

Substitute Language for Proposal 209

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

(a) The purposes of this management plan are to ensure an adequate escapement of late-run king salmon into the Kenai River system and to provide management guidelines to the department. The department shall manage the late-run Kenai River king salmon stocks primarily for sport and guided sport uses in order to provide the sport and guided sport fishermen with a reasonable opportunity to harvest these salmon resources over the entire run, as measured by the frequency of in-river restrictions.

(b) The department shall manage the late run of Kenai River king salmon to achieve a sustainable escapement goal of 15,000-30,000 king salmon, as follows:

(1) in the Kenai River sport fishery

(A) if the sustainable escapement goal is projected to be exceeded, the commissioner may, by emergency order, increase harvest potential of the inriver sport fishery by liberalizing time, season, area, gear and/or bag and possession limits for king salmon [EXTEND THE SPORT FISHING SEASON UP TO SEVEN DAYS DURING THE FIRST WEEK OF AUGUST];

Additional
tools for
liberalization
for big runs

(B) From July 1 through July 31, a person may not use more than one single hook in the Kenai River downstream from Skilak Lake;

(C) the commissioner may, by emergency order, establish periods where use of bait, retention, or fishing is prohibited for king salmon.

In-river
sport
fishery
steps

(2) in the sport fishery, that portion of the Kenai River downstream from Skilak Lake is open to unguided sport fishing from a non-motorized vessel on Mondays in July; for purposes of this section a non-motorized vessel is one that does not have a motor on board;

[(3) IF THE PROJECTED ESCAPEMENT IS LESS THAN 15,000 KING SALMON, THE DEPARTMENT SHALL]

[(A) CLOSE THE SPORT FISHERIES IN THE KENAI RIVER AND IN THE SALT WATERS OF COOK INLET NORTH OF THE LATITUDE OF BLUFF POINT TO THE TAKING OF KING SALMON;]

[(B) CLOSE THE COMMERCIAL DRIFT GILLNET FISHERY IN THE CENTRAL DISTRICT WITHIN ONE MILE OF THE KENAI PENINSULA SHORELINE NORTH OF THE KENAI RIVER AND WITHIN ONE AND ONE-HALF MILES OF THE KENAI PENINSULA SHORELINE SOUTH OF THE KENAI RIVER; AND]

[(C) CLOSE THE COMMERCIAL SET GILLNET FISHERY IN THE UPPER SUBDISTRICT OF THE CENTRAL DISTRICT.]

(3) in the commercial set gillnet fishery in the Upper Subdistrict of the Central District, the commissioner shall, by emergency order,

Set net fishery steps

(A) restrict fishing periods to no more than 24 hours of aggregate fishing time per week, with a 36-hour continuous closure as described in 5 AAC 21.360(c)(2)(C), at such time as sport fishing for king salmon in the Kenai River during July is restricted by prohibition of the use of bait.

(B) restrict fishing periods to no more than 12 hours of aggregate fishing time per week, with a 36-hour continuous closure as described in 5 AAC 21.360(c)(2)(C), at such time as sport fishing for king salmon in the Kenai River during July is restricted by prohibition of retention;

(C) Close the set net fishery at such time as sport fishing for king salmon in the Kenai River during July is closed.

(D) After July 31:

August time frame

(i) Should July end with bait prohibited in the Kenai king salmon sport fishery, the set net fishery shall be limited to no more than 24 hours per week. Fishing may occur only if the escapement goal is assured.

(ii) Should July end with the Kenai king salmon sport fishery at catch and release, the set net fishery shall be limited to no more than 12 hours per week. Fishing may occur only if the escapement goal is assured.

(iii) Should July end with a Kenai king salmon sport fishery closure in effect, then there will be no set net fishing in August.

(E) When sport fishing for king salmon in the Kenai River is restricted by prohibition of the use of bait or retention, the department shall limit set gillnets to 29 meshes in depth.

Gear restriction

The department may limit a person operating set gillnets to three, two or one nets.

