



Kenai Peninsula Fishermen's Association

Ensuring the Sustainability of Our Fishery Resources

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March 19, 2013

State of Alaska
 Department of Fish & Game
 Board Support Section
 Karl Johnstone, Chair
 PO Box 115526
 Juneau, AK 99811-5526

Re: Board Generated Proposal 249 / Allocation Neutral

Dear Board of Fisheries members,

Kenai Peninsula Fishermen's Association (KPFA) offers the following comments in response to Board Generated Proposal 249.

First of all, Board Members Tom Kluberton and Vince Webster Co-Chairs of the Task Force meetings held in Kenai, Alaska very appropriately outlined discussions that any alternate solutions should be allocation neutral. KPFA fully concurs. Any proposed change and considerations by the Board on any proposed measure should carefully consider, and ensure that any change in regulatory provisions be allocation neutral measures.

The historical 2012 burden placed under conservation of king salmon resulted in a 1.4 million sockeye salmon lost harvest for ESSN and coupled with a 2013 post season king salmon escapement at 28,000, 13,000 fish above the proposed new minimum goal. The ESSN set gillnet fishery would have harvested a small portion of the king return in 2012 (12.6%) or approximately 3600 king salmon (1600 under 28 inches in length and 2,000 above 28 inches for the entire season if prosecuted normally (if we fished). The mean sockeye salmon harvest to incidental late-run king harvest is 400:1 (1,400,000 sockeye: 3600 kings). Again, the 2012 economic burden resulted in the loss of 25 million dollars to the East side set gillnet fishery over misinformation (late-run king assessment).

Certainly, three Management Plans are directly affected in any decisions being considered in 5AAC21.359 Kenai River Late-run King Salmon Management Plan, 5AAC.21.360 Kenai River Late-run Sockeye salmon Management Plan, and 5AAC21.365 Kasilof River Salmon Management Plan. Sockeye salmon harvests and management is part of the allocation neutral discussion. Indirectly, significant re-allocation consequences can occur and resulted while

Kenai River late-run king salmon escapements were achieved. And, affect other Management Plans on salmon stocks bound to other Districts.

The Alaska Department of Fish and Game has forecasted 2013 sockeye salmon returns for Kenai River sockeye at near 4.4 million and Kaslof River sockeye run of 960,000; combined 5.4 million sockeye. The commercial Upper Subdistrict set gillnet fishery's historical allocation of the commercial harvest presents a 1.5 million sockeye harvest.

Harvest Allocation %'s, escapement - 2013 Kenai River king forecast (29,000 run).

The 2013 Kenai River late-run king forecast return of 29,000; the exploitation rate on this stock is conservative @ .39 of the total return overall (sport, commercial, personal use, subsistence educational). The overall exploitation approximates 11,300 harvest levels and places the In-river spawning escapement @ 17,700 fish. The In-river sport fisheries harvest exploitation .23% of return approximates 6,700 in-river harvests. The 2013 ESSN harvest approximates 3,600 @ 12.6% of return.

ESSN commercial incidental king harvest ratio to Sport In-river king fishery component represents the ESSN harvest is half compared to the In-river Sport Harvest The Lower Marine Sport Marine fishery North of Bluff Point approximates .02%. Therefore, the allocation "burden" on conservation factors represents the ratio of ESSN 1: 2 Sport, and "generally applied to users in close proportion the user's respective harvest of the salmon stock" (5AAC.222 Policy for the Management of Sustainable Salmon Fisheries). Allocation has been established in both the Kenai River Late-run King Salmon Management Plan and 5AAC.21.360 Kenai River Late-run Sockeye Slmon Management Plan and "incorporates conservation burden and allocation of harvest opportunity" already and as referenced in 5AAC39.220 Policy for the Management of Mixed Stock Salmon Fisheries. **Any allocation change in provisions must incorporate allocation neutral consideration surrounding salmon stocks incorporated within Management Plans, time and areas, and seasons.** Salmon stocks are fully allocated in provisions in the above Management Plans.

The East-side set-gillnet fishery harvest on Kenai River Early-run king salmon is Zero (.003% < 10 fish). The Kenai River Early-run King Management Plan or early-run in-season escapements has nothing to do with the ESSN. Sport restrictions In-river on time and area from July 1 -15th above the Soldotna Bridge issued in order to pass Early- run kings into their natal tributaries is a Sport Fish Division Management decision over the Early-run escapement goal. Therefore, allocation issues or restrictions should never be applied over Early-run kings to or upon the ESSN fishery; and harvest data reconfirmed in new information published (Genetic Stock Identification Reports, ADF&G).

