Boards Support Section
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2023/2024 Nonresponsive Proposals and Excluded Agenda Change Requests

1. Nonresponsive proposals and excluded ACRs

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Non-Responsive Proposals

Excluded Agenda Change Requests

NR1

Not asking for regulatory action

5 AAC 00.000. Regulation language goes here.
Insert lead-in language here ("more fish, as follows:")

Recommend that all shellfish closures be more specific, and if clamming activity in the closed beaches/areas is not meant to close mussels it state so. For example can I take mussels from the Deep Creek beach??? I don't know with any clarity based on the way the current closures are written. Make it clear....mussels are excepted clamming activity and allowed.

You don't dig for mussels....if the concern is mussel gathering has any razor or other hard shell clam impact it is very clandestine in nature...am quite certain no impact is experienced.

Allow the take of mussels unless their is a biologic imperative they be prohibited take.

What is the issue you would like the board to address and why? Currently concerning Cook Inlet beaches are several shellfish closures directed at razor, little neck and butter clam species. Language in those closures has used "no clamming" framing when it is very unlikely meant to stop the take of a very abundant clam species that are usually prevalent in the closed areas....specifically mussels. If mussels do need to actually be closed in the area where other species necessitate a closure it is not clear at all. Law enforcement when questioned has taken both positions when asked....yes, it is completely closed....and no, mussels are still allowed for clamming activities.

PROPOSED BY: John Bithos (EF-F23-010)

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NR2

DUPLICATE OF EF-F23-011

5 AAC 00.000. Regulation language goes here.
Insert lead-in language here ("more fish, as follows:")

A person may not engage in Personal Use fishing on the Kenai River from an anchored vessel. An anchored vessel means using an anchor or any device other than oars, paddles, or an outboard motor to slow or stop a boat's downstream drift.

What is the issue you would like the board to address and why? Stop personal use fishing on the Kenai River by anchoring in primary fishing channels and obstructing and orderly fishery. This is becoming much more common and creating a major safety issue.

There is already similar language on the Kenai River "No one may anchor a boat on the Kenai River that obstructs a primary traffic channel or drift fishing channel." This could be considered a drift fishing channel and would extend this language to the personal use fishery.

PROPOSED BY: Will Lee (EF-F23-012)

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NR3

Nonresponsive - this lies outside the board's authority

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

Require the department operate the king salmon sonar until August 31, as follows:

The solution I recommend is to count all of the critical large king salmon to have a more accurate data set of the actual number of King Salmon that have trended toward entering the Kenai River later and later. Instead of arbitrarily stopping the count on August 20th, lets count all the large king salmon.accuratley.

"The Alaska Department of Fish & Game shall extend the Late Run King Salmon Sonar count from August 20th - August 31st. "

What is the issue you would like the board to address and why? In the last four years there has been an average of 540 large king salmon counted in the last 5 days of the season. (August 16th - 20th) Without question there are late run large king salmon arriving after the counting process has halted on the 20th of August.

Late run king salmon have struggled to meet escapement goals the last few years with disastrous consequences for many fisheries. Lets make sure we have an accurate count of every critical large king salmon entering the Kenai River. So much is at stake, we owe it to the public to ensure that ALL the King Salmon are being counted.

PROPOSED BY: Philip Sheridan (EF-F23-019)

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NR4

Nonresponsive - out of cycle, statewide shellfish

5 AAC 41.070. Prohibitions on importation and release of live fish.

Insert lead-in language here (“more fish, as follows:”)

Proposal of addition Geoduck Clams Exception to AAC Title 5, Section 5 AAC 41.070

I am writing to request Ak Fisheries Board consideration of the addition of Geoduck Clams (Panopea Abrupta) to the Ak. Admin Code title 5, Chapter 41, Section 5 AAC 41.070, list of shellfish exceptions.

I have copied the existing description/process for Weathervane clams in section D and added it as section E for Geoduck clams (below).

I have an intertidal, mariculture/shellfish permit for geoduck clams in Krestof Sound, northwest of Sitka. I have attempted, since being permitted in 2003, to grow Geoduck clams inter-tidally and have received G. seed almost every time they have been available from the Ak. Permitted shellfish hatchery, now Aluqtiq Pride Hatchery. I have had some success but mostly it has been an on-going experiment determining what does not work in the culture methods. It became obvious that the seed seldom survives the hatchery to farm process without a nursery/culture step and I was able to add a

tidal powered FLUPSY nursery permit in 2013. Since that time G. seed from the A.P hatchery has only been available 3 or 4 times and the experiments with a nursery system in the Ketchikan area has provided G. seed to my farm only twice; once successful, the other DOA.

The biggest problem for Geoduck shellfish farming in Alaska is a reliable source for viable seed stock on a consistent basis. The transport, nursery and planting process needs to happen each season and monitored to determine what methods work best.

What does not work for intertidal clam farming is shocked Geoduck seed intermittently available. Allowing the hatchery-to-farm process to include hatcheries that have proven success, as Alaska does for oysters and weathervane clams, will allow shell fish farmers to develop a system that works in Alaska. Adding geoduck clams as an exception to Title 5 does not preclude the continued use of in state, Ak. Permitted hatcheries for geo-duck seed propagation. I believe it would allow a consistent hatchery to farm process that would allow farmers and Ak. Permitted hatcheries to develop a system that works and better serve the shellfish industry.

Thanks for your consideration,

Tom Manning

Krestof Clam Company

Juneau/Sitka AK.

Alaska Administrative Code
Title 5 - Fish and Game
Part 1 - Commercial and Subsistence Fishing and Private Nonprofit Salmon Hatcheries
Chapter 41 - Collection, Transportation, Possession, Propagation, or Release of Aquatic Organisms; Aquatic Farming
Article 3 - General Provisions
Section 5 AAC 41.070 - Prohibitions on importation and release of live fish

Universal Citation: 5 AK Admin Code 5 AAC 41.070

Current through November 23, 2022

(a) Except as provided in (b) - (d) of this section, no person may import any live fish into the state for purposes of stocking or rearing in the waters or the lands of the state.

(b) Live oysters from the Pacific Coast of North America may be imported, transported, or possessed for aquaculture purposes, including research, under a transport permit required by this chapter, and may be released into the waters of the state only if the

(1) broodstock is derived from oysters commercially cultured on the Pacific Coast of North America through three or more generations; and

(2) disease history or an inspection indicates no incidence of disease that is not indigenous to the state or is not considered to be a risk to indigenous stocks, and oyster health or marketability.

(c) Ornamental fish not raised for human consumption or sport fishing purposes may be imported into the state, but may not be reared in or released into the waters or the lands of the state. Fish wastes and waste water from ornamental fish may not be released directly into the waters of the state.

(d) Weathervane scallops originating from wild stocks or cultured stocks in the Southeastern Alaska and Yakutat Areas may be imported for aquaculture purposes and may be released only into the waters of the Southeastern Alaska and Yakutat Areas under a stock transport permit required by this chapter only if the

(1) broodstock was taken under the provisions of a stock acquisition permit issued by the department;

(2) broodstock was certified by the department's fish pathology section before transport out of the state;

(3) broodstock was held continuously in a department-approved isolation facility;

(4) weathervane scallops proposed for import have been held continuously in a department-approved isolation facility before import into the state;

(5) disease history, or an inspection, of the weathervane scallops proposed for import indicates no incidence of a disease of transport significance.

(e) Geoduck clams (originating from wild stocks or cultured stocks in the Southeastern Alaska and Yakutat Areas may be imported for aquaculture purposes and may be released only into the waters of the Southeastern Alaska and Yakutat Areas under a stock transport permit required by this chapter only if the

(1) broodstock was taken under the provisions of a stock acquisition permit issued by the department;

(2) broodstock was certified by the department's fish pathology section before transport out of the state;

(3) broodstock was held continuously in a department-approved isolation facility;

(4) Geo-duck clams proposed for import have been held continuously in a department-approved isolation facility before import into the state;

(5) disease history, or an inspection, of the weathervane scallops proposed for import indicates no incidence of a disease of transport significance.

(f) A person may not import, own, possess, propagate, transport, distribute, release, purchase, or sell within this state (1) any species listed under 50 C.F.R. 16.13, as revised as of October 31, 2016, as an injurious live, or dead fish, mollusk, crustacean, or their eggs; and (2) any species listed under 50 C.F.R. 16.14, as revised as of January 28. 2016, as injurious live or dead amphibians or their eggs.

(g) Except as otherwise provided in this chapter, a person may not possess, import, propagate, transport, release, purchase, or sell within this state a banned invasive species classified under 5 AAC 41.075.

In effect before 1988; am 9/19/90, Register 115; am 4/30/91, Register 118; am 8/8/2007, Register 183; am 2/24/2011, Register 197; am 1/10/2018, Register 225, April 2018; am 4/25/2021, Register 238, July 2021; am 9/25/2022, Register 243, October 2022

Authority: AS 16.05.251

What is the issue you would like the board to address and why? Geoduck shellfish farming in Alaska can not continue without a reliable source of viable seed stock available on a reliable schedule.

The current system of only one, in- state, state approved hatchery providing non viable, geoduck seed stock on an undependable schedule has prevented the development of G. shellfish farming.

PROPOSED BY: Tom Manning (EF-F23-023)
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NR5
Nonresponsive – Statewide proposal
5 AAC 75.034. Sport fishing gear for northern pike.
Allow use of speargun as sport fishing gear for northern pike, as follows:

5 AAC 75.034 Sport fishing gear for northern pike

Allow use of speargun as sport fishing gear for northern pike as follows:

Unless otherwise provided in 5 AAC 47 – 5 AAC 75, northern pike may be taken by spear **or speargun.**

What is the issue you would like the board to address and why? Authorize use of speargun as sport fishing gear for northern pike.

The range of a spear shaft is determined not by the number of elastic bands or the presence of a trigger, but by the energy stored in the bands. Many commercially available pole spears have only one elastic band but transfer a shaft further than many commercially available spearguns. Authorizing spears, but not spearguns, is an unnecessary restriction on sport fishing because it has neither a conservation benefit nor public safety benefit.

