting by anglers under 16 years of age on Campbell Creek between Dimond Boulevard and the Old Seward Highway beginning at 6:00 a.m. and ending no later than 10:00 p.m. on the last Saturday and Sunday of June each year (for 2004 it would be Saturday, June 26 and Sunday, June 27). The limit would be one king salmon 20 inches or greater in length per day and one in possession or ten per day; ten in possession for king salmon less than 20 inches in length. Anglers must use a harvest card and record any king salmon immediately upon harvesting the fish. After taking a king salmon 20 inches or longer, the angler harvesting the fish may not fish for any species that same day in waters open to king salmon sport fishing.

**PROBLEM:** There is a limited opportunity to harvest salmon that are accessible within Anchorage that is easily accessible to youth.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Young people will have less opportunity to harvest salmon, learn ethical and effective methods and means of harvesting salmon and a harvestable surplus will not be utilized.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** There is a limited number of harvestable king salmon in the Anchorage area and by creating a youth-only fishing opportunity it would allow for utilization of a small harvestable surplus that is not currently being harvested. By allowing for a limited harvest of king salmon of a

small population the resource would be utilized in a way that would not have a negative effect on the population.

**WHO IS LIKELY TO BENEFIT?** Anglers under the age of 16 and their families/friends would most directly benefit if this is adopted by giving them an opportunity to participate in harvesting king salmon at a minimum of expense and difficulty. In the longer term, many anglers may benefit from having individuals have the opportunity to learn how to effectively harvest salmon and the benefits of doing so.

**WHO IS LIKELY TO SUFFER?** Since this harvestable surplus is not currently being harvested (and it does not appear the population would allow for a general harvest in the foreseeable future) I do not believe anyone would suffer if this was adopted.

**OTHER SOLUTIONS CONSIDERED?** Since allowing for a youth-only fishery is a new law (if signed by the governor) we have not considered any other alternatives. We did consider expanding the individuals who would be eligible, however as this is a very limited population of fish, it did not appear that it could sustain the additional harvest.

**PROPOSED BY:** Anchorage Advisory Committee (SC-04-F-068)

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**PROPOSAL 376 – 5 AAC 61.022(e)(11)(C), (g)(7)(D), (m)(2)(D), (m)(3), and (m)(14)(G)(ii). Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet Area.** Amend existing wild trout regulations in the Northern Cook Inlet Management Area to conform to the statewide management standards for wild trout as follows:

This proposal is intended to serve as a placeholder, providing the board an opportunity to review and, if practical, modify existing wild trout regulations in the Susitna – West Cook Inlet Area to conform to the newly adopted Statewide Management Standards for Wild Trout as described in 5 AAC 75.220.

**PROBLEM:** In March 2003 the board adopted a Statewide Wild Trout Fishery Management Plan. A conservative daily harvest limit of two trout per day, only one 20 inches or greater in length, with an annual limit of two fish 20 inches or greater in length were recommended in the plan as a statewide provision unless the board had adopted provisions of a regional trout management plan as regulations or, circumstances exist where harvest limits can be increased or should be decreased. Current bag, possession, and size limits for wild rainbow/steelhead trout in the Susitna – West Cook Inlet Area are not wholly consistent with the conservative harvest limits outlined in the statewide management standards described in 5 AAC 75.220. The current rainbow/steelhead trout regulations for the Susitna – West Cook Inlet Area are as follows:

In flowing waters, the current regulations are consistent with the statewide management standard. The general bag limit and possession limit is two fish per day, of which only one may be over 20 inches in length. There is an annual limit of two fish 20 inches or greater in length, and a harvest record is required. Flowing waters are open from June 15 to April 14. To protect spawning fish, most flowing waters are closed to rainbow/steelhead trout fishing from April 15 - June 14.

In lakes and ponds, the current regulations are consistent with the statewide management standard. The general bag limit and possession limit is two fish per day, of which only one may be over 20 inches in length. There is an annual limit of two fish 20 inches or

greater in length, and a harvest record is required. Lakes and ponds are open from January 1 to December 31.