The East-side set gillnet salmon fishery - 2013. Estimated incidental king harvest: From June 27 - July 20th ESSN fishery, Commercial Fisheries Division management, 246 hours on fishing times available per Sockeye Salmon Management Plans with 17 openings (communication, Pat Shields, ADF&G); and 215 hours from July 21 - August 15. Mean Incidental Harvest per 12-hour sockeye fishery openings on Kenai River late-run king salmon approximates 93 kings (40 < 28 inches in length and 53 > 28 inches). Estimated incidental harvest from June 27 - July 20 is 1900 king harvest (820 < 28 inches and 1080 > 28 inches / mean length harvest composition last 10 years). After July 20th - August 15th approximates 1,700 kings (731 < 28 inches and 969 > 28 inches). The 2013 ESSN incidental harvest approximates 3,600 @ 12.6% of return on a run of 29,000 (forecast). Again, in a mixed stock

fishery, incidental Kenai late-run king harvest represents .0024 of the ESSN salmon harvest with .9976 sockeye /other salmon. Again, the historical ESSN table on Kenai River Incidental king salmon harvest is Lower (.69% by Genetic Stock Identification, ADF&G). Also, Note: 2010 fisheries were prosecuted normally under similar run strength forecasted for 2013.

Discussion on Allocation Neutral vs. "pairing" by subjective standards and subjective percentages.

The Task Force final third meeting held discussions over "pairing." Mr. Dwight Kramer's proposal was used to discuss consensus by the various panel members; referenced as Final Recommendations for proposal 249. Under 3/a "no bait restrictions to halving hours for the ESSN depending on tiers; and part b.: 36-hour cap on ESSN hours when no bait restrictions went in." This occurred at the final hours of the meeting.

- **First, 50% discussion was used to reallocate by reduction harvest percentages.** However, Tim McKinley, ADF&G, Projected savings in Kenai River Chinook salmon in - river fisheries Memorandum, May 7, 2012 - states: "This estimate is very rough because the magnitude of the decrease may be affected by fish abundance, water clarity, fishery effort, anglers' decisions to retain or not depending on the regulations, the amount of error in the projected harvest (related to how far into the season the projection is made) and interactions between these variables. "In fact, Tim McKinley and Robert Begich, ADF&G, Soldotna Office; both stated in meetings - "going to no-bait reduction % was close to 30% (mean / average)".
- **Second, the pairing discussion on 36 hours to no-bait is subjective allocation reduction.** The discussion was initiated over hourly emergency orders per week opening times. In the middle tier (Kenai River sockeye salmon 51 hours per week in regulation and two regular 12-hour periods per week from 7am -7pm for a total of 75 hours per week along with coupled 60 hours per week closures under two closed windows (Tuesday 24 hours, "Friday" 36 hours). Note: ESSN already has been reduced in time by window closures of 60 hours per week from proposals from the same authors of ACR 4 (KRSA).
- **Third, the percentage discussion of 50 percent reduction was over emergency hours per week, then turned into total hours per week and subjectively stated as "only"36 hours from Sport panel member Mr. Kevin Delaney (KRSA).** Note: when sport fisheries go to no bait it is a normal prosecution of the sport fishery to slow down harvest rates, and can be associated to the early-run.

The facts: 1/ no bait in-river is 30% reduction on harvest in-river not 50%.
2/ In-river Sport harvest (.23 % exploitation overall) is twice the ESSN exploitation rate (12.6 %). The so-called 50% reduction in the In-river Sport (no bait) would be 25% ESSN reduction not 50% - the ESSN exploitation rate isn't similarly 50/50 exploitation of total run. For example, the percentages are applied to illustrate the error(s):

75 hours @ 25% is 56.25 hours not 36.

E. O. hours 51 @ .25 is 38.25 hours E.O. and 2 regular periods

75 hours @ .15 (half of 30 percent no-bait reduction) is 64 hours

E.O. hours 51@ .15 is 44 hours E.O. and regular periods

3/ If the ESSN applied 50% similarly and converted it to the In-river Sport - for every 12 hour of E.O. hours represents one commercial closed day - the In-river sport and guided sport would then be closed for 2 days per week. For 24 hours of E.O. hour commercially reduced to ESSN the In-river Sport and guided sport would be closed 4 days per week. Note: Tuesday commercial 24 hour closed window put in (4/3 vote over kings, KRSA proposal, 2011 BOF meeting).

Kenai Peninsula Fishermen's Association requests the board to fully consider the allocation issues stated above. Including, sockeye salmon harvest allocation within the Management Plans; and the commercial priority on sockeye salmon written in the Plans.

Respectfully,

Jeff Beaudoin, Research Specialist