RC 2

ALASKA DEPARTMENT OF FISH AND GAME STAFF COMMENTS ON AGENDA CHANGE REQUESTS ALASKA BOARD OF FISHERIES MEETING VIDEOCONFERENCE October 15–16, 2020



Regional Information Report No. 5J20-06

The following staff comments were prepared by the Alaska Department of Fish and Game for use at the Alaska Board of Fisheries (board) meeting, October 15–16, 2020, via videoconference. The comments are forwarded to assist the public and board. The comments contained herein should be considered preliminary and subject to change as new information becomes available. Final department positions will be formulated after review of written and oral public testimony presented to the board.

Symbols, Abbreviations, and Acronyms

The following acronyms and abbreviations, and others approved for the Système International d'Unités (SI), are used without definition in the following reports by the Divisions of Commercial Fisheries, Sport Fish, and Subsistence: All others, including deviations from definitions listed below, are noted in the text at first mention, as well as in the titles or footnotes of tables, and in figure or figure captions.

Weights and measures (metric)		General		Acronyms	
centimeter	cm	Alaska Administrative		Agenda Change Request	ACR
deciliter	dL	Code	AAC	Alaska Administrative Code	AAC
gram	g	all commonly accepted		Alaska Board of Fisheries	board
hectare	ha	abbreviations	e.g., Mr., Mrs.,		oouru
kilogram	kg		AM, PM, etc.	Alaska Department of Fish and Game	department
kilometer	km	all commonly accepted			department
liter	L	professional titles	e.g., Dr., Ph.D.,	Aleutian Islands gold king	AIG
meter	m		R.N., etc.	crab fishery	
milliliter	mL	at	@	Aleutian Islands Subdistrict	AIS
millimeter	mm	compass directions:	Е	Dutch Harbor Subdistrict	DHS
		east	E N	Fishery Management Plan	FMP
Weights and measures (English)	- 2 -	north south	N S	Guideline Harvest Level	GHL
cubic feet per second	ft ³ /s	west	W	National Oceanic and	
foot	ft .	copyright	©	Atmospheric Administration	NOAA
gallon	gal	copyright corporate suffixes:	0	Northern Southeast Regional	norm
inch mile	in .	Company	Co.	Aquaculture Association	NSRAA
nautical mile	mi	Corporation	Corp.	1	
	nmi	Incorporated	Inc.	Overall Length	OAL
ounce pound	oz lb	Limited	Ltd.	Permit Alteration Request	PAR
quart	qt	District of Columbia	D.C.	Record Copy	RC
yard	yd	et alii (and others)	et al.	Terminal Harvest Area	THA
yard	yu	et cetera (and so forth)	etc.	Total Allowable Catch	TAC
Time and temperature		exempli gratia			
day	d	(for example)	e.g.		
degrees Celsius	°C	Federal Information	-		
degrees Fahrenheit	°F	Code	FIC		
degrees kelvin	К	id est (that is)	i.e.		
hour	h	latitude or longitude	lat. or long.		
minute	min	monetary symbols			
second	s	(U.S.)	\$,¢		
		months (tables and			
Physics and chemistry		figures): first three			
all atomic symbols		letters	Jan,,Dec		
alternating current	AC	registered trademark	®		
ampere	А	trademark	тм		
calorie	cal	United States			
direct current	DC	(adjective)	U.S.		
hertz	Hz	United States of			
horsepower	hp	America (noun)	USA		
hydrogen ion activity (negative log of)	рН	U.S.C.	United States Code		
parts per million	ppm	U.S. state	use two-letter		
parts per thousand	ppt,		abbreviations		
-	% 0		(e.g., AK, WA)		
volts	V				
watts	W				

REGIONAL INFORMATION REPORT 5J20-06

ALASKA DEPARTMENT OF FISH AND GAME STAFF COMMENTS ON AGENDA CHANGE REQUESTS ALASKA BOARD OF FISHERIES MEETING VIDEOCONFERENCE October 15–16, 2020

by Alaska Department of Fish and Game

Alaska Department of Fish and Game Division of Sport Fish, Research and Technical Services 333 Raspberry Road, Anchorage, AK 99518–1565

October 2020

ABSTRACT

This document contains Alaska Department of Fish and Game (department) staff comments on the agenda change requests. These comments were prepared by the department for use at the Alaska Board of Fisheries (board) meeting, held October 15-16, 2020 via videoconference. The comments are forwarded to assist the public and board. The comments contained herein should be considered preliminary and subject to change, as new information becomes available. Final department positions will be formulated after review of written public testimony presented to the board.