PROPOSED BY: Grant Robinson (EF-F23-038)
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NR6
DUPLICATE OF EF-F23-050
5 AAC 18.331. Gillnet Specifications and Operations.
Allow permit stacking in the set gillnet salmon fishery, as follows:

To amend:
5 AAC 18.331. Gillnet Specifications and Operations
A CFEC permit holder who holds two Kodiak setnet permits may operate no more than 4 set gillnets with no more than 300 fathoms of set gill net gear in the aggregate. No single set gillnet be more than 150 fathoms in length. Both of the permit holder's five digit CFEC permit serial numbers, followed by the letter "D" to identify the gillnet as a dual permit set gillnet must be located on the identification buoy and the site markers required by 5 AAC. 39.280. At least one cork every 10 fathoms along the cork line must be plainly and legibly marked with CFEC permit numbers of the CFEC permit holder. All identifiers must be displayed in a manner that are plainly visible and unobscured and have permanent symbols in color that contrasts with the background

What is the issue you would like the board to address and why? The Kodiak salmon setnet fishery is in trouble. Our average ex vessel value has significantly diminished, leaving operations marginal. From 2001 to 2021 it ranged from a low of $29,000 to a high of $71,435. Our average earnings have not exceeded $71,000 for 34 years, since 1989.

Despite two decades of healthy runs on the entire island, setnetters are no longer solvent, with an average ex vessel value of $46,000 On the other hand, the mobile geartype's average earnings have skyrocketed from $100,000 to $350,000. The Kodiak salmon fishery is robust, yet environmental issues have plagued our geartype with month-long algae blooms, and macrocystis clogging nets. Smaller salmon are returning, going through the smallest, feasible web we can fish.

Kodiak setnet operations are typically a family affair. Children can hold a permit as young as 10. Many of us are dependent on our income and must continue salmon fishing. We are aging, and are "the graying of the fleet" Operation expenses are hard to meet.

Price declines, the inability to hire experienced crew, and having children leave, make our livelihoods marginal at best. When children leave for more lucrative employment, it results in "stranded equity," a useless permit and gear. Crewmembers aren't interested in Kodiak..

There has been very little change to the limited entry program since the 1970s. Yet, in response to the salmon industry's economic disaster declared in 2002, the legislature passed the law that allowed 2 (salmon) permits in one name. In 2008, the BOF passed new wording (5 AAC. 18331) that one owner of (2) SO4K permits could fish 2 permits of gear. For 3 years, up to 38 setnetters took advantage of the new regulation. It ended in 2010 for unknown reasons.

Based on these facts, we could return to sustainable income and protect our assets If you approve this proposal., as many of us have spent our entire working lives in this fishery.

In 2002, the BOF took action for Bristol Bay salmon fishermen when their fishery collapsed, allowing one vessel to fish 2 permits. We believe you should reinstate the language in the AAC Alaska Admin. Code 18.331 that was approved in 2008--soley for SO4K setnet permits. It allowed one CFEC salmon setnet permit owner to fish two sets of gear. This would alleviate economic hardship and uncertainty in our fishery-allowing us to utilize the potential value of an useless permit. and gear.

Further details will be available at the 2024 meeting.

PROPOSED BY: Lacey J Berns (EF-F23-051)

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NR7

DUPLICATE OF EF-F23-063

5 AAC 5 AAC 21.358.

Insert lead-in language here ("more fish, as follows:")

(c) **From June 25 through July 13 one set gillnet not more than 35 fathoms in length per permit may be used; From July 14 through 19 two set gillnets not more than 105 fathoms in aggregate length per permit may be used; From July 20 - until the Susitna River personal use fishery is extended and Little Susitna River sport coho salmon fishery is liberalized, by emergency order, one set gillnet not more than 35 fathoms in length per permit in the General Subdistrict and up to two set gillnets not more than 70 fathoms in aggregate length per permit in the Eastern Subdistrict may be used; From when the Susitna River personal use and Little Susitna River sport coho salmon fisheries are liberalized by emergency order through when the Northern District set gillnet fishery is closed by emergency order; 2 set gill nets per permit not more than 70 fathoms in aggregate length may be used.**

From **June 25** [JULY 20] through **September 30** [August 6] if the department's assessment of abundance indicates that restrictions are necessary to achieve the escapement goal, the commissioner may, by emergency order, close the commercial set gillnet fishery in the Northern District and immediately reopen a season during which the number of set gillnets that may be used **in portions or all of the Northern District** is limited to the following options selected at the discretion of the commissioner:

[EXCEPT THAT FROM JULY 31 THROUGH AUGUST 6 THE COMMISSIONER MAY ALLOW THE USE OF TWO SET GILLNETS IN THAT PORTION OF THE GENERAL SUBDISTRICT SOUTH OF THE SUSITNA RIVER:

(1). THREE SET GILLNETS THAT ARE NOT MORE THAN 105 FATHOMS IN AGGREGATE LENGTH;]

(2) Two set gillnets that are not more than 70 fathoms in aggregate length;

(3) One set gillnet that is not more than 35 fathoms in length.

(4) Zero set gillnets — closure of specific area(s).

(c) **From June 25 through July 13 one set gillnet not more than 35 fathoms in length per permit may be used; From July 14 through 19 two set gillnets not more than 105 fathoms in aggregate length per permit may be used; From July 20 - until the Susitna River personal use fishery is extended and Little Susitna River sport coho salmon fishery is liberalized, by emergency order, one set gillnet not more than 35 fathoms in length per permit in the General Subdistrict and up to two set gillnets not more than 70 fathoms in aggregate length per permit in the Eastern Subdistrict may be used; From when the Susitna River personal use and Little Susitna River sport coho salmon fisheries are liberalized by emergency order through when the Northern District set gillnet fishery is closed by emergency order; 2 set gill nets per permit not more than 70 fathoms in aggregate length may be used.**

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(3) One set gillnet that is not more than 35 fathoms in length.

(4) Zero set gillnets — closure of specific area(s).

What is the issue you would like the board to address and why?

Robust sport coho salmon fisheries and harvest opportunities have long been recognized throughout South central Alaska as a way to maximize benefit from one of the less abundant salmon species. They also provide a reasonable opportunity for most common users to put food in the freezer, and thereby, achieve some level of food security for a large portion of the year when most salmon stocks are unavailable for harvest.

Northern Cook Inlet produces some of the largest abundances of wild coho salmon in South-central Alaska, as evidenced by coho salmon harvests within the Northern District commercial set net fishery. Although one of the purposes repeatedly stated in the Northern District Salmon Management Plan is to minimize the harvest of coho salmon, Northern District permit holders regularly catch considerably more coho salmon on a per permit / per license basis than any other user group in Upper Cook Inlet. Furthermore, in the Northern District's General Subdistrict coho salmon are the most commercially harvested salmon species.

Some Northern District set netters present their fishery as a cottage industry having little impact on salmon stocks, and have proposed or supported expansions of commercial harvest opportunity for coho salmon. Since the 2000 — 2009 period the board has adopted some proposals that expanded Northern District set net harvest opportunity for coho salmon, and, while the Northern District commercial harvest of coho salmon has expanded, Alaska Department of Fish and Game (ADF&G) estimates for sport coho salmon harvests in the Northern Cook Inlet Management Area (NCIMA) have been reduced by approximately 50%. For the 10-year period from 2000 — 2009 NCIMA sport coho salmon harvests averaged over 80,000 fish per year, while for the most recent decade of data (2012 - 2021), sport coho salmon harvests within NCIMA have averaged around 40,000 fish per year.

With reduced sport harvests of both king salmon and coho salmon, the economic benefit provided from the NCIMA sport fisheries, has dwindled by tens of millions of dollars as documented from a 2007 ADF&G economic study with breakout of NCIMA figures, when compared to a 2017 economic study using the same study contractor and similar methodology commissioned by the Matanuska-Susitna Borough with money provided by the Alaska legislature.

This proposal seeks to update commercial harvest opportunities provided in the Northern District Salmon Management Plan to better match the plan's purposes statement — paragraph (a). Items of particular concern: 1. Providing a full season of shared chum, pink, and sockeye salmon harvest opportunity for commercial AND inriver uses based on abundance. 2. Managing chum, pink, and sockeye salmon stocks to minimize the harvest of Northern District coho salmon. 3. Allowing conservative reasonable harvest opportunities, that increase the likelihood of providing full seasons of harvest without inseason restrictions, and may provide expanded inseason harvest opportunities for ALL users.

Plan paragraph (b) specifies the department shall manage the Northern District commercial salmon fisheries based on the abundance of sockeye salmon counted through the weirs on Larson, Chelatna, and Judd Lakes — and also mentions using other abundance indicators as the department deems appropriate. At the start of the commercial season in June the weirs at Little Susitna River and Deshka River are already in the water, followed by the Fish Creek weir in early July. The Little Susitna, Deshka, and Fish weirs are considerably closer to saltwater and provide much earlier indices of inseason salmon abundance than Larson, Chelatna, and Judd weirs which are not even installed until later in the season. Whichever weirs are used — NONE of them measure any significant abundance of salmon, other than king salmon, until around mid-July, or later. If the purpose of providing a full season of shared harvest opportunity for both commercial and inriver uses is to be achieved, during this time of lower abundance into mid-July, commercial users should likely not be using 3 nets per permit.

With low abundances of king salmon, major Susitna River drainage sport fisheries and the Little Susitna River sport fishery have been regulated to no bait, single-hook artificial lures, and no harvest of king salmon through July 13. During this timeframe, other salmon are at low abundance levels, and may be just starting to arrive at the most significant Northern Cook Inlet sport fishery locations.

By regulation, the Fish Creek Personal Use Fishery may only open by emergency order starting July 15, and only after ADF&G projects sockeye escapement well into the Fish Creek sockeye salmon escapement goal range. Because of low early season sockeye salmon abundances, the earliest opening date in the past 10 years for the Fish Creek personal use fishery is July 19.

The Lower Susitna River Personal Use Fishery may not open until July 10 — and even then, reported personal use salmon harvests, for all salmon species, have been dismal during the first week the Susitna River personal use fishery is open. The point: is to provide a full season of realistic harvest opportunity for inriver uses, salmon must be allowed to migrate inriver, in reasonable numbers, early in the season, during the heart of the season, and later in the season.

