

## Wellard, Monica J (DFG)

---

**From:** Andrew Couch [fishing@fish4salmon.com]  
**Sent:** Monday, July 23, 2012 4:47 PM  
**To:** Wellard, Monica J (DFG)  
**Subject:** Emergency Petition to BOF -- Upper Cook Inlet -- Central District Drift Gillnet Fishery Management Plan

**Attn:** Monica Wellard, Alaska Board of Fisheries Executive Director 907-465-6094

**From:** Andrew N. (Andy) Couch 907-746-2199

Page 1 of 3

### **Emergency Petition to Alaska Board of Fisheries -- Requesting Clarification of 5 AAC 21.35. CENTRAL DISTRICT DRIFT GILLNET FISHERY MANAGEMENT PLAN.**

Chairman Johnstone and Board of Fisheries Members,

Most people know me as Andy Couch, I am a member of the Matanuska Susitna Borough Fish and Wildlife Commission and also a member of the Matanuska Valley Fish and Game Advisory Committee. In discussion with the Chairs and Vice Chairs of both of these groups I was encouraged to write and submit an emergency petition. Because of the urgency of this issue, there was insufficient time to schedule public meetings and take formal Commission and Committee votes on this petition, however, this petition addresses long term concerns of both groups' -- Conservation / long term sustainability and harvest opportunities for all user groups of salmon produced from Northern District / Matanuska Susitna Borough waters.

Management of Upper Cook Inlet Salmon has been a balancing act where the Alaska Department of Fish and Game (ADF&G) is tasked with managing several different salmon species and salmon stocks that return during the months of July and August. ADF&G commercial and sport fishery managers have been tasked by past and current Board of Fisheries (BOF) to make attaining salmon spawning escapement goals their highest priority. In Upper Cook Inlet, it is a BOF caveat that attaining the low end of a salmon spawning escapement goal be a management priority above exceeding the high end of other salmon spawning escapement goals. This management priority was crafted by the BOF through the public process to address a chronic issue where Northern bound stocks failed to meet minimum escapement needs, when ADF&G managers placed a higher priority on maximizing harvests from more abundant Kenai and Kasilof River sockeye salmon stocks.

An example of Upper Cook Inlet balanced salmon management where the BOF took specific action to conserve less abundant Northern bound salmon stocks and also provide reasonable coho salmon harvest opportunities for upstream user groups is the Central District Drift Gillnet Management Plan. The guiding principles of the plan are written up front:

#### **5 AAC 21.353. CENTRAL DISTRICT DRIFT GILLNET FISHERY MANAGEMENT**

**PLAN.** (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 to 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. . . .

A problem exists with the last point of this plan which states:

(c) The commissioner may depart from the provisions of the management plan under this section as provided in 5 AAC 21.363(e).

Following is the wording of 5 AAC 21.363 (e)

- a. It is the intent of the board that, while in most circumstances the department will adhere to the management plans in this chapter, nothing in the management plans is intended to override the commissioner's emergency order authority under AS 16.05.060 should significant new information arise that, in the commissioner's judgment, warrants departure from the provisions in the management plans.

**Clarification desired by Matanuska Susitna Borough Fish and Wildlife Commission members and Matanuska Valley Fish and Game Advisory Committee members: Is it the BOF's intent that the Central District Drift Gillnet Fishery Management Plan actually provides conservation of, and harvest sharing of Northern bound salmon stocks?**

For example using the Commission's emergency order authority, on Saturday July 21, 2012: ADF&G emergency order 2S-18-12 allowed drift netting in both the expanded Kenai and Kasilof Corridor and Area 1. Justification for this emergency order was, "The escapement rate of sockeye salmon into the Kenai and Kasilof Rivers is proceeding at a rate greater than that needed to assure optimum escapement levels."

**Note:** ADF&G provided no justification for going outside the management plan based on abundance of Northern Bound salmon, the likelihood of attaining adequate spawning escapement for, even one, Northern District salmon stock, or the likelihood of providing reasonable coho salmon sport fishing or guided sport fishing opportunities in Northern District drainages or the Kenai River (without restrictions) -- the BOF identified purposes for the management plan in the first place!!!

**2nd Note:** ADF&G justification for emergency order 2S-18-12 did not even say the present rate of escapement would possibly go over the Kenai River or Kasilof River OEGs -- only that it was, "greater than needed to assure optimum escapement levels."

**It is unacceptable to Alaskan residents living within the Matanuska Susitna Borough, that the only justification needed to sidestep a BOF management plan, seems to be a desire to harvest more Kenai and Kasilof River sockeye salmon -- especially, in an area where the highest commercial harvest of a sockeye Stock of Concern, and Northern District bound coho salmon already occurs.**

Of 3 salmon species with ADF&G established spawning escapement goals in Northern District / Matanuska Susitna Borough streams:

1. Six king salmon stocks have already been labeled by the BOF with Stock of Concern Status and all wild king salmon sport fisheries were closed early by emergency order in 2012.
1. The largest sockeye stock (Yentna / Sustina) has been labeled Stock of Concern with continued escapement shortage in 2011. Were any positive management adjustments made for 2012?
1. The most significant coho salmon escapement goal in all of Upper Cook Inlet, has failed to meet even minimum level the past 3 years, the sport fishery on this coho stock (Little Susitna River) was both restricted and closed early in 2011, and it would qualify for Stock of Concern if the escapement goal were to be missed this year. Extra drift fishing outside the Expanded Kenai and Kasilof Corridor only exacerbated this problem in 2011 when the second lowest escapement on record occurred.

BOF members, management that provides for Northern District escapement needs and harvest opportunities is an issue the Board has attempted to address numerous times with a minimal adjustment approach. When given management flexibility, as the board has tried numerous times, ADF&G managers have a long record of disregarding or exploiting loopholes to provide expanded commercial salmon harvests at the expense of Northern District salmon stocks and users. Please do all you can to provide more responsible management for wild Northern District salmon stocks and Northern District user groups.

**According to 5AAC 96.625 Join Board Petition Policy the Alaska Board of Fisheries has authority to adopt, amend, or repeal regulation. Therefore, I request that the BOF find under AS 44.62.270 that a situation of emergency exists where an unforeseen, unexpected event threatens fish or game resources -- specifically Upper Cook Inlet Northern Bound salmon stocks as outlined above.**

Thank you for your consideration of this issue that is negatively affecting Northern District salmon stocks, along with Matanuska Susitna Valley residents and businesses.

Sincerely,

Andrew N. (Andy) Couch Matanuska Valley Fish and Game Advisory Committee member, Matanuska Susitna Borough Fish and Wildlife Commission member

PO Box 155, Palmer, AK 99645 (907) 746-2199