Key words: Alaska Board of Fisheries, board, Alaska Department of Fish and Game, department, staff comments, finfish, salmon, rockfish, management, management plan, agenda change request, ACR, regulatory proposal, inriver, subsistence, personal use, sport, guided sport, commercial fisheries, biological escapement goal, BEG, sustainable escapement goal, SEG, optimal escapement goal, OEG, dip net, gillnet

This document should be cited as follows:

ADF&G (Alaska Department of Fish and Game). 2020. Alaska Department of Fish and Game staff comments on agenda change requests, Alaska Board of Fisheries meeting, videoconference, October 15–16, 2020. Alaska Department of Fish and Game, Regional Information Report 5J20-06, Anchorage.

The Alaska Department of Fish and Game (ADF&G) administers all programs and activities free from discrimination based on race, color, national origin, age, sex, religion, marital status, pregnancy, parenthood, or disability. The department administers all programs and activities in compliance with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act (ADA) of 1990, the Age Discrimination Act of 1975, and Title IX of the Education Amendments of 1972.

If you believe you have been discriminated against in any program, activity, or facility please write: ADF&G ADA Coordinator, P.O. Box 115526, Juneau, AK 99811-5526 U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive, MS 2042, Arlington, VA 22203 Office of Equal Opportunity, U.S. Department of the Interior, 1849 C Street NW MS 5230, Washington DC 20240

The department's ADA Coordinator can be reached via phone at the following numbers: (VOICE) 907-465-6077, (Statewide Telecommunication Device for the Deaf) 1-800-478-3648, (Juneau TDD) 907-465-3646, or (FAX) 907-465-6078

For information on alternative formats and questions on this publication, please contact: ADF&G Division of Sport Fish, Research and Technical Services, 333 Raspberry Road, Anchorage AK 99518 (907) 267-2375.

TABLE OF CONTENTS

Page
ABSTRACTi
ACR 1 – Allow the use of dip nets in Yukon Area, Subdistrict 6-C personal use salmon fishery (5 AAC 77.171)1
ACR 2 – Modify the definition of nonpelagic rockfish (5 AAC 75.995)
ACR 3 – Provide additional opportunity to harvest salmon with drift gillnet gear in the Kasilof River Special Harvest Area and within one and one-half miles of the mean high tide mark of the Kenai Peninsula shoreline in Kenai and Kasilof sections south of the Kenai River (5 AAC 21.310 and 5 AAC 21.365)
ACR 4 – Allow commercial fishing with set gillnet gear within 1,500 feet of mean high tide mark in the Upper Subdistrict when projected Kenai River late-run king salmon escapement is less than 15,000 large fish and Kenai River late-run and Kasilof River sockeye salmon escapement goals are projected to be achieved or exceeded (5 AAC 21.359).
ACR 5 – Allow commercial fishing for salmon with set gillnet gear in waters of the Upper Subdistrict within 600 feet of mean high tide mark when projected Kenai River late-run king salmon escapement is less than 15,000 large fish and Kenai River late-run sockeye and Kasilof River sockeye salmon escapement goals are projected to be met (5 AAC 21.359)
ACR 6 – Exempt set gillnet fishing opportunity in East Foreland Section from paired restrictions described in <i>Kenai</i> <i>River Late-Run King Salmon Management Plan</i> (5 AAC 21.359)

<u>ACR 1</u> – Allow the use of dip nets in Yukon Area, Subdistrict 6-C personal use salmon fishery (5 AAC 77.171).