Since there is no reliable abundance indicator of Susitna sockeye salmon, even by July 20, as measured at Larson, Chelatna, and Judd Lakes, it is nonsensical that the fishery be managed by an assessment of abundance, as outlined in paragraph (b) and (c) of the plan. It is only further nonsensical to suggest in this plan, that the Northern District set gillnet fishery could be opened to 2 or 3 set gill nets, per permit holder, specifically during the period of July 20 — August 6 without profound negative effects for

achieving Susitna River sockeye salmon and Northern Cook Inlet coho salmon escapement goals, and without profound negative consequences to salmon harvests by inriver uses.

An examination of the past 20 fishing seasons reveals, one set gillnet throughout the entire General Subdistrict and up to two set gillnets per permit in the Eastern Subdistrict may be about the maximum that can be allowed, from July 20 —August 6, while somewhat consistently meeting the Susitna drainage (Larson, Chelatna, Judd) sockeye salmon escapement goals (without frequent inseason restrictions to inriver users). Since this or less Northern District effort has been the management net standard, best meeting escapement needs for over a decade, it should be adopted into standard regulation, while "REAL" net restrictions, meaning less nets, could be adopted, as a tool that may be utilized in the Northern District for addressing genuine "Emergency" escapement goal shortages throughout the entire season.

Since the plan specifically mentions minimizing the harvest of coho salmon, and providing sport, guided sport, and other inriver users a reasonable harvest opportunity over the entire run, there should be a standard for allowing an increased commercial net after July 30 (if it is allowed at all). Liberalized commercial net opportunity should only be allowed, when or after the Little Susitna River sport fishery and very-limited lower Susitna River personal use fishery have also been granted liberalized coho salmon harvest opportunities. The board has already set escapement-goal-oriented standards as to when the sport and personal use fishery may be liberalized; leaving commercial fishery emergency orders to be issued, without similar standards, places the manager, commissioner, department, and administration in an uncomfortable and awkward position — and only increases the likelihood of management inconsistency, and especially after an administration, commissioner, or manager change.

If there are enough coho salmon to provide an increased commercial net opportunity after July 30, then all other common users of the coho salmon resource should be provided a liberalized harvest opportunity at the same time. Currently the most appropriate trigger for providing liberalized Northern Cook Inlet salmon net harvest opportunity, after July 30, appears to be the Board-adopted standards for a lower Susitna River personal use season extension, and liberalization of the Little Susitna River sport coho salmon fishery. Note: the board-adopted standard for a liberalized Susitna River personal use fishery requires inseason projections exceeding all Susitna River coho and sockeye escapement goals. This is an appropriate standard as it ensures all or nearly all inriver users should have some higher abundance of salmon to harvest, before a lower-in-the system intercept fishery takes a bigger bite out of the harvestable salmon surplus or possibly even escapement needs. Combining the personal use extension standard with the Little Susitna River sport fishery standard for liberalization is appropriate, because it ensures all or nearly all inriver users in Knik Arm should also have a solid coho salmon abundance — before the lower-in—the system commercial fishery takes an additional bite out of the resource. The most likely result of adopting these two standards to be met before expanding commercial netting opportunity, would be less or later expanded commercial net opportunity, at a time when coho salmon frequently dominate the Northern District set gillnet harvest. It would also provide inriver users a more reasonable coho salmon harvest opportunity, and inriver coho harvests may likely once again exceed the Northern District commercial coho harvest during most seasons.

Northern District commercial set gillnet regulations have varied considerably over time and during different portions of the season. With this variation history, the department could make some informed and reasonable assessments of how harvests may be adjusted by this proposal. For example: there is an abundance of fish, and some of the best commercial harvests of the season currently occurring during the July 20 - August 6 period, even with the entire General Subdistrict limited to one net per permit. In addition when the Coho salmon Conservation Plan was in effect, starting in 2000, there were several years where the entire Northern District commercial fishery was restricted to one net through August 10 (rather than August 1 or August 6) so harvest comparisons from this time period are also appropriate.

Some Northern District set netters have commented that they frequently only fish one net, even when allowed more. In the past (when king salmon were more plentiful) at least one Northern District set netter went on record stating that he frequently made about 1/2 of his commercial income for the summer during the king salmon fishery (a time when only one net and one weekly fishing period is allowed). The point is — Northern District salmon harvest would likely remain at a level where it has been sometime during the past 25 years, and while minimized to some extent, coho salmon harvest by Northern District set netters, on a per permit / license / or registration basis, would likely remain higher than any other Upper Cook Inlet user group — if this proposal were adopted as written.

What may be significantly reduced, during times of one net per permit holder, is drop out loss, something that sport fishery catch and release studies indicate may cause substantially more mortality with coho salmon than the other 4 salmon species. The more gillnets fished, the more coho salmon dropout / mortality losses likely increase.

2. What is the issue you would like the Board to address and why?

Robust sport coho salmon fisheries and harvest opportunities have long been recognized throughout South central Alaska as a way to maximize benefit from one of the less abundant salmon species. They also provide a reasonable opportunity for most common users to put food in the freezer, and thereby, achieve some level of food security for a large portion of the year when most salmon stocks are unavailable for harvest.

Northern Cook Inlet produces some of the largest abundances of wild coho salmon in South-central Alaska, as evidenced by coho salmon harvests within the Northern District commercial set net fishery. Although one of the purposes repeatedly stated in the Northern District Salmon Management Plan is to minimize the harvest of coho salmon, Northern District permit holders regularly catch considerably more coho salmon on a per permit / per license basis than any other user group in Upper Cook Inlet. Furthermore, in the Northern District's General Subdistrict coho salmon are the most commercially harvested salmon species.

Some Northern District set netters present their fishery as a cottage industry having little impact on salmon stocks, and have proposed or supported expansions of commercial harvest opportunity for coho salmon. Since the 2000 — 2009 period the board has adopted some proposals that expanded Northern District set net harvest opportunity for coho salmon, and, while the Northern District commercial harvest of coho salmon has expanded, Alaska Department of Fish and Game (ADF&G) estimates for sport coho salmon harvests in the Northern Cook Inlet Management Area (NCIMA) have been reduced by approximately 50%. For the 10-year period from 2000 — 2009 NCIMA sport coho salmon harvests averaged over 80,000 fish per year, while for the most recent decade of data (2012 - 2021), sport coho salmon harvests within NCIMA have averaged around 40,000 fish per year.

With reduced sport harvests of both king salmon and coho salmon, the economic benefit provided from the NCIMA sport fisheries, has dwindled by tens of millions of dollars as documented from a 2007 ADF&G economic study with breakout of NCIMA figures, when compared to a 2017 economic study using the same study contractor and similar methodology commissioned by the Matanuska-Susitna Borough with money provided by the Alaska legislature.
This proposal seeks to update commercial harvest opportunities provided in the Northern District Salmon Management Plan to better match the plan's purposes statement — paragraph (a). Items of particular concern: 1. Providing a full season of shared chum, pink, and sockeye salmon harvest opportunity for commercial AND inriver uses based on abundance. 2. Managing chum, pink, and socke

PROPOSED BY: Alaska Outdoor Council (EF-F23-064)

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NR8

DUPLICATE OF EF-F23-142

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

Insert lead-in language here ("more fish, as follows:")

This proposal is that the regulation exempting the East Forelands (244-42) as it did in the 2017-2019 regulation book be put back in place.

Prior wording of 5 AAC 21.359(e)(3): in the Upper Subdistrict set gillnet commercial fishery, excluding the East Foreland Section, notwithstanding the provisions of 5AAC 21.360(c)(1)(B), 2(B) and (3)(B), based on abundance of sockeye salmon returning to the Kenai and Kasilof Rivers....

What is the issue you would like the board to address and why? During the 2020 Cook Inlet Board of Fish meetings, the East Forelands sub section (244-42) exemption was removed and it was placed under the paired king salmon restrictions of 5AAC 21.359 with no rational provided. During the prior cycle (2017-2019), the East Forelands section was exempt from the paired restrictions in 21.359. There was no data presented at the 2020 meeting which would have shown this inclusion to be science or evidence based, and no discussion occurred when the exemption was removed. Data taken from the ADFG website and verified by F&G staff, shows that over the last 10 yrs, the East Forelands section has a catch average of just 1.62% of the total kings caught in the East Side Set Net fishery (all sizes and stock origins, no differentiation/data for "large kings"). This limited king catch can allow, and should make it, a valuable management tool to harvest sockeye and help attain the Kenai River escapement goal without impacting king salmon abundance.

PROPOSED BY: Lance Alldrin, Mary Alldrin, Richard Hilleary, Rick Jewell, Merrill Mcgahan, Chris Monfor, Christine Monfor, Chris Parker, Amanda Waggoner, Chad Waggoner, Brenda Vincent, Mark Vincent, Dan Wysocki (EF-F23-073)

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NR9

Out of cycle – Prince William Sound Area.

5 AAC 01.616. Customary and traditional subsistence uses of fish stocks and amounts necessary for subsistence uses.
Insert lead-in language here ("more fish, as follows:")

[(h) Groundfish may be taken only by a single hand troll, single hand-held line, or a single longline, none of which may have more than five hooks **OR ONE POT AS SPECIFIED IN 5 AAC 39.105.** attached to it…]

What is the issue you would like the board to address and why? Pot gear has been implemented in commercial black cod fishing state wide for a variety of reasons, notably pot gear greatly reduces bycatch of non pelagic rockfish, which in many areas are species of concern. By allowing one pot the small subsistence groundfish fishery would be a cleaner fishery with nearly no additional impact on the resource.

PROPOSED BY: Patrick P McCormick (EF-F23-089)
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NR10
OUT OF CYCLE – STATEWIDE FINFISH
5 AAC 75.222. Policy for the management of sustainable wild trout fisheries.
Require barbless hooks, as follows:

[IN WATERS DESIGNATED "RAINBOW TROUT CATCH AND RELEASE SPECIAL MANAGEMENT AREAS" ONLY BARBLESS HOOKS SHALL BE PERMITTED. A BARBLESS HOOK IS DEFINED AS A HOOK MANUFACTURED WITHOUT A BARB OR WHERE THE BARB IS CRIMPED TO THE SHANK OF THE HOOK]

What is the issue you would like the board to address and why? 5 AAC 75.222 states:

"(I) the board will consider gear regulations that assure minimal levels of injury and mortality to wild trout;"

In popular trout fisheries throughout the state wild trout are regularly disfigured. Requiring barbless hooks in no way reduces the effectiveness of a fishery but greatly reduces the chance of injury and mortality of caught and released trout. Consistently catching disfigured trout greatly reduces the aesthetic quality of trout fishing in Alaska. Furthermore barbless hooks allow for quicker, easier releases of fish. Barbless hooks are common in places with high quality trout and salmon fisheries such as Washington, Yellowstone National Park and the entire province of British Columbia.