Exceptions to the general season, bag and possession limits for rainbow/steelhead trout include the following:

- 1) In the Willow Creek drainage upstream of the Parks Highway Bridge from June 15 – April 14, the rainbow/steelhead trout bag and possession limit is one fish less than 16 inches in length; from April 15 – June 14, rainbow/steelhead may not be retained; rainbow/steelhead trout caught must be released immediately and returned to the water unharmed.
- 2) In the Lake Creek drainage from an ADF&G regulatory marker located 100 yards upstream of its mouth to an ADF&G regulatory marker located one-quarter mile upstream of Bulchitna Lake, the bag and possession limit is consistent with the statewide management standards, however the seasonal closure from August 16 – June 14 differs from the rest of the Susitna Area.
- 3) In the Campbell Creek drainage downstream of the forks near Piper Street, the bag and possession limit for rainbow/steelhead trout is five fish, of which only one per day may be 20 inches or greater in length.
- 4) In the Chester Creek drainage, the bag and possession limit for rainbow/steelhead trout is five fish, of which only one per day may be 20 inches or greater in length.
- 5) In the Ship Creek drainage from ADF&G regulatory markers located 100 feet upstream of the Chugach Power Plant dam to the upstream side of Reeve Boulevard Bridge, rainbow/steelhead trout may not be retained; rainbow/steelhead trout caught must be released immediately and returned to the water unharmed.
- 6) In the Special Management Areas for Rainbow Trout, rainbow/steelhead may not be retained; rainbow/steelhead trout caught must be released immediately and returned to the water unharmed. This regional trout management plan applies to that portion of the Susitna River drainage upstream of its confluence with the Talkeetna River to Devils Canyon, excluding the Chulitna River drainage.

In addition, the bag possession limit for stocked lakes is five fish, of which only one may be over 20 inches in length, however stocked lakes do not fall within the Wild Trout Plan.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Sport fishing regulations for rainbow/steelhead, which are not specified under a management plan for the Susitna – West Cook Inlet Area, will remain inconsistent with statewide management standards for wild trout.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Sport anglers.

**WHO IS LIKELY TO SUFFER?** Unknown.

**OTHER SOLUTIONS CONSIDERED?** None. This proposal provides the opportunity for the board to review sport fishing regulations for wild rainbow/steelhead trout in the Susitna – West Cook Inlet Area that are not consistent with harvest limits recently recommended in the Statewide Wild Trout Fishery Management Plan.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-04-F-319)

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**PROPOSAL 377 - 5 AAC 61.022(c)(3)(A) and (j)(3)(A). Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet Area; and 5 AAC 61.024(b)(3). Harvest record required; annual limits.** Increase the annual limits for rainbow trout in Susitna—West Cook Inlet area stocked lakes as follows:

5 AAC 61.022(c)(3)(A). are subject to an annual; limit of two fish 20 inches or greater in length, **however in stocked lakes the annual limit is five fish 20 inches or greater in length;** and a harvest record is required as specified in 5 AAC 61.024;

5 AAC 61.022(j)(3)(A). are subject to an annual; limit of two fish 20 inches or greater in length, **however in stocked lakes the annual limit is five fish 20 inches or greater in length;** and a harvest record is required as specified in 5 AAC 61.024;

5AAC 61.024(b)(3). nothing in this section effects or modifies bag or possession limits specified in this chapter: the annual limit for the combined waters described in this subsection **is two rainbow trout or steelhead trout 20 inches or greater in length, however in stocked lakes the annual limit is ten rainbow trout or steelhead trout 20 inches or greater in length;** and **in** 5 AAC 56.024(b)(3) **the annual limit** is two rainbow trout or steelhead trout 20 inches or greater in length.

**PROBLEM:** Many of the lakes stocked by the department are subject to winter kill every second or third year, others are land-locked and lack appropriate spawning habitat eliminating any chance of natural production. Given the natural mortality associated with spawning and the complete annihilation of fish populations in winterkill lakes it is evident that with the present annual limit of two rainbow trout 20 inches or greater in length an opportunity to harvest these large fish before they die is not being utilized.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The harvest of a large portion of stocked rainbow trout greater than 20 inches will be forgone.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, anglers would be afforded more opportunity to harvest large trout.

**WHO IS LIKELY TO BENEFIT?** Anglers interested in harvesting large rainbow trout while fishing in stocked lakes.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** Allow an annual harvest of ten fish.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-04-F-313)  
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**PROPOSAL 378 - 5 AAC 61.022(j)(3). Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet Area; and 5 AAC 61.024. Harvest record required; annual limits.** Amend these regulations as follows:

Raise the limit to five rainbows a day of which, two (rainbows) a day can be over 20 inches in stocked lakes, with an annual limit of ten rainbows over 20 inches from stocked lakes. This would allow for the harvest of larger fish and will reduce the pressure on wild trout.