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This would add dip nets as lawful gear to harvest salmon in the Tanana River Subdistrict 6-C personal use fishery.

PRESENT SITUATION: Currently dip nets are not a legal gear type in the Tanana River personal use finfish fishery, except that during times of chum or king salmon conservation, the department may restrict personal use gear to dip nets, however, all chum or king salmon must be immediately released to the water alive.

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- a) Is there a fishery conservation purpose or reason? No.
- b) **Does the agenda change request correct an error in regulation?** No.
- c) <u>Does the agenda change request address an effect of a regulation on a fishery that was</u> <u>unforeseen when that regulation was adopted?</u> No.

ADDITIONAL INFORMATION: At the January 2019 Arctic/Yukon/Kuskokwim Board of Fisheries meeting Proposal 89 was adopted which gave the department authority to authorize dip nets as a legal gear type for subsistence use in the Yukon and Tanana rivers. The Tanana River personal use fishery, from the Wood River upstream to the mouth of the Salcha River, was not considered for the use of dip nets as a gear type to harvest finfish. Dip nets are currently a legal gear type in the personal use finfish fishery, but only during times of chum or king salmon conservation as directed by the board under the department's emergency order authority.

PROPOSED BY: John S. Hanna.

ACR 2 – Modify the definition of nonpelagic rockfish (5 AAC 75.995).

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: Redefine the definition of nonpelagic rockfish to exclude slope rockfish and include only demersal shelf rockfish in the genus *Sebastes* that are not defined as pelagic rockfish.

PRESENT SITUATION: The rockfish sport fishery is managed under two regulatory groupings of rockfish belonging to the family *Sebastes*; pelagic and nonpelagic rockfish. The pelagic rockfish grouping encompasses six species of rockfish ((dark (*S. ciliatus*), dusky (*S. variabilis*), widow (*S. entomelas*), yellowtail (*S. flavidus*), black (*S. melanops*) and deacon (*S. diaconus*). The nonpelagic rockfish grouping includes all remaining rockfish species in the genus *Sebastes* that are not defined as pelagic rockfish. The current sport fish rockfish management strategy is to keep regulations simple to increase compliance while protecting the sustainability of these widely utilized, long lived, easily over fished species. Differentiation between rockfish species can be difficult and is especially so between species in the nonpelagic grouping.

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- a) <u>Is there a fishery conservation purpose or reason?</u> No.
- b) **Does the agenda change request correct an error in regulation?** No.
- c) Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted? No.

ADDITIONAL INFORMATION: The department has the emergency order authority to regulate the sport rockfish fishery by specific rockfish species due to conservation reasons. At the beginning of 2020 in Southeast Alaska the retention of all nonpelagic rockfish in the sport fishery was prohibited by emergency order. This action was taken to ensure the sustainability of *S. pinniger* (Canary); *S. nebulosus* (China); *S. caurinus* (Copper); *S. maliger* (Quillback); *S. helvomaculatus* (Rosethorn); *S. nigrocinctus* (Tiger); *S. ruberrimus* (Yelloweye). Despite increasingly conservative management actions, surveys indicated decreasing yelloweye rockfish biomass (used an indicator for this group of *Sebastes* species). Historically all nonpelagic rockfish had been managed as a species group. However, in April the department issued a second emergency order which provided limited opportunity for sport anglers to target slope rockfish species, a subgroup of nonpelagic rockfish, which did not share the same conservation concern as canary, China, copper, quillback, rosethorn, tiger, and yelloweye rockfish. The sport harvest of these remaining *Sebastes* and *Sebastolobus* species (slope rockfish) of nonpelagic rockfish had historically been very low.

PROPOSED BY: Alaska Charter Association.

<u>ACR 3</u> – Provide additional opportunity to harvest salmon with drift gillnet gear in the Kasilof River Special Harvest Area and within one and one-half miles of the mean high tide mark of the Kenai Peninsula shoreline in Kenai and Kasilof sections south of the Kenai River (5 AAC 21.310 and 5 AAC 21.365).