If nothing is done trout will continue to be disfigured and mortally wounded in catch and release fisheries.

Alternatives include:

-A statewide ban on barbs would greatly affect those using bait to harvest fish for food and would likely be rejected.

PROPOSED BY: Patrick P McCormick (EF-F23-090)
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NR11

OUT OF CYCLE – STATEWIDE FINFISH

5 AAC 75.024. Gear for fly-fishing-only waters.

Allow anglers to use two artificial lures in tandem fly-fishing-only waters, as follows:

[IN WATERS DESIGNATED AS FLY-FISHING-ONLY WATERS, SPORT FISHING IS PERMITTED ONLY AS FOLLOWS:

(1) WITH NOT MORE THAN **TWO** SINGLE-HOOK ARTIFICIAL FLY THAT WEIGHS LESS THAN ONE-FOURTH OUNCE, INCLUDING THE HOOK, AND WITH A **COMBINED** GAP BETWEEN THE POINT**S** AND SHANK OF THE HOOK THAT IS THREE-EIGHTHS INCH OR LESS;]

What is the issue you would like the board to address and why? Alaska is the only state where fly fishing only waters do not allow two flies to be fished. The designation of fly fishing only unfortunately does not have anything to do with fly fishing and is primarily designed to limit the illegal snagging of sockeye salmon. By allowing two small hooks the goal of protecting sockeye salmon will continue while aligning fly fishing regulations with other states and international bodies, and allowing increased opportunity to catch and release fly fishermen.

Alternatives include:

-Making "fly fishing only" waters actually "fly fishing only" as defined by international fly fishing bodies. This was rejected because it would decrease the ability for everyone to participate in popular fisheries.

PROPOSED BY: Patrick P McCormick (EF-F23-091)

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NR12

NOT ASKING FOR A CHANGE IN REGULATION

5 AAC 58.022. Waters; seasons; bag, possession, annual, and size limits; and special provisions for Cook Inlet - Resurrection Bay Saltwater Area.

Insert lead-in language here ("more fish, as follows:")

5 AAC 58.022. Waters; seasons; bag, possession, annual, and size limits; and special provisions for Cook Inlet - Resurrection Bay Saltwater Area.

Lingcod Bag and possession limits

July 1-December 31: 2 per day, 2 in possession, must be at least 35 inches long with head attached or 28 inches from tip of tail to front of dorsal fin with head removed.

What is the issue you would like the board to address and why? Lower Cook inlet Lingcod Harvest Bag Limits and Regulations.

Lingcod Bag limit Proposals being considered to be reduced from 2 lingcod of 35" or greater per day to 1 lingcod of 35" per day. The Alaska Charter Association does not support this change.

Current Regulation.

July 1-December 31: 2 per day, 2 in possession, must be at least 35 inches long with head attached or 28 inches from tip of tail to front of dorsal fin with head removed.

Lingcod harvest has waxed and waned over the years. It is known the charter/ sport sector cannot actually fish the more productive waters on a regular basis due to natural weather alone (this metric has and will alter harvest rates enough to make an impact, and should be considered while analyzing year to year data).

Area Biologist suggest fluctuating harvest may also be due to Lingcod having such a migratory nature due to a number of variables (Thermal changes, food abundance, Lifecycles of migration) known and also there may be unknown changes all together as stated in sit in meetings. while we have a snap shot of rockfish harvest rates increasing, it it clear Lingcod harvest rates are not on the same pattern even though they are often found in relatively close proximities. On the water ACA members that participate in lingcod fishing within cook inlet saltwater have universally spoken that they see lingcod migrate in and out year to year as well as month to month during the season, stating some years numbers are great and other years they don't move into shallower waters until the latter part of the summer. The Coastal region where most lingcod are targeted is a massive area of which cannot be fully exploited nor fully understood without a large effort of increased participation and favorable weather windows allowing long range day trip charters to access.

Changing the regulations may not effect all operators, but it will greatly effect the small percentage that make their trips around long range focused trips, especially while we do not fully know the full scope of exploited ground vs actual lingcod biomass health. These statements are supported by Lingcod migratory life cycles known and area biologist comments as well.

With this input from our members on the water and the data showing an uptick in recent harvest, we support leaving the Lingcod harvest bag limits for the Cook Inlet Saltwater area without any change.

PROPOSED BY: Alaska Charter Association (EF-F23-097)
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NR13
OUT OF CYCLE - PWS
5 AAC .
Insert lead-in language here ("more fish, as follows:")

Crosswinds Lake: Burbot Limits 1 per day, 1 in possession, no size limit. Only 1 additional attended line tip up line per person.

What is the issue you would like the board to address and why? As a cabin owner on Crosswinds Lake, the increased pressure to the Lake Trout and Burbot from fishing guides I purpose a regulation

change on Crosswind Lake, Glennallen AK. Change Burbot limit to 1 per day, 1 in possession, no size limit. Only 1 additional attended tip up line per person.

PROPOSED BY: Butch Reinhart (EF-F23-112)

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NR14

Nonresponsive – attempting to amend a statewide department regulation. Outside the board's authority

5 AAC 39.130. Reports required of fishermen, processors, buyers, exporters, and operators of certain commercial fishing vessels; transporting requirements.
Insert lead-in language here ("more fish, as follows:")

I recommend the board take action to force the department to collect and report data from fish tickets for chinooks under 10, 10-20, and over 20. We already collect data on chinooks under 10 because the price from the processors is different for under 10 and 10 and over. The department adds those 2 numbers together for a total chinook harvest. Commercial fisherman are already taking steps to separate our harvest, but the department doesn't report that information to the public on their website.

By adopting a change to this proposal, there would be an additional reporting requirement on fish tickets for fish that are 10 pounds to 20 pounds. As a fisherman, this is my task and I do not see this as a burden so that my catch is accurately reported for the department and for the public.

What is the issue you would like the board to address and why? Sport fishing organizations use a total harvest of chinook salmon as a weapon to cast commercial fisherman in a negative light. By forcing the department to modify its fish tickets and its reporting requirements, we can accurately portray the real harvest of chinook salmon.

The commercial fleet is punished for harvesting jacks. Our gear actually is better suited to selectively harvest jacks vs large king salmon. There is no public data that captures the specific data to differentiate a jack vs a large king salmon. For argument's sake a large king salmon is the measurement used for the Kenai River late run management plan of 75 cm mid eye to tail fork. By and large, commercial fishermen do not measure length of fish, but we do weigh all our fish. There is a place on the fish ticket to record chinook under 10 pounds and chinook that are 10 pounds and over. I've measured chinook salmon and compared their weight. The best estimate for a weight associated with a 75 cm chinook is 20 pounds. The department owes it to the public to record accurate information.

PROPOSED BY: Dan Norman (EF-F23-115)

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NR15
Duplicate of EF-F23-126

5 AAC 21.350. Closed waters. Amend the list of waters closed to commercial salmon fishing, as follows:
Reinstate the head of Tutka Bay by closing productive waters as follows:

Under 5 AAC 21.350. Closed waters. (d) Southern District:

ADD: (4) waters of Tutka Bay southeast of 59 25.50' N. lat.;

What is the issue you would like the board to address and why? Tutka Bay is located in ADFG's Legislatively designated Kachemak Bay Critical Habitat Area. 5 AAC 95.610, The Critical Habitat Management Plan Goals and Policies, gives ADFG guidance that:

"Priority should be given to encouraging rehabilitation of depleted indigenous fish populations"; and "Recognize cumulative impacts when considering effects of small incremental developments and action affecting critical habitat resources."; and "protect natural substrate and aquatic vegetation...to maintain aquatic habitats."

The issue is to prioritize regulations to protect habitat for depleted species from cumulative impacts of CIAA's hatchery cost recovery seine net lead lines scraping the aquatic substrate and vegetation, The head of Tutka Bay is a rare highly productive vegetated salt marsh. It functions as a delta used as cover for predator avoidance by valuable depleted shellfish, crustaceans, and larval fishes as aid to prioritize their rehabilitation. This delta is a valuable rearing, spawning, reproductive concentration habitat as designated by ADFG. The Tutka Head End, and Southern Glacier Creeks that flow into the head of Tutka Bay are nominated ADFG anadromous waters contributing wild coho, chum, pink and dolly to the collective mixed stock fisheries. This wild fish diversity of species requires priority management not to sacrifice resources, but to recognize cumulative impacts affecting resources.

PROPOSED BY: Pioneer Alaskan Fisheries Inc. (EF-F23-127)
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NR16
DUPLICATE OF EF-F23-141
5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.
Insert lead-in language here (“more fish, as follows:”)

Regulation:

5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan

(c.2.C) from a line between ADF&G regulatory markers outside the terminus of the river on the north shore beach at NNN N. lat., NNN' W. long., and on the south shore beach at NNN' N. lat., NNN' W. long., upstream for a distance of one mile.

Use latitude and longitude consistent with the regulatory boundaries as shown on the map provided by ADF&G with the Upper Cook Inlet Personal Use Dipnet Fishery permit in the summer of 2022.

What is the issue you would like the board to address and why? In the summer of 2022, ADF&G issued permits for the Kasilof River Personal Use Dipnet Fishery with a map that showed the downriver boundary of the fishery extending out into Cook Inlet consistent with the extent outward of the regulatory line of the personal use set net fishery. However, this map was not consistent with current regulations.

The boundaries of the fishery, as shown in the regulation, are difficult to discern as they do not align with the actual mouth of the river. Therefore fishers on the south shore during low water may be over the regulatory line. It is also difficult for enforcement to determine who is over the line based on the current markers. In conversations with enforcement, they related that they must use the regulations for enforcement. They also related that seeing who was over the regulatory line was difficult. Conversations revealed frustration on the part of the fisher and enforcement.