**PROBLEM:** Current regulations limit the retention of all rainbow trout to two per year over 20 inches. It does not separate native rainbows and rainbows caught in stocked lakes. It should be note that (department figures show) 20 percent of the rainbows retained are stocked and only 3 percent are wild stocks that are retained in the lakes of the Knik Arm and Susitna River drainages.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Sport fisherman are being encouraged to release native rainbows, and if they want to retain them to go to the stocked lakes and fish. By doing so, they conserve the native rainbows. The department estimates that approximately 50 percent of stocked rainbows will die trying to spawn.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, many of the stock lakes are starting to have a large number of fish in excess of 20 inches it is not uncommon to catch two or three a day. This will allow for the larger fish to be harvested.

**WHO IS LIKELY TO BENEFIT?** Sport fishermen fishing stocked lakes.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** Allowing only one fish a day over 20 inches from stocked lakes.

**PROPOSED BY:** Matanuska/Susitna Valley Advisory Committee (SC-04-F-040)

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**PROPOSAL 379 - 5 AAC 61.022(g)(7). Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet Area; 5 AAC 61.025. Special management areas for rainbow trout; and 5 AAC 61.030. Methods, means, and general provisions—finfish.** Amend these regulations as follows:

Lake Creek and Little Lake Creek:

From ADF&G markers 100 yards upstream of its mouth, only one unbaited, single hook, artificial lure is allowed year-round. After taking a king salmon 20 inches or longer, a person may not fish for king salmon anywhere on that same day.

Rainbow/steelhead trout:

From ADF&G markers 100 yards upstream of Lake Creek and Little Lake Creek mouth, no retention is allowed year-round.

Would also require a change under special areawide regulations (Rainbow Trout Special Management Waters) to reflect the above changes, i.e., flowing waters of Lake Creek and Little Lake Creek, upstream of ADF&G markers 100 yards upstream of its mouth.

**PROBLEM:** Confusing regulations concerning baited and single hook regulation and retention of rainbow trout.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Anglers will be cited because of confusing regulations and large numbers of rainbows will continue to be harvested.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** With less retention of rainbow trout in the heaviest used area of Lake Creek both size and numbers would increase.

**WHO IS LIKELY TO BENEFIT?** All anglers wanting less confusing regulations and an improved rainbow trout fishery.

**WHO IS LIKELY TO SUFFER?** No one. Rainbow trout could still be retained at the mouth of Lake Creek.

**OTHER SOLUTIONS CONSIDERED?** Total stream regulation change. Rejected because it would prohibit use of bait for coho adjacent to the Yentna River and no rainbow retention in same area.

**PROPOSED BY:** Eric Johnson (HQ-04-F-040)

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**PROPOSAL 380 - 5 AAC 61.025(c)(5). Special management areas for rainbow trout.** Amend this regulation as follows:

No bait on Lake Creek, single hook only year-round. Create rainbow management plan for Lake Creek.

**PROBLEM:** Reduce the incidental harvest of rainbow trout during the salmon fisheries on Lake Creek. Salmon fishermen (particularly coho) catch rainbow with bait on treble hooks.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The fishermen will unintentionally reduce size and numbers of native rainbow. Their size has continued to be reduced since 1980.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Fishermen targeting rainbow will have more, and larger fish.

**WHO IS LIKELY TO BENEFIT?** Everyone that likes a healthy system.

**WHO IS LIKELY TO SUFFER?** Nobody.

**OTHER SOLUTIONS CONSIDERED?** Catch-and-release-salmon and rainbow are a mixed fishery.

**PROPOSED BY:** Tom Payton (SC-04-F-001)

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**PROPOSAL 381 - 5 AAC 61.022(k)(2). Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet Area.** Amend the Bodenbug Creek listing so salmon fishing is closed only during that portion of the year sockeye salmon are running up the creek and delete the rainbow/steelhead trout portion as follows:

(k)(2) the Bodenbug Creek drainage, including all waters within a 100-yard radius of its confluence with the Knik River,

(A) is closed to sport fishing for king salmon 20 inches or greater in length and salmon, other than king salmon, 16 inches and greater in length **July 1-September 30;**

(B) [FROM APRIL 15 - JUNE 14, RAINBOW/STEELHEAD TROUT MAY NOT BE RETAINED OR POSSESSED; RAINBOW/STEELHEAD TROUT CAUGHT MUST

BE RELEASED IMMEDIATELY AND RETURNED TO THE WATER UNHARMED;]