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: Provide additional fishing area for drift gillnet gear in the Upper Subdistrict of the Central District, including in the Kasilof River Special Harvest Area (KRSHA).

PRESENT SITUATION: Fishing with drift gillnets in the Central District is open from the third Monday in June or June 19, whichever is later, until closed by emergency order. Prior to the season opening for set gillnet gear in the Upper Subdistrict, drift gillnet gear is not allowed within two miles of the mean high tide mark on the eastern side of the Upper Subdistrict. Additionally, commercial fishing with drift gillnet gear may never occur within 1 mile of shore north of the Kenai River, and within 1.5 miles of shore south of the Kenai River after the set net areas open for the season.

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- a) Is there a fishery conservation purpose or reason? No.
- b) **Does the agenda change request correct an error in regulation?** No.
- c) Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted? No.

<u>ADDITIONAL INFORMATION:</u> At their February 2020 meeting the Alaska Board of Fisheries made changes to several management plans in Upper Cook Inlet. This primarily allocative ACR seeks to revisit some of the actions taken by the board in February 2020 and lessen their impact on commercial fishermen. These impacts were anticipated and discussed at the February 2020 meeting. For background, we provide the following additional information that was also presented to the board in February 2020, and thus does not represent new information.

At the 2008 Upper Cook Inlet (UCI) board meeting, 5 AAC 21.310. *Fishing Seasons* was modified to close the nearshore waters within 2 mile of shore in the Upper Subdistrict to drift gillnet gear when commercial fishing with set gillnet gear was not open in this area. Prior to this date, the department would close the nearshore waters by emergency order. This was done so that if set net areas were not open drift gillnets could also not be used in that area. Drift gillnet gear was allowed up to the shoreline when the set net areas were open, but all commercial gillnets must always be 600 feet apart. In 2020, the board closed the area within 1.5 of shore south of the Kenai River and 1 mile of shore north of the Kenai River permanently to drift gillnet gear regardless of the status of the set gillnet fisheries. Drift gillnet harvest of king salmon is less than 8% of the total UCI harvest, while harvests of pink, coho, chum, and sockeye salmon range from 57% to 93% of the total UCI harvests.

PROPOSED BY: Steve Tvenstrup.

<u>ACR 4</u> – Allow commercial fishing with set gillnet gear within 1,500 feet of mean high tide mark in the Upper Subdistrict when projected Kenai River late-run king salmon escapement is less than 15,000 large fish and Kenai River late-run and Kasilof River sockeye salmon escapement goals are projected to be achieved or exceeded (5 AAC 21.359).

<u>WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE</u>: This seeks to allow regulatory Monday and Thursday openings of the Upper Subdistrict set gillnet fishery, restricted to within 1,500 feet of shore, when Kenai River late-run king salmon escapement is projected to be less than 15,000 large fish, if the inriver goal for Kenai River late-run sockeye salmon and Kasilof River sockeye salmon escapement goal are projected to be achieved or exceeded.

PRESENT SITUATION: The Upper Subdistrict set gillnet fishery is managed primarily under provisions found in 5 AAC 21.360. *Kenai River Late-Run Sockeye Salmon Management Plan* (KRLRSMP), and 5 AAC 21.365. *Kasilof River Salmon Management Plan* (KRSMP). However, if Kenai River late-run king salmon escapement is projected to be below the Optimal Escapement Goal (OEG), the Upper Subdistrict fishery is restricted per paired restrictions provisions found in 5 AAC 21.359. *Kenai River Late-Run King Salmon Management Plan* (KRLRKMP).

From June 20 to August 15, if the projected escapement of large Kenai River late-run king salmon is < 15,000 large fish, the department shall close the king salmon sport fisheries in the Kenai River and salt waters of Cook Inlet north of Bluff Point; 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 south of the Kenai River; and the commercial set gillnet fishery in the Upper Subdistrict.

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- a) Is there a fishery conservation purpose or reason? No.
- b) Does the agenda change request correct an error in regulation? No.
- c) <u>Does the agenda change request address an effect of a regulation on a fishery that was</u> <u>unforeseen when that regulation was adopted?</u> No.