This issue is only a problem during low tide. This is not an issue during mid to high water as fishers cannot get close to the regulatory line due to the tide pushing users away from the line. However, enforcement visited the beach and ticketed approximately 20 people barely over the regulatory line during extreme low tide. It's estimated that fishers were less than 10 yards or less over the regulatory line.

This proposal would use the regulatory boundaries as shown on the map provided by ADF&G with the Upper Cook Inlet Personal Use Dipnet Fishery permit in the summer of 2022. This would eliminate confusion and lead to compliance by fishers with the need for fewer citations on the part of enforcement.

During the summer of 2022, we conducted a small social science research project on the social and economic benefits of the Kenai and Kasilof River Personal Use Dipnet fisheries to underrepresented populations in Southcentral Alaska. We found that many people with limited means use the fishery to provide food security for their households, and it's an important fishery for diverse populations who use the fishery as a communal family activity as well as for food security. What is unfortunate is that many of the cited people really can't afford the $220 citation. They were fishing to provide for their families. If nothing is changed, there will continue to be confusion as to the boundary of the fishery by fishers and enforcement. This will lead to $220 citations by those who use this fishery.

PROPOSED BY: Davin Holen (EF-F23-143)

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NR17

DUPLICATE OF EF-F23-106

5 AAC 57.121. Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area.

Insert lead-in language here ("more fish, as follows:")

5 AAC 57.121. Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area.

…

(3)

…

(G) **Repealed** [FROM JULY 1 - JULY 31, IN THAT PORTION OF THE KENAI RIVER FROM AN ADF&G REGULATORY MARKER LOCATED AT APPROXIMATELY RIVER MILE 11 UPSTREAM TO AN ADF&G REGULATORY MARKER LOCATED AT APPROXIMATELY RIVER MILE 12, A PERSON MAY NOT SPORT FISH FOR ANY SPECIES OF FISH FROM A VESSEL THAT IS MAKING UPSTREAM PROGRESS RELATIVE TO THE WATER WITH THE AID OF A MOTOR]

What is the issue you would like the board to address and why? Between river mile 11 and 12 on the lower Kenai River is a special regulation region that restricts the method of fishing from a vessel. Specifically, from July 1-July 31 an angler cannot fish from a vessel that is making upstream progress relative to the water with the aid of a motor. In laymen's this means no one can backtroll in this area. In recent years because of this regulation this area has had little to no use as anglers very rarely fish the allowed method of dragging or floating. The result of this is a pseudo-closed region of the river. Further, with the king salmon fishery being so heavily restricted or closed, a special regulation on fishing styles specific to king salmon fishing is no longer applicable.

When this regulation was put into place it was done solely for social reasons to help prevent potential conflict between fishing user groups. It was never intended for this part of the river to essentially turn into a month-long closure. In addition, this regulation has no scientific or conservation-based reasoning to support it.

Allowing this regulation to remain in effect sets a dangerous precedent for other user groups who could want to divide the river up for their preferred method of fishing. It would inadvertently restrict regions of the river and place a higher priority of one person's fishing method over another's. As outdoor men and women we should be able to communicate and work together on this one river mile as we must on all the remaining 81 river miles to the outlet of Kenai Lake.

I propose that this entire regulation is repealed, allowing anglers to work together and fish it as they do the remainder of the river.

PROPOSED BY: Eric L Loomis (EF-F23-146)
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NR18
Duplicate of EF-F23-109
5 AAC XX.XXX
Insert lead-in language here ("more fish, as follows:")

I would like to harvest small male chinook salmon. The current printed regulations are very useless and out dated to us in unit 4 because we have been operating under an EO for 6+ years for our king season. In the regulation book we can harvest 10 jacks under 20inches a day. Although we haven't been able to eat a King salmon in years.
I'm unaware of a study on immature kings returning early. Nobody knows if they are biologically useful or not. There is a surplus of males. 100 percent of jacks are males. I want to harvest some of

our surplus jacks instead of just catch and release. I would like to see regulation changed to be able to harvest 2 chinook 24inches and smaller per day. Once you've harvested 2 immature kings you have to quit salmon fishing that day. That should remove some pressure on our mature breeder kings.

In unit 4 susitna drainage. Under king salmon regulations add the following:

King Salmon between 20 and 24inches, bag limit 2 per day 4 in possession.

What is the issue you would like the board to address and why? I have almost no source fresh meat until sockeyes show up in mid July in unit 4…. If they show up then. After a hard winter in alaska fresh meat is very desirable. I can only harvest 2 rainbows per day starting in mid June so we can't even harvest enough of those to feed my family. The northern pike population in flowing waters is very low and no longer a reliable source of meat.
I am very concerned and confused that our fish resources in unit 4 are not being managed to sustained yield (HARVEST) principle.

PROPOSED BY: Payton McHoes (EF-F23-166)
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NR19
DUPLICATE OF EF-F23-131
5 AAC .
Insert lead-in language here ("more fish, as follows:")

From January 1 through June 15, snagging is closed in the waters of Seldovia Bay starting at the entrance of the Seldovia Boat harbor including all waters east and south of the breakwater wall and upstream through the Seldovia slough and including the entire Seldovia Lagoon.

What is the issue you would like the board to address and why? In a recent regulation change the salt waters of Kachemak Bay were opened to snagging to align with the rest of Cook Inlet. This change included the waters of the Seldovia Slough and Lagoon. The Department of Fish and Game releases king salmon smolt in the Seldovia Lagoon each summer. Historically the waters of the Seldovia slough and lagoon were closed to snagging until June 24th. This gave people the opportunity to enjoy the sport fishery before snagging opened and fish could be harvested before they began to turn.

Seldovia and this fishery would benefit more if the regulation returns to the way it has been historically. Since ADF&G began releasing the king smolt in the head of Seldovia Lagoon the returning adults spend more time there causing them to turn faster than they have historically. To allow for equal opportunity and a chance to harvest these fish while they're still bright we propose moving the snagging date up one week from June 24th to June 15th.

PROPOSED BY: Seldovia Fish and Game Advisory Committee (EF-F23-171)
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NR20

DUPLICATE OF EF-F23-165

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

Insert lead-in language here ("more fish, as follows:")

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

…

(d) If the projected late-run king salmon escapement is less than 15,000 king salmon 75 cm mid eye to tail fork and longer, the department shall

(1) 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;

(2) 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

(3) close the commercial set gillnet fishery in the Upper Subdistrict of the Central District**; and**

(4) charter vessel operators and crew members may not fish for salmon with non-resident clients from the time of emergency order closure to September 15.

What is the issue you would like the board to address and why? In order to increase Late Run Kenai Kings in the river, the set net fishery has been all but eliminated. When set netting closes, all other user groups see their ability to harvest salmon liberalized. Without missing a day from king closures, guides switch to sockeye charters running multiple trips a day dropping off clients on river banks, further exacerbating damage to critical river bank habitat. This has maintained motorized activity on the Kenai River at or near an all time high, creating an inhospitable spawning environment for king salmon. In addition to the damage done to river banks, the shuttling of multiple guided groups around the Kenai increases the turbidity in the water affecting all salmon, but most importantly the struggling king run. Running hundreds of boats every day over habitat that is critical to spawning salmon is incompatible with achieving higher yield. Activity on the Kenai needs to be prioritized in order to reduce noise pollution, turbidity, and bank degradation.

EVOS and the Kenai River Center have spent millions in building board-walks that non-residents can use to participate in multiple fisheries. Restricting non-residents from guided charters will limit overall motorized activity on the Kenai and provide respite to a salmon species that this board has mandated is in need of protecting.

The precedence to prioritize resident alaskans on guided charters when a fish stock is struggling has already been established in *5 AAC 64.022. Waters; seasons; bag, possession, annual, and size limits; and special provisions for the Kodiak Area.*

(A) the bag limit for rockfish for nonresident anglers is 3 per day, 6 in possession, of which 2 per day, 4 in possession may be nonpelagic and 1 per day, 2 in possession may be yelloweye.

(B) charter vessel operators and crewmembers may not retain rockfish while clients are on board.

Further justification for the legality of this can be found in the Supreme Court case *Baldwin vs Montana Fish and Game Commission.* Here it states that "it appears to have been generally accepted that although the States were obligated to treat all those within their territory equally in most respects, they were no obliged to share those things they held in trust for their own people".

The Kenai River is currently unable to provide strong enough runs to support the aggressive in-river commercial guided industry and the marginalized set net fishery. With 85% of Cook Inlet Setnet permits owned by resident Alaskans, the state has every justification to allow for a limited harvest of resources it holds in trust (i.e. chinook salmon) with the set net fishery in lieu of allowing that harvest from non-resident fishermen. By limiting the on water pressure from non-resident fishermen, future king runs are likely to see larger returns which will benefit both non-resident and resident Alaskans alike.

PROPOSED BY: Eric Nyce (HQ-F23-042)

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NR21

DUPLICATE OF EF-F23-163

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

Prohibit use of motorized vessels in the Kenai River if king salmon sport fishery is closed, as follows:

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

…

(d) If the projected late-run king salmon escapement is less than 15,000 king salmon 75 cm mid eye to tail fork and longer, the department shall

(1) close the sport fisheries in the Kenai River **and eliminate the use of vessels with motors to participate in sport fisheries from the regulatory marker below Skilak Lake to Warren Ames Bridge** and in the salt waters of Cook Inlet north of the latitude of Bluff Point to the taking of king salmon;

(A) These regulations will stay in affect from the time of emergency order closure through Aug 31, or until the OEG is achieved.

(B) Motorized vessels may not be used to transport fisherman who will or have previously fished from shore.

(C) For the purpose of these regulations "motorized vessel" refers to vessels that have on board more than one single motor greater than 10hp. A motor 10hp or less may be used only downstream of an ADF&G marker at Cunningham Park, and only after fishing from the vessel has stopped for the day. Except in cases of emergency, a vessel that has or will engage in fishing may not be attached in any capacity to a vessel with a propulsion system greater than 10hp while operating

What is the issue you would like the board to address and why? Large Late Run Kenai King numbers are continuing to decline despite incredible restrictions on the ESSN Fishery. Additional measures are needed to ensure longterm high yield of Kenai King Salmon. In-river users have experienced negligible impact from closing the king fishery, (This is evidenced by in-river guides

not qualifying for federal disaster relief since 2012) as its easy to transition to alternative salmon species. This has maintained high levels of motorized activity despite the closure of the king fishery; which provides minimal respite to spawning chinook. A study published in *The Journal of the Acoustical Society of America, "*Underwater sound of rigid hulled inflatable boats" (23 June 2016), found that underwater decibel levels can range from 90-132 dB based on proximity, frequency and RPM's. In this study the greatest level of noise was observed in shallow water, which is prevalent throughout the Kenai River System. In people, exposure to levels above 110 dB can result in permanent hearing loss after 60 seconds. From this study it can be deduced that motorized activity on the Kenai River creates an inhospitable spawning environment for salmon. If motor vessels are eliminated users will still have easy access to harvesting fish from shore and drift vessels.