**PROBLEM:** Bodenbug Creek/Knik River closure area. The Bodenbug Creek salmon fishing regulation was put in place to protect sockeye salmon staging near the mouth of Bodenbug Creek, and if nothing is done it will continue to unnecessarily restrict salmon fishing at times when Bodenbug Creek sockeye salmon are not present. In addition, the rainbow/steelhead trout portion should have been repealed when rainbow restrictions were repealed from the rest of the Knik River drainage as rainbow trout are not present in any significant numbers so maintaining the rainbow trout restriction only makes the regulation book longer and more confusing without any significant savings of rainbow trout.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** If something is not done about this problem the regulation will remain more restrictive than necessary without any significant gain in resource protection. In addition extra rainbow trout verbiage will continue cluttering the regulation booklet.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Sport fishermen who would like an opportunity to fish for other salmon near the mouth of Bodenbug Creek and all who prefer fishing waters without needless restrictions.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Matanuska/Susitna Valley Advisory Committee (SC-04-F-029)  
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**PROPOSAL 382 - 5 AAC 61.022(k)(10). Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet Area.** Amend this regulation as follows:

Delete the Matanuska River listing entirely as follows:

[(10) IN THE MATANUSKA RIVER DRAINAGE (INCLUDING MOOSE CREEK),  
(A) FROM SEPTEMBER 1 - MAY 15, ONLY UNBAITED, ARTIFICIAL LURES MAY BE USED;  
(B) FROM APRIL 15 - JUNE 14, RAINBOW/STEELHEAD TROUT MAY NOT BE RETAINED OR POSSESSED; RAINBOW/STEELHEAD TROUT MUST BE RELEASED IMMEDIATELY AND RETURNED TO THE WATER UNHARMED;]

**PROBLEM:** Matanuska River fishing season. Delete the Matanuska River listing entirely.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** This listing of restrictions was put in place to protect rainbow trout that for the most part are not present in the Matanuska River system. According to the department area fisheries biologist, the few rainbow trout that are present seem to be as a result of department stocking in open systems leading to the Matanuska River. The department has a policy of stocking triploid or sterile fish into open or partially open systems, so it is unlikely protecting a few stocked fish that make it into the Matanuska would create additional rainbow trout protection.



**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Sport fishermen, who prefer fishing waters without needless restrictions.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** No other solutions considered.

**PROPOSED BY:** Matanuska/Susitna Valley Advisory Committee (SC-04-F-030)

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**PROPOSAL 383 - 5 AAC 61.030. Methods, means, and general provisions--finfish.** Amend this regulation as follows:

In all waters designated as fly-fishing only waters, sport fishing is permitted only as follows: (1) with not more than two crimped barbs or barbless single-hook flies with gap between point and shank of 2/8 inch or less; (2) one of the two flies may be weighted if the gap of the weighted fly is 1/8 inch or less or weights may only be used 18 inches or more ahead of the fly above the dropper fly.

Or sport fishing is permitted only as follows: (1) with not more than one, unweighted single-hook fly with gap between point and shank of 3/8 inch or less; (2) weights may only be used 18 inches or more ahead of the fly.

**PROBLEM:** The use of a dropper (two flies on the same tippet) and barbless hooks/flyes. Barbless flies will allow for easier release and less damage of fish, not to mention easier removal and less pain from the fishers own or another's flesh.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** With increased pressure, native trout will increasingly have more wounds from large, barbed hooks that will lead to higher mortality rates.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Increases the health of native trout populations by using smaller sized and barbless flies.

**WHO IS LIKELY TO BENEFIT?** The fish and sport fishermen who enjoy fishing for native trout. This proposal will lessen damage and mortality to the fish.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** No other alternatives considered.

**PROPOSED BY:** Brent M. Western (SC-04-F-070)

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**PROPOSAL 384 - 5 AAC 61.022(h)(5). Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet area.** Amend this regulation in the Prairie Creek drainage as follows:

Catch-and-release for grayling. Rainbow is already catch-and-release.

**PROBLEM:** Grayling population decreasing each year since 1992. I have fished Prairie Creek since 1968--last year was worst ever for grayling.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Fishery will be lost.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Quality and quantity will increase if catch-and-release is implemented.

**WHO IS LIKELY TO BENEFIT?** Fish and fishermen.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** Not applicable.

**PROPOSED BY:** Lee Ellenburg (HQ-04-F-064)

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**PROPOSAL 385 - 5 AAC 61.030. Methods, means, and general provisions--finfish.** Amend this regulation to provide the following:

Unless otherwise provided by area regulation, northern pike may be taken by gillnet so long as northern pike make up 50 percent or more of the fish population.