ADDITIONAL INFORMATION: At their February 2020 meeting the Alaska Board of Fisheries made changes to several management plans in Upper Cook Inlet. This primarily allocative ACR seeks to revisit some of the actions taken by the board in February 2020 and lessen their impact on commercial fishermen. These impacts were anticipated and discussed at the February 2020 meeting. For background, we provide the following additional information that was also presented to the board in February 2020, and thus does not represent new information.

The Upper Subdistrict set gillnet fishery occurs along approximately 60 miles of beach. The fishery primarily harvests sockeye, coho and king salmon returning to both the Kenai and Kasilof rivers. The department has management options to focus harvest on Kenai and/or Kasilof sockeye salmon through restrictions to fishing area within one-half mile of the beach (Kasilof Section) or within 600 feet of the beach (all Upper Subdistrict areas). However, when fishing in the Kasilof Section within one-half mile of shore, the hours used count toward the maximum number of hours the entire Upper Subdistrict may be open. Fishing hours used within 600 feet of shore are exempt from weekly hourly and gear limitations in the Upper Subdistrict fishery.

From 2010–2019, the Upper Subdistrict commercial harvest averaged 2,508 king (all sizes) and 520,671 sockeye salmon in the Kasilof Section, 2,149 king and 374,658 sockeye salmon in the

Kenai Section, and 66 king and 63,683 sockeye salmon in the East Foreland Section. The average sockeye to king salmon ratio (or the number of sockeye salmon harvested for every king salmon harvested) was 236 in the Kasilof Section, 192 in the Kenai Section, and 956 in the East Foreland Section.

Department staff have been able to use recent year's genetic stock composition estimates of large (>75 cm) Kenai River late-run king salmon in the Upper Subdistrict fishery to estimate historical large king salmon harvest in this fishery. From 1998-2013 the inriver sport fishery averaged about 74% of the harvest while the Upper Subdistrict fishery averaged 26% of the combined large Kenai River king salmon harvest of both fisheries. For example, the average annual harvest of large king salmon in the Upper Subdistrict fishery from 1998–2013 was 3,676 fish, while the inriver sport fishery harvest average was 10,290. Since paired restrictive provisions were adopted in 2014, the average annual harvest of large Kenai River king salmon in the fisheries has been 1,764 in the Upper Subdistrict and 2,928 in the sport fishery, and the percent of harvest between commercial and sport fisheries averaged 46% in the Upper Subdistrict fishery and 54% in the sport fishery. In years when paired restrictions were utilized to conserve king salmon, the Upper Subdistrict average harvest was reduced by 43% (2,109 fish) when the first tier was implemented and 83% (3,542 fish) when the first tier was implemented and 97% (360 fish) when the second tier was implemented.

PROPOSED BY: Ted Crookston.

ACR 5 – Allow commercial fishing for salmon with set gillnet gear in waters of the Upper Subdistrict within 600 feet of mean high tide mark when projected Kenai River late-run king salmon escapement is less than 15,000 large fish and Kenai River late-run sockeye and Kasilof River sockeye salmon escapement goals are projected to be met (5 AAC 21.359).

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This would provide further direction on commercial fishing in the Upper Subdistrict restricted to within 600 feet of shore, if the escapement goals for both the Kenai River late-run sockeye salmon and the Kasilof River sockeye salmon are projected to be achieved, and the Kenai River late-run king salmon escapement projection is less than 15,000 large fish.

PRESENT SITUATION: The Upper Subdistrict set gillnet fishery is managed primarily under provisions found in 5 AAC 21.360. *Kenai River Late-Run Sockeye Salmon Management Plan* (KRLRSMP), and 5 AAC 21.365. *Kasilof River Salmon Management Plan* (KRSMP). However, if Kenai River late-run king salmon escapement is projected to be below the Optimal Escapement Goal (OEG), the Upper Subdistrict fishery is restricted per paired restrictions provisions found in 5 AAC 21.359. *Kenai River Late-Run King Salmon Management Plan* (*KRLRKMP*).