Conservation of spawning Late Run Kenai River King Salmon needs to be prioritized moving forward. Set netters have all but been eliminated and allocated out of the fishery, yet large king numbers continue to decline. Drastic steps are needed to ensure the survivability of spawning large kings in river and provide a healthy fishery for all user groups in the future.

Additionally motorized vessels are already banned from March 15 - June 14 between river mile 42 and Skilak Lake entrance to protect breeding Trumpeter Swans. Trumpeter Swans have a healthy population with a 12.3% annual increase in breeding pairs. If we grant a healthy swan population on the Kenai River this protection, it is imperative that large Late Run Kenai King Salmon, on a steady decline, are afforded the same hospitable spawning environment..

PROPOSED BY: Eric Nyce (HQ-F23-043)
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NR22
DUPLICATE OF EF-F23-162
5 AAC 57.170. Kenai River Coho Salmon Management Plan.
Insert lead-in language here ("more fish, as follows:")

5 AAC 57.170. Kenai River Coho Salmon Management Plan.
…
(a) The purpose of this management plan is to ensure an adequate escapement of coho salmon into the Kenai River drainage and to provide management guidelines to the department. The department shall manage the Kenai River coho salmon stocks primarily to provide sport and guided sport fishermen with a reasonable opportunity to harvest these salmon resources over the entire run.
(b) Notwithstanding any other provisions in this chapter, for the conservation of coho salmon stocks, the department shall manage sport fishing in the Kenai River drainage as follows:

(1) coho salmon fishing is closed in the Middle and Upper Sections from November 1 through **July 31 [**JUNE 30], and in the Lower Section from December 1 through **July 31 [**JUNE 30]; any coho salmon caught incidentally must be released immediately without further harm;

(2) repealed 6/4/2008;

(3) coho salmon may be taken as follows:

(A) from **August 1** [JULY 1] through October 31, in the Middle and Upper Sections;

(B) from **August 1** [JULY 1] through November 30, in the Lower Section;

(C) from **August 1** [JULY 1] through August 31, the daily bag and possession limit for coho salmon 16 inches or greater in length is two fish;

(D) from September 1 through November 30, the daily bag and possession limit for coho salmon 16 inches or greater in length is three fish.

(c) If the commissioner determines that additional conservation measures are necessary for the inriver sport or personal use fisheries, the commissioner may close, by emergency order, the season and immediately reopen a season during which any or a combination of the following restrictions may be applied:

(1) the daily bag and possession limit for coho salmon is one fish;

(2) only unbaited artificial lures **shall** [MAY] be used;

(3) fishing time may be reduced;

(4) fishing areas may be reduced.

What is the issue you would like the board to address and why? Set netters are experiencing incredible hardships to protect Late Run Kenai King salmon, yet all that sacrifice is nullified by Coho fishermen catching Kings when they're at their weakest as they prepare to spawn. In the name of conservation, set netters have experienced mandatory closures despite an exploitation rate on kings of less than 1%, while all other user groups see their fisheries liberalized. Rather than share the burden of conservation, in-river users have received relaxed regulations pertaining to habitat and salmon conservation:

1) Outboards were increased from 35hp to 50hp rather than mandating smaller, more efficient vessels be used. Larger horse power engines emit higher decibel readings, which increases overall noise pollution directed at king salmon spawning beds.

2) Fresh water log books, are no longer required from commercial guides. Because of this the department is willfully ignorant to the number of kings "inadvertently" caught in the coho fishery.

Per Alaska Department of Fish and Game, returning chinook spend 30-60 days in river before they spawn and die. If the morbidity rate on unintended king catch is just one per day (on spawning kings counted with the chinook sonar project), the impact to the king run is greater than the entire yearly East Side Setnet king harvest averaged over the past five years. Since ADF&G is unable to provide current data on king bycatch from the in-river coho fishery due to the lack of log books, the BOF needs to error on the side of caution and restrict the fishery to avoid unintended king catch. The 2020 BOF took these same steps by closing the west side Drift River and Kustatan River gillnet silver fishery, since data was lacking on the sustainability of those runs. In the absence of no fresh water log book data, the BOF should also restrict the coho fishery on the Kenai to ensure the sustainability of spawning king salmon.

Throughout the entirety of July, coho numbers in the Kenai River remain low; at the same time Late Run Kenai Kings are peaking. There is no justifiable reason to put additional pressure on the king run by attempting to harvest cohos, which are yet to arrive in any appreciable numbers. Permitting coho fishing in July allows fishermen to subvert king closures by "targeting" coho using slightly modified king gear, therefore engaging in a de facto catch and release king fishery.

In order to share the burden of conservation and help offset the above mentioned relaxed regulations, bait and time need to be restricted in the coho fishery in order to avoid any incidental king catch. Artificial lures, i.e. twitching for silvers, throwing spinners, etc, are very effective and efficient means of harvesting silvers with minimal impact on spawning king salmon. These methods are proven to avoid incidental king catch while still providing an effective means of harvesting coho salmon..

PROPOSED BY: Eric Nyce (HQ-F23-048)
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NR23
DUPLICATE OF EF-F23-160
5 AAC 21.359. Kenai River Late-Run King Salmon Management Plan.
Insert lead-in language here ("more fish, as follows:")

5 AAC 21.359. Kenai River Late-Run King Salmon Management Plan.
…

(d) If the projected late-run king salmon escapement is less than 15,000 king salmon 75 cm mid eye to tail fork and longer, the department shall

(1) 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;

(2) 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

(3) close the commercial set gillnet fishery in the Upper Subdistrict of the Central District.

(4) from the time of emergency order closure to October 31 the use of bait is prohibited in the Coho fishery.

What is the issue you would like the board to address and why? Set netters are experiencing incredible hardships to protect Late Run Kenai King salmon, yet all that sacrifice is nullified by Coho fishermen catching Kings when they're at their weakest as they prepare to spawn. In the name of conservation, set netters have experienced mandatory closures, despite an exploration rate on late run Kenai River Kings of less then 1%, while all other user groups see their fisheries liberalized. Rather than share the burden of conservation, in-river users have received relaxed regulations pertaining to habitat and salmon conservation:

1) Outboards were increased from 35hp to 50hp rather than mandating smaller, more efficient vessels be used, or going to a drift only river. Larger horse power engines emit higher decibel readings, which increases overall noise pollution directed at king salmon spawning beds.

2) Fresh water log books are no longer required from commercial guides. Because of this the department is willfully ignorant to the number of kings "inadvertently" caught in the coho fishery.

Per Alaska Department of Fish and Game, returning chinook spend 30-60 days in river before they spawn and die. **If the morbidity rate on unintended king catch is just one a day (on spawning kings counted with the chinook sonar project), then the impact to the king run is greater than the entire ESSN king harvest** on average over the last five years.

In order to share the burden of conservation and help offset the above mentioned relaxed regulations, bait should be completely banned from the coho fishery in order to avoid any incidental king catch. Artificial lures, i.e. twitching for silvers, throwing spinners, etc, are very effective and efficient means of harvesting silvers with minimal impact on spawning king salmon. These methods are proven to avoid incidental king catch while still providing an effective means of harvesting coho salmon.

PROPOSED BY: Eric Nyce (HQ-F23-049)
****

NR24
DUPLICATE OF EF-F23-164
5 AAC 57.121. Special provisions for the season, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area.
Insert lead-in language here ("more fish, as follows:")

5 AAC 57.121. Special provisions for the season, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area.

…

(3) a person may not sport fish from a boat

(A) on any Monday **and Thursday** in May, June**,** July and **August** except Memorial Day, in that portion of the Kenai River from the **Warren Ames Memorial** [STERLING HIGHWAY] Bridge upstream to an ADF&G regulatory marker located at the outlet of Skilak Lake, except that unguided sport fishing **on Mondays, and guided or unguided on Thursdays** from a nonmotorized vessel is allowed in May, June**,** July **and August** as described in 5 AAC 21.359(c)(3); for the purposes of this subparagraph, "nonmotorized vessel" is a vessel that **has a motor less than 10 hp, which may be used only below the ADF&G marker at Cunningham Park, and only after fishing has commenced for the day. Except in cases of emergency, a non motorized vessel may not be attached to a motorized vessel in any capacity while operating** [DOES NOT HAVE A MOTOR ON BOARD]

What is the issue you would like the board to address and why? Heavy, high density motorized vessel use is responsible for excessive turbidity, increased erosion, and safety issues. There are other social issues associated with crowding that are compounded by motorized vessel use in the current

configuration of the fishery. Another drift day on the river, open to both guided and unguided anglers with no time restrictions, will help address hydrological and social issues and may promote more folks to invest in resource friendly drift boats. This would also reduce the exploitation of Late Run (LR) Chinook on the Kenai and allow more fish to move upriver and disperse during subsequent days. **A 2011, ADF&G memo regarding driftboat harvest states, "The creel estimates for late-run Mondays were approximately 4.2% of the total late-run harvests in both 2009 and 2010."**

- This proposal seeks to offer an additional day of drift boat use on the Kenai River. An additional drift only day would be well received by the majority of sport fishermen as shown in the 2010 DNR Kenai River Recreational Study that says, **The majority of driftboat users (80%), drift boat guides (85%), and bank anglers (55%) support additional "drift-only" days.** There is little consensus about the best times for "drift-only" days, but support is greatest in higher density periods. Additionally more effort needs to be made in-river to mitigate the impact on main stem spawning chinook. The East Side Setnet fleet has been all but been eliminated yet large king numbers continue to decline, more conservation effort is needed in-river to ensure that all chinook entering the river are allowed to spawn..