**PROBLEM:** Illegally introduced northern pike.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Continue damage to salmon and trout resources.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Reduces the northern pike population.

**WHO IS LIKELY TO BENEFIT?** Those who like to fish for salmon and trout.

**WHO IS LIKELY TO SUFFER?** None.

**OTHER SOLUTIONS CONSIDERED?** Have the state give an extermination order for southcentral Alaska northern pike.

**PROPOSED BY:** Jacob Joseph Dahley (HQ-04-F-027)

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**PROPOSAL 386 - 5 AAC 61.022(b)(10). Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet Area.** Amend this regulation for the Theodore River drainage as follows:

Add the following: Except that below the road crossing (about river mile 4) and on Thursdays and Fridays in May and June, kings 20 inches and over may be retained. Allow a bag possession limit of one and a season limit of two.

**PROBLEM:** No harvest of king salmon 20 inches and over is allowed on the Theodore River, despite healthy runs for the last few years.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Lost harvest opportunities will continue.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No.

**WHO IS LIKELY TO BENEFIT?** Sport fishermen.

**WHO IS LIKELY TO SUFFER?** I doubt anyone, since it will be a fairly limited opportunity.

**OTHER SOLUTIONS CONSIDERED?** Different weekdays.

**PROPOSED BY:** Wayne Kubat (HQ-04-F-098)

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**PROPOSAL 387 - 5 AAC 61.022. Waters; season; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet Area.** Amend this regulation to provide the following:

The Chuitna will be closed Mon-Wed-Fri to catch-and-keep. Catch-and-release only on those days.

**PROBLEM:** The excessive amount of king salmon being taken daily from the Chuitna River.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The Chuitna will fail to meet escapement and be closed like the Theodore.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** It would increase escapement numbers of king salmon and insure the health of the river's future.

**WHO IS LIKELY TO BENEFIT?** Future fishermen on the Chuitna.

**WHO IS LIKELY TO SUFFER?** Sport fishing operations that market large amounts of catch-and-keep king salmon on the Chuitna.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Arctic Adventures (HQ-04-F-156)

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**PROPOSAL 388 - 5 AAC 61.022(k)(14). Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet Area.** Amend this regulation as follows:

Adopt a Wolverine Creek/Lake Area Management Plan that may contain: no filleting of fish from June 1 through August 31 within ½ mile of Wolverine Creek confluence.

**PROBLEM:** People fishing in the Wolverine Creek/Lake areas are providing large quantities of salmon carcasses that brown bears are utilizing. Brown bears are becoming aggressive toward fishermen as a result of salmon cleaning filleting activities.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Poor experiences for both bears and fishermen. Eventually death of both people and bears.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Unknown.

**WHO IS LIKELY TO BENEFIT?** Fishermen and bears.

**WHO IS LIKELY TO SUFFER?**

**OTHER SOLUTIONS CONSIDERED?** Total fishing closure; try this first before a total closure occurs.

**PROPOSED BY:** Kenai Soldotna Advisory Committee (SC-04-F-041)

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**PROPOSAL 389 - 5 AAC 61.022. Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet area.** Amend this regulation to provide the following:

At Silver Salmon Creek on the west side of Cook Inlet, a corridor downstream at N59°59'00.7 and W152°39'33.0 upstream to N59°58'50.7 and W152°40'04.6 shall be designated fly-fishing only.

**PROBLEM:** The conflict between fly-fishermen and spin-cast fishermen at Silver Salmon Creek. A small stretch of the creek (about 3/8 mile) is ideal for fly-fishing and both user groups, because of different fishing techniques crowd each other and resulting in tangled lines.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Social problems will continue to exist and worsen due to increased fishing pressure.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** By separating fishermen using different techniques, the quality of fishing will improve.

**WHO IS LIKELY TO BENEFIT?** Fly-fishermen and spin-cast fishermen who would enjoy fishing alongside others using the same technique.

**WHO IS LIKELY TO SUFFER?** Spin-cast fishermen who previously fished the “fly-fishing only” zone and feel displaced.

**OTHER SOLUTIONS CONSIDERED?** Creating the entire fishable distance of Silver Salmon Creek as a “fly-fishing only zone.” Rejected because it is not fair to spin-cast fishermen who have historically fished Silver Salmon Creek.

**PROPOSED BY:** David Coray (HQ-04-F-047)

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