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- a) Is there a fishery conservation purpose or reason? No.
- b) **Does the agenda change request correct an error in regulation?** No.
- c) Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted? No.

<u>ADDITIONAL INFORMATION:</u> At their February 2020 meeting the Alaska Board of Fisheries made changes to several management plans in Upper Cook Inlet. This primarily allocative ACR seeks to revisit some of the actions taken by the board in February 2020 and lessen their impact on commercial fishermen. These impacts were anticipated and discussed at the February 2020 meeting. For background, we provide the following additional information that was also presented to the board in February 2020, and thus does not represent new information.

The Upper Subdistrict set gillnet fishery occurs along approximately 60 miles of beach. The fishery primarily harvests sockeye, coho and king salmon returning to both the Kenai and Kasilof rivers. The department has management options to focus harvest on Kenai and or Kasilof sockeye salmon through restrictions to fishing area within one-half mile of the beach (Kasilof Section) or within 600 feet of the beach (all Upper Subdistrict areas). However, when fishing in the Kasilof Section, within one-half mile of shore, the hours used count toward the maximum number of hours the entire Upper Subdistrict may be open. Fishing hours used within 600 feet of shore are exempt from weekly hourly and gear limitations in the Upper Subdistrict fishery.

From 2010–2019, the Upper Subdistrict commercial harvest averaged 2,508 king (all sizes) and 520,671 sockeye salmon in the Kasilof Section, 2,149 king and 374,658 sockeye salmon in the Kenai Section, and 66 king and 63,683 sockeye salmon in the East Foreland Section. The average sockeye to king salmon ratio (or the number of sockeye salmon harvested for every king salmon harvested) was 236 in the Kasilof Section, 192 in the Kenai Section, and 956 in the East Foreland Section.

Department staff have been able to use recent year's genetic stock composition estimates of large (>75 cm) Kenai River late-run king salmon in the Upper Subdistrict fishery to estimate historical large king salmon harvest in this fishery (Table 5-3). From 1998–2013 the inriver sport fishery averaged about 74% of the harvest while the Upper Subdistrict fishery averaged 26% of the combined large Kenai River king salmon harvest of both fisheries. For example, the average annual harvest of large king salmon in the Upper Subdistrict fishery from 1998-2013 was 3,676 fish, while the inriver sport fishery harvest average was 10,290. Since paired restrictive provisions were adopted in 2014, the average annual harvest of large Kenai River king salmon in the fisheries has been 1,764 in the Upper Subdistrict and 2,928 in the sport fishery, and the percent of harvest between commercial and sport fisheries averaged 46% in the Upper Subdistrict fishery and 54% in the sport fishery. In years when paired restrictions were utilized to conserve king salmon, the Upper Subdistrict average harvest was reduced by 43% (2,109 fish) when the first tier was implemented and 83% (631 fish) when the second tier was implemented. The sport fish harvest was reduced by 66% (3,542 fish) when the first tier was implemented and 97% (360 fish) when the second tier was implemented. The Upper Subdistrict commercial fishery has been closed early in 5 of the last 10 years due to low king salmon abundance.

When the 600 foot option has been used in the Kasilof Section set gillnet fishery, total harvests of king salmon have ranged from 4 to 50 fish of all sizes and stocks, and the harvests of sockeye salmon have ranged from 3,661 to 27,771 fish.

PROPOSED BY: Brian J. Koski.

ACR 6 – Exempt set gillnet fishing opportunity in East Foreland Section from paired restrictions described in *Kenai River Late-Run King Salmon Management Plan* (5 AAC 21.359).

<u>WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE</u>: This seeks to allow the East Foreland set gillnet fishery to be managed primarily under 5 AAC 21.360. *Kenai River Late-Run Sockeye Salmon Management Plan* (KRLRSMP) and would remove it from paired restriction provisions of the 5 AAC 21.359. *Kenai River Late-Run King Salmon Management Plan* (KRLRKMP).