PROPOSED BY: Eric Nyce (HQ-F23-050)
****

NR25
Out of cycle – Statewide Finfish
5 AAC 00.000. Regulation language goes here.
Insert lead-in language here ("more fish, as follows:")

We request that the Board of Fish revisit the management strategy for North Pacific Pink salmon and if necessary direct additional state and federal agencies who oversee the stocking program for Pink salmon in Alaska waters to (1) reduce the number of Pink salmon stocked annually into Alaska waters, (2) Develop an upper limit on the number of hatchery produced Pink salmon released annually into Alaska waters.

What is the issue you would like the board to address and why? The Cooper Landing Advisory Committee would like to address the issue of overstocking of Pink salmon in the North Pacific.

An ever-increasing number of Pink salmon are being stocked into the Alaskan waters of the north pacific. There does not appear to be an upper limit on the number of these hatchery fish that can be stocked into these waters and over time the number has steadily increased. Alaska hatcheries are now releasing nearly 1 billion Pink salmon. These hatchery Pink salmon stocks compete with native stocks of Pink salmon, Coho salmon and most importantly with native stocks of Chinook salmon. Direct competition for food between native Pink, Coho and King salmon is apparent. Pink salmon, Coho salmon and Chinook salmon have all been observed being caught in the same locations and with the same methods at the same time, in the ocean and in river. Pink salmon are a species know to stray into non-natal fresh water at a rate of at least 7-13%. These straying fish also directly compete with native fish for spawning gravel. Of particular concern is the direct competition this presents for prime Chinook salmon spawning areas. In recent years ever increasing numbers of hatchery pink salmon are being observed in rivers, including the Kenai River, including on odd numbered years

when Pinks do not usually return to the Kenai. These hatchery fish have been observed directly competing with native species; this is a cause for serious concern.

At a time when Chinook salmon stocks are of particular concern current Pink Salmon management is in direct conflict with Chinook salmon conservation measures. If measures are not taken to curtail the number of hatchery Pink salmon released into Alaskan waters the resulting continued stress on Chinook salmon stocks could result in the continued decline of these native fish resulting in increased fishing restrictions for all user groups, reduced opportunity for all user groups, reduced effectiveness of King salmon conservation measures which could in turn lead to ever increasing pressure on other native fish stocks forcing potential future restrictions in those fisheries as well. Hatchery reared fish are also a known vector for introducing disease to wild stocks. If nothing is done these hatchery fish could contribute to the eventual virtual extinction of some of Alaska's most precious native fish stocks.

PROPOSED BY: Cooper Landing Fish and Game Advisory Committee (HQ-F23-053)
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NR26
Out of cycle – Statewide Finfish
5 AAC 00.000. Regulation language goes here.
Insert lead-in language here ("more fish, as follows:")

I request that the Board of Fish revisit the management strategy for North Pacific Pink salmon and if necessary direct additional state and federal agencies who oversee the stocking program for Pink salmon in Alaska waters to (1) reduce the number of Pink salmon stocked annually into Alaska waters, (2) Develop an upper limit on the number of hatchery produced Pink salmon released annually into Alaska waters.

I propose the following language:

The number of Pink salmon stocked statewide into Alaska salt waters of the North Pacific or waterways connected to or providing fish passage to the waters of the North Pacific shall not exceed 500 million fish annually. Of the statewide total not more than 25 million may be released into Cook Inlet waters or Cook Inlet area waterways connected to or providing fish passage to Cook Inlet. Of the statewide total not more than 350 million may be released into Prince William Sound waters or Prince William Sound area waterways connected to or providing fish passage to Prince William Sound. Of the statewide total not more than 100 million may be released into Kodiak Island waters or Kodiak Island area waterways connected to or providing fish passage to Kodiak Island area waters.

If is this action is outside the scope of the Board's authority I propose that the Board direct the appropriate agencies to make these changes.

Other Actions Considered:

A statewide ban on the release of hatchery produced Pink salmon. - This measure would severely curtail the issues that this proposal wishes to address but may not be necessary if proper measures are taken to reduce the number of hatchery released Pink salmon in the North Pacific.

Listing hatchery released Pink salmon as an invasive species and adjusting regulations and management plans appropriately including but not limited to regulation banning the release of live Pink salmon caught on odd numbered years (years ending with an odd number such as 2023) on the Kenai River. Such regulation would read: Any Pink salmon caught on the Kenai River or within the Kenai River watershed on a year ending in an odd number must be retained or dispatched and returned dead to the waters in which it was caught. There is no daily limit or possession limit on Pink salmon caught on the Kenai River on years ending in an odd number. This measure would only serve to address the issues affecting one of the many watersheds affected by the enormous population of hatchery released Pink salmon. Trying to eradicate invasive species purely through angler mortality has not been shown to be completely effective with other species such as northern pike and may not be necessary if proper measures are taken to reduce the number of hatchery released Pink salmon in the North Pacific.

What is the issue you would like the board to address and why? The issue I would like to address is overstocking of Pink salmon in Alaska waters, specifically the waters of South Central Alaska including Cook Inlet, Prince William Sound and Kodiak Island waters.

An ever increasing number of Pink salmon are being stocked into the Alaskan waters of the north pacific. There does not appear to be an upper limit on the number of these hatchery fish that can be stocked into these waters and over time the number has steadily increased. Alaska hatcheries are now releasing over 1 billion Pink salmon (Alaska salmon fisheries enhancement annual report 2022). These hatchery Pink salmon stocks compete with native stocks of Pink salmon, Coho salmon and most importantly with native stocks of Chinook salmon. Direct competition for food between native fish and these hatchery stocks is apparent and all 3 species (Pink, Coho and King) have been observed being caught at the same time, in the same location and on the same bait both in the ocean and in river. Pink salmon are a species know to stray into non-natal fresh water at a rate of at least 7-13%. These straying fish also directly compete with native fish for spawning gravel. Of particular concern is the direct competition this presents for prime Chinook salmon spawning areas. In recent years ever increasing numbers of hatchery pink salmon are being observed in rivers, including the Kenai River, including on odd numbered years when Pinks do no usually return to the Kenai. At a time when Chinook salmon stocks are of particular concern current Pink Salmon management is in direct conflict with Chinook salmon conservation measures.

If measures are not taken to curtail the number of hatchery Pink salmon released into Alaskan waters the resulting continued stress on Chinook salmon stocks could result in the continued decline of these native fish resulting in increased fishing restrictions for all user groups, reduced opportunity for all user groups, reduced effectiveness of King salmon conservation measures which could in turn lead to ever increasing pressure on other native fish stocks forcing potential future restrictions in those fisheries as well. If nothing is done these hatchery fish could contribute to the eventual virtual extinction of some of Alaska's most precious native fish stocks.

PROPOSED BY: Mike Adams (HQ-F23-096)

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NR27

Duplicate to EF-F23-113

5 AAC 21.505. Cook Inlet Smelt Fishery Management Plan.

Insert lead-in language here ("more fish, as follows:")

5 AAC 21.505. Cook Inlet Smelt Fishery Management Plan

…

(c) No more than 100 tons of smelt may be taken annually under this section.

What is the issue you would like the board to address and why? We request that the board reduce the quota for smelt in the Cook Inlet commercial smelt fishery from 200 tons to 100 tons.

Eulachon are a relatively short-lived, anadromous, species spending the bulk of their lives in the marine environment except for a spring spawning migration. Historical commercial harvests of eulachon in Upper Cook Inlet occurred in 1978, 1980, and 1998, with catches of 300, 4,000, and 18,900 pounds, respectively. In 1998, ADF&G recommended a somewhat arbitrary 50-ton (100,000-pound) harvest limit for the Upper Cook Inlet commercial smelt fishery, resulting in a 1999 commercial harvest of 50 tons. However, adoption of the Forage Fish Management Plan (5 AAC 39.212) closed commercial fishing for smelt in Upper Cook Inlet from 2000 to 2004 until the Cook Inlet Smelt Fishery Management Plan (5 AAC 21.505) was adopted. In 2005, the commercial fishery reopened with a 100-ton (200,000-pound) harvest cap with legal gear limited to a hand-operated dip net as defined in 5 AAC 39.105. The intent was to maintain that harvest cap until a general assessment of stock strength could be made.

An assessment conducted by ADF&G in 2016 indirectly estimated eulachon escapement into the Susitna River by counting eulachon larvae moving downstream and extrapolating from the fecundity of adult eulachon migrating upstream (Willette and DeCino, ADF&G, unpublished data). This was intended to be the first of three study years, but future study years were cancelled. However, based on the 2016 study results, the Alaska Board of Fisheries increased the eulachon commercial harvest cap to 200 tons (400,000 pounds) in 2017. The 200-ton commercial harvest cap has been maintained since 2017 without further fishery-independent assessments in Upper Cook Inlet.

Fisheries management, including Alaska, has an extensive track record of overharvesting resources that were perceived as "so abundant that they could not be overfished." Many stocks have subsequently collapsed. Climate change has altered previous ecosystem productivity patterns and linkages to amplify these collapses. Eulachon typically live 3-4 years and likely exhibit broad population swings based on spawning conditions, larval rearing conditions, and the marine environment. Eulachon population estimates in nearby waters of Lower Cook Inlet and the Northern Gulf of Alaska have declined dramatically in recent years. But no updated stock abundance estimates are available for Upper Cook Inlet eulachon populations.

The Forage Fish Management Plan recognizes the importance of forage fish, specifically including eulachon, as an ecosystem component critical to higher trophic level species, and previous BOF discussions raised concerns about the potential impact of eulachon harvest on the survival of endangered Cook Inlet beluga whales (CIBW). Endangered CIBW, a distinct population segment residing in Upper Cook Inlet, declined 2.3%/year from 2008 to 2019. After overwintering in Cook

Inlet with minimal food resources, CIBW rebuild their energy reserves by feeding on eulachon in the spring, followed by king and coho salmon during the summer. But declines in king and coho salmon populations make spring eulachon even more important, particularly for pregnant and lactating females.

In the absence of a consistent time series of eulachon assessments, a reduction of the commercial eulachon harvest cap to 100 tons is warranted as a precautionary approach to protect the eulachon population and for ecosystem considerations.

