

From: [Andy Couch](#)
To: [Haight, Glenn E \(DFG\)](#)
Subject: Comment to Upper Cook Inlet BOF-- Agenda Change Request -- Drift Gillnet Fishery Management Plan
Date: Friday, August 19, 2016 3:05:58 PM

AGENDA CHANGE REQUEST FORM

ALASKA BOARD OF FISHERIES

The Board of Fisheries (board) will accept requests to change its schedule under certain guidelines set forth in 5 AAC 39.999. The board will accept these agenda change requests (ACRs) only:

- 1) for a fishery conservation purpose or reason; or
- 2) to correct an error in regulation; or
- 3) to correct an effect on a fishery that was unforeseen when a regulation was adopted.

The board will not accept an ACR that is predominantly allocative in nature in the absence of new compelling information, as determined by the board [5 AAC 39.999 (a) (2)].

Please answer all questions to the best of your ability.

1)CITE THE REGULATION THAT WILL BE CHANGED IF THIS ACR IS HEARD. If possible, enter the series of letters and numbers that identify the regulation to be changed. If it will be a new section, enter "5 AAC NEW".

Alaska Administrative Code Number 5 AAC: 21.353 Central District Drift Gillnet Fishery Management Plan

2)WHAT IS THE PROBLEM YOU WOULD LIKE THE BOARD TO ADDRESS? STATE IN

DETAIL THE NATURE OF THE CURRENT PROBLEM. Address only one issue. State the problem clearly and concisely. The board will reject multiple or confusing issues.

Although the purpose of the plan is clearly identified (a) The purpose of this management plan is to ensure adequate escapement of salmon into the Northern District drainages and to provide management guidelines to the department. The department shall manage the commercial drift gillnet fishery to minimize the harvest of Northern District and Kenai River coho salmon in order provide sport and guided sport fishermen a reasonable opportunity to harvest these salmon stocks over the entire run, as measured by the frequency of inriver restrictions.

Section (e) states: From August 1 through August 15, there are no mandatory area restrictions to regular fishing periods, except that if the Upper Subdistrict set gillnet fishery is closed under 5 AAC 21.310(b)(2)(iii), or if the department determines that less than one percent of the season's total drift gillnet sockeye salmon harvest has been taken per fishing period for two consecutive fishing periods in the drift gillnet fishery, regular fishing periods will be restricted to Drift Gillnet Areas 3 and 4. In this subsection "fishing period" means a time period open to commercial fishing as measured by a 24 hour cedar day from 12:01 a.m. until 11:59 p.m.

The problem is: The Commercial Fish Division developed a totally different definition of two consecutive fishing periods. In both 2015 and 2016 the department did not count all drift periods as part of the two consecutive fishing periods. In particular during the 2016 fishing period — the drift fleet caught less than 1% of its season sockeye total on August 4, August 6, August 7, and August 8. This was a full 4 periods rather than 2 periods as called for in the management plan.

3)WHAT SOLUTION DO YOU PREFER? Or, if the board adopted your solution, what would the

new or amended regulation say?

I request the Board please clarify under section (e) of the management plan that two consecutive fishing periods, in fact, does include all fishing periods — even restricted area periods.

4)STATEINDETAILHOWTHISACRMEETSTHECRITERIASTATEDABOVE.

If one or more of the three criteria set forth above is not applicable, state that it is not.

a) for a fishery conservation purpose or reason:

As stated in the preamble to the management plan the purpose of the plan, “is to ensure adequate escapement of salmon into the Northern District drainages” When the department allowed additional drift fishing beyond what the plan specified in 2015 there was a shortage of coho salmon escapement to the Jim Creek drainage and the sport season had to be closed by emergency order in a successful effort to meet the minimum escapement level. When the department allowed excessive drift gillnet fishing beyond specifications of the plan during the 2016 season the sport fish division had to close bait fishing for salmon in the Little Susitna River drainage starting on the scheduled starting date of August 6. As of August 19, 2016 it remains uncertain if the Little Susitna River coho salmon goal will be attained during the 2016 season. Also in 2016 the department once again had to close the Jim Creek sport salmon fishery (for all salmon species) this time starting on August 20 in an effort to meet minimum coho salmon spawning escapement goal needs. In addition during 2016 the department closed by emergency order a portion of the Northern District set net fishery in an effort to meet minimum Little Susitna River coho salmon escapement after the extra drift fishing opportunities.

b) to correct an error in regulation:

The plan needs to be clarified further to protect Northern District salmon escapements and reasonable fishing opportunity of Northern Cook inlet user groups.

c) to correct an effect on a fishery that was unforeseen when a regulation was adopted:

No one could foresee that this plan would be interpreted by the department in such a manner as to increase drift fishery exploration of Northern bound coho stocks during the month of August — thereby increasing the likelihood of failing to attain escapement goal minimum levels.

5)WHAT WILL HAPPEN IF THIS PROBLEM IS NOT SOLVED PRIOR TO THE REGULAR

CYCLE?

Although this is an agenda change request —by taking it up at this time, the Board will have the opportunity to consider it at the regular February 2017 Upper Cook Inlet meeting. If not taken up, and if other Board actions are not taken, the management plan may continued to be interpreted in such a manner as to go against the stated purpose of the plan for another 3 years before it may once again be addressed.

6)STATE WHY YOUR ACR IS NOT PREDOMINANTLY ALLOCATIVE.

The management plan already allocates this fishery. Clarifying intent or stipulations of the

plan gives the department better direction as how to achieve objectives identified in the plan.

7) IF THIS REQUEST IS ALLOCATIVE, STATE THE NEW INFORMATION THAT COMPELS

THE BOARD TO CONSIDER AN ALLOCATIVE PROPOSAL OUTSIDE OF THE REGULAR

CYCLE.

See all information written above.

8)STATE YOUR INVOLVEMENT IN THE FISHERY THAT IS THE SUBJECT OF THIS ACR (e.g.,

commercial fisherman, subsistence user, sport angler, etc.)

I am a Northern Cook Inlet sport fishing guide and sport fisherman.

9)STATE WHETHER THIS ACR HAS BEEN CONSIDERED BEFORE, EITHER AS A PROPOSAL

OR AS AN ACR, AND IF SO, DURING WHICH BOARD OF FISHERIES MEETING.

I know of no other ACR addressing this issue. The management plan was adopted by the board at the 2014 Upper Cook Inlet Board of Fisheries Meeting.

Submitted by:

NAME Andrew Couch

Individual or Group

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SIGNATURE: Andrew N. Couch DATE: 8-19-2016

Note: Addresses and telephone numbers will not be published.