(4) in the commercial drift net fishery in the Central District, the commissioner shall by emergency order, close the fishery within one mile of the Kenai peninsula shoreline north of the Kenai River and within one and one-half miles of the Kenai peninsula shoreline south of the Kenai River when the commercial set gillnet fishery in the Upper Subdistrict is closed.

Prevents drift nets from moving shoreward when set nets are closed

(5) in sport fisheries in all or part of the salt waters of Cook Inlet north of the latitude of Bluff Point, the commissioner may, by emergency order,

Marine sport fishery steps

(A) prohibit use of bait when fishing for king salmon, at such time as sport fishing for king salmon in the Kenai River is restricted by prohibition of bait;

(B) prohibit retention of king salmon, at such time as sport fishing for king salmon in the Kenai River is closed to retention. King salmon caught may not be removed from the water and must be released immediately.

(C) prohibit sport fishing (including catch and release) for king salmon at such time as sport fishing for king salmon in the Kenai River is closed. King salmon caught while fishing for other fish may not be removed from the water and must be released immediately.

(6) in the Kenai and Kasilof personal use fisheries, at such time as sport fishing for king salmon in the Kenai River during July is restricted by prohibition of bait, prohibition of retention or prohibition of fishing for king salmon, the commissioner shall, by emergency order,

Pers. use fishery step

(A) prohibit the retention of king salmon in the Kenai personal use fishery.

(B) close the Kasilof personal use set gillnet fishery.

Limits June interception in marine waters

(c) [FROM JULY 20 THROUGH JULY 31,] Repealed (date)

[(1) REPEALED 6/22/2002;]

[(2) IF THE PROJECTED INRIVER RETURN OF LATE-RUN KING SALMON IS LESS THAN 40,000 FISH AND THE INRIVER SPORT FISHERY HARVEST IS PROJECTED TO RESULT IN AN ESCAPEMENT BELOW 17,800 KING SALMON, THE DEPARTMENT MAY RESTRICT THE INRIVER SPORT FISHERY;]

[(3) REPEALED 6/22/2002;]

[(4) IF THE INRIVER SPORT FISHERY IS CLOSED UNDER (2) OF THIS SUBSECTION, THE COMMERCIAL SET GILLNET FISHERY IN THE UPPER SUBDISTRICT SHALL BE CLOSED;]

[(5) REPEALED 6/11/2005.]

(d) Repealed 6/22/2002.

(e) Consistent with the purposes of this management plan and 5 AAC 21.360, if the projected inriver return of king salmon is less than 40,000 fish, the department may not reduce the closed waters at the mouth of the Kenai River described in 5 AAC 21.350(b).

(f) The provisions of **this plan supersede provisions of** the Kasilof River Salmon Management Plan (5 AAC 21.365) **including the Kasilof River Special Harvest Area** [ARE EXEMPT FROM THE PROVISIONS OF THIS SECTION.]

Restrictions extend to Kasilof section

(g) The department will, to the extent practicable, conduct habitat assessments on a schedule that conforms to the Board of Fisheries (board) triennial meeting cycle. If the assessments demonstrate a net loss of riparian habitat caused by noncommercial fishermen, the department is requested to report those findings to the board and submit proposals to the board for appropriate modification of this plan.

(h) The commissioner may depart from the provisions of the management plan under this section as provided in 5 AAC 21.363(e) **except achieving the lower end of the Kenai late-run king escapement goal shall take priority over not exceeding the upper end of Kenai late-run sockeye salmon optimum escapement goal, or the Kasilof sockeye salmon optimal escapement goal.**

Relative priority of achieving minimum goal

(i) **Where restrictions to sport fishing for king salmon in the Kenai River are required to be effective July 1, the commissioner shall, by emergency order, announce those restrictions on or before June 25. These restrictions trigger the restrictions listed in (b)(3) pertaining to the marine sport fishery, (b)(4) pertaining to the personal use fishery, (b)(5) pertaining to the set gillnet fishery including the Kasilof section, and (b)(6) pertaining to the drift gillnet fishery.**

Limits June interception in marine waters