PRESENT SITUATION: The East Foreland section set gillnet fishery, as part of the Upper Subdistrict, is managed under provisions found in the KRLRSMP. However, if the Kenai River late-run king salmon run size is low and the Kenai River king salmon sport fishery is restricted, the Upper Subdistrict fishery including the East Foreland Section, is restricted per paired restriction provisions found in the KRLRKMP.

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- a) Is there a fishery conservation purpose or reason? No.
- b) **Does the agenda change request correct an error in regulation?** No.
- c) Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted? No.

<u>ADDITIONAL INFORMATION:</u> At their February 2020 meeting the Alaska Board of Fisheries made changes to several management plans in Upper Cook Inlet. This primarily allocative ACR seeks to revisit some of the actions taken by the board in February 2020 and lessen their impact on commercial fishermen. These impacts were anticipated and discussed at the February 2020 meeting. For background, we provide the following additional information that was also presented to the board in February 2020, and thus does not represent new information.

The Upper Subdistrict set gillnet fishery occurs along approximately 60 miles of beach (Figure 6-1). The fishery primarily harvests sockeye, coho and king salmon returning to both the Kenai and Kasilof rivers. The department has management options to focus harvest on Kenai and or Kasilof sockeye salmon through restrictions to fishing area within one-half mile of the beach (Kasilof Section) or within 600 feet of the beach (all Upper Subdistrict areas). However, when fishing in the Kasilof Section within one-half mile of shore, the hours used count toward the maximum number of hours the entire Upper Subdistrict may be open. Fishing hours used within 600 feet of shore are exempt from weekly hourly and gear limitations in the Upper Subdistrict fishery.

In 2014, the board modified the KRLRKMP to include paired restrictive actions between the Kenai River king salmon sport fishery and the Upper Subdistrict set gillnet commercial fishery. Since 2014, when "paired restrictions" were adopted, low king salmon abundance in the Kenai River has occurred every year except 2017, and some or all the restrictive provisions of the management plan have been implemented each year. The intent of the paired provisions was to provide step-down measures in both fisheries in order to reduce the harvest of late-run king salmon during times of low abundance and share the conservation burden between the harvesters of Kenai River late-run king salmon. The KRLRKMP also included restrictive actions to be taken in the personal use dip net fishery at the mouth of the Kenai River. The paired restrictions approved by the board in 2014 limited the Upper Subdistrict set gillnets to 36 hours a week with a 36-hour continuous window when bait was prohibited in the sport fishery. If bait was prohibited

and king salmon were not allowed to be retained, commercial fishing periods were restricted to no more than 12 hours per week. When the board modified the plan in 2017, they allowed more hours for the commercial fishery and removed mandatory king salmon restrictions on the commercial fishery in August. When the Kenai River king salmon late-run SEG was modified in 2017 to a large-fish (\geq 75 cm) goal, the board added hours to the paired restrictive provisions for the Upper Subdistrict fishery to reflect the fact that this fishery harvested fewer large fish than all sized king salmon. In 2017, the board also exempted the East Foreland Section from the paired restrictive provisions in the management plan due to the low harvest of Kenai River king salmon in this statistical area, 244-42. In 2020, the board established a new level of paired restriction that allowed the implementation of no retention of fish over 34 inches in the Kenai River sport king salmon fishery, and a restriction to 36 hours per week for the Upper Subdistrict set gillnet fishery. The KRLRKMP was also extended to be in effect from June 20 until August 15, and options for gear restriction of set gillnets were made mandatory if any paired restrictions are in affect. The East Foreland Section was also added back under the provisions of the plan in 2020.

From 2010–2019, the Upper Subdistrict commercial harvest averaged 2,508 king (all sizes) and 520,671 sockeye salmon in the Kasilof Section, 2,149 king and 374,658 sockeye salmon in the Kenai Section, and 66 king and 63,683 sockeye salmon in the East Foreland Section. The average sockeye to king salmon ratio (or the number of sockeye salmon harvested for every king salmon harvested) was 236 in the Kasilof Section, 192 in the Kenai Section, and 956 in the East Foreland Section.

PROPOSED BY: Lance Aldrin.