PROPOSED BY: Alaska Wildlife Alliance (HQ-F23-113)

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NR28

DUPLICATE OF HQ-F23-105

5 AAC 56.122. Special provisions for the seasons, bag, possession, annual, and size limits, and methods and means for the Kenai Peninsula Area.

Insert lead-in language here ("more fish, as follows:")

5 AAC 56.122. Special provisions for the seasons, bag, possession, annual, and size limits, and methods and means for the Kenai Peninsula Area.

…

(6) Ninilchik River drainage;

…

(G)…from the mouth of the Ninilchik River upstream [to the Sterling Highway Bridge Marker] **approximately 2 miles to the ADF&G markers** …

What is the issue you would like the board to address and why? The current boundary of the Ninilchik River Youth-Only Fishery should be expanded. The current fishery forces participants to fish in a small area downstream from Sterling Highway Bridge. This should be changed to mirror the fishing area currently allowed for all other King Salmon Fisheries on the Ninilchik River. Not only will this create parity and clarity with the current regulations, it will give participants more room to fish in a non-combat, safe, and enjoyable atmosphere. Additionally, the change will help fulfill the ADFG strategic goal of increasing interest, enjoyment, and participation of fisheries by Alaskan youth. Some additional benefits would be elimination of need for staff to post needed signage for 2nd boundary. And to address issues of concern- this change would not require additional enforcement as the area is same as weekends. Furthermore, there is no change suggested in allowable harvest, means, or methods. Only to increase the area to the current size of all other openings of King Salmon on Ninilchik River.

PROPOSED BY: Jim Stubbs (HQ-F23-115)

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ACR A

Insert lead-in language here.

CITE THE REGULATION THAT WILL BE CHANGED IF THIS ACR IS HEARD.

WHAT IS THE PROBLEM YOU WOULD LIKE THE BOARD TO ADDRESS? STATE IN DETAIL THE NATURE OF THE CURRENT PROBLEM.

WE NEED TO FISH

WHAT SOLUTION DO YOU PREFER?

LET US FISH

STATE IN DETAIL HOW THIS ACR MEETS THE CRITERIA STATED BELOW.

a) for a fishery conservation purpose or reason

b) to correct an error in regulation

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

WHAT WILL HAPPEN IF THIS PROBLEM IS NOT SOLVED PRIOR TO THE REGULAR CYCLE?

WELL STARVE

STATE WHY YOUR ACR IS NOT PREDOMINANTLY ALLOCATIVE.

STATE YOUR INVOLVEMENT IN THE FISHERY THAT IS THE SUBJECT OF THIS ACR.

Alaska

IF THIS REQUEST IS ALLOCATIVE, STATE THE NEW INFORMATION THAT COMPELS THE BOARD TO CONSIDER AN ALLOCATIVE PROPOSAL OUTSIDE OF THE REGULAR CYCLE.

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 DONT THINK SO

SUBMITTED BY: Brittany Carroll

ACR B

Insert lead-in language here.

CITE THE REGULATION THAT WILL BE CHANGED IF THIS ACR IS HEARD.

fort yukon

WHAT IS THE PROBLEM YOU WOULD LIKE THE BOARD TO ADDRESS? STATE IN DETAIL THE NATURE OF THE CURRENT PROBLEM.

you need to let us fish, so we can stock our freezer during winter times

WHAT SOLUTION DO YOU PREFER?

LET US FISH ALL SUMMER

STATE IN DETAIL HOW THIS ACR MEETS THE CRITERIA STATED BELOW.

a) for a fishery conservation purpose or reason

b) to correct an error in regulation

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

FORT YUKON

WHAT WILL HAPPEN IF THIS PROBLEM IS NOT SOLVED PRIOR TO THE REGULAR CYCLE?

WE wont have much to eat

STATE WHY YOUR ACR IS NOT PREDOMINANTLY ALLOCATIVE.

STATE YOUR INVOLVEMENT IN THE FISHERY THAT IS THE SUBJECT OF THIS ACR.

Alaska

IF THIS REQUEST IS ALLOCATIVE, STATE THE NEW INFORMATION THAT COMPELS THE BOARD TO CONSIDER AN ALLOCATIVE PROPOSAL OUTSIDE OF THE REGULAR CYCLE.

yeah

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.

no

SUBMITTED BY: Isiah Alexander

ACR D

Insert lead-in language here.

CITE THE REGULATION THAT WILL BE CHANGED IF THIS ACR IS HEARD.

WHAT IS THE PROBLEM YOU WOULD LIKE THE BOARD TO ADDRESS? STATE IN DETAIL THE NATURE OF THE CURRENT PROBLEM.

Flossing or Flipping should not be legal in Ship Creek, in Anchorage. Every year many salmon die from being snagged. It rips the flesh. Some fish have several hooks in them. The Hatchery can't use damaged salmon to replenish the stock. These fisherman intentionally snag fish by ripping the hook through the water. In hopes of catching the fish in the mouth, About 90 percent of the time the fish is foul hooked. The salmon population has been on decline for the last few years. Having these fisherman tear up the fish isn't helping the salmon population grow.

WHAT SOLUTION DO YOU PREFER?

Only lures or bait fishing is allowed at Ship Creek in Anchorage.

STATE IN DETAIL HOW THIS ACR MEETS THE CRITERIA STATED BELOW.

a) for a fishery conservation purpose or reason

b) to correct an error in regulation

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

B. to correct an error in regulation

When the regulation was first made, there were a lot of salmon coming back every year. The escapement totals were able to replenish the stock.

WHAT WILL HAPPEN IF THIS PROBLEM IS NOT SOLVED PRIOR TO THE REGULAR CYCLE?

There will be less Salmon returning in the next few years.

STATE WHY YOUR ACR IS NOT PREDOMINANTLY ALLOCATIVE.

STATE YOUR INVOLVEMENT IN THE FISHERY THAT IS THE SUBJECT OF THIS ACR.

I am a long time fisherman.

IF THIS REQUEST IS ALLOCATIVE, STATE THE NEW INFORMATION THAT COMPELS THE BOARD TO CONSIDER AN ALLOCATIVE PROPOSAL OUTSIDE OF THE REGULAR CYCLE.

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.

No

SUBMITTED BY: Roger Peterson

ACR E

Insert lead-in language here.

CITE THE REGULATION THAT WILL BE CHANGED IF THIS ACR IS HEARD.

Thanks

WHAT IS THE PROBLEM YOU WOULD LIKE THE BOARD TO ADDRESS? STATE IN DETAIL THE NATURE OF THE CURRENT PROBLEM.

Thanks for taking away from families that have lived here many yrs. Taking money out of their pockets giving too people that don't live here. Hope proud of yourselves, I think you all pieces of shit.

WHAT SOLUTION DO YOU PREFER?

Lets us fish. Not our problem. catch and release you implemented for guides went bad. Dont play with your food.

STATE IN DETAIL HOW THIS ACR MEETS THE CRITERIA STATED BELOW.

a) for a fishery conservation purpose or reason
b) to correct an error in regulation
c) to correct an effect on a fishery that was unforeseen when a regulation was adopted

You took money from my family and bunch of others don't live here,

WHAT WILL HAPPEN IF THIS PROBLEM IS NOT SOLVED PRIOR TO THE REGULAR CYCLE?

Nothing regular here.

STATE WHY YOUR ACR IS NOT PREDOMINANTLY ALLOCATIVE.

we got fucked

STATE YOUR INVOLVEMENT IN THE FISHERY THAT IS THE SUBJECT OF THIS ACR.

AK

IF THIS REQUEST IS ALLOCATIVE, STATE THE NEW INFORMATION THAT COMPELS THE BOARD TO CONSIDER AN ALLOCATIVE PROPOSAL OUTSIDE OF THE REGULAR CYCLE.

We never fished all year out of state guides taking residents out all year a shit show created by you pieces of shit.

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.

SUBMITTED BY: Setnetter

ACR R

Insert lead-in language here.

CITE THE REGULATION THAT WILL BE CHANGED IF THIS ACR IS HEARD.

"5 AAC New" regulation or establish a formal POLICY that directs the Alaska Board of Fisheries (BOF) to implement language that reflects the intent of; AS 16.05.300.

WHAT IS THE PROBLEM YOU WOULD LIKE THE BOARD TO ADDRESS? STATE IN DETAIL THE NATURE OF THE CURRENT PROBLEM.

The BOF has not held a Cook Inlet regulatory meeting in the Kenai Peninsula for an Upper Cook Inlet regulatory issues since 1999.

On 03.09.2018 the Board adopted Policy 2018-289-FB that addressed the need to afford the regional public stakeholders access to the regulatory process with consideration to the "costs to the individuals to participate" as it is expressed before any adoption of a regulation in the BOF process. The vote to adopt this was (4-2 absent 1). A subsequent vote on 10.24.2019 rescinded the policy (7-0).

16.05.251 (d) and (e) (1-7) offers the public criteria in considering regulatory changes that will affect them directly. In the Final Report – Ombudsman Investigation (J2019-0374), their recommendations discussed the need to apply the rules in the Open Meetings Act as it relates to notice. Specifically, AS 44.62.310 & AS 444.62.312 gives guidance and purpose for their recommendations.

A response from Chairman Morisky on 08.15.2019 indicated that the BOF held another vote at their 10.23-24.2019 work session and would "determine if it holds any future viability" (quote from page 9 of report).

We respectfully request that the BOF reconsider the location of the 2024 Upper Cook Inlet Finfish Regulatory meeting on February 23 – March 7 (2024). Preferably changing the venue to the Kenai-Soldotna area where many affected resource stakeholders reside.

Commercial East Side Set Net (ESSN) fishermen were restricted from participating in any of their historic fisheries in 2023 and the cost to participate in the regulatory process in Anchorage would be extremely burdensome if not impossible.

Fishing Guides on both the Kenai and Kasilof Rivers were also severally restricted from Chinook guiding activities. The Personal Use fishery was also prohibited from harvesting any Chinook (jacks) with dipnets or within the Kasilof River gillnet fishery which was closed before it opened. Sports anglers were restricted with methods and means and could not keep any Chinooks that were incidentally caught.

The Board needs to hear from the directly affected stakeholders who rely on access to the resources of all salmon species. The 2018-289-FB Policy attempted to fashion a compromise with a rotating schedule for the three main areas of Kenai/Soldotna, Wasilla/Palmer and Anchorage.

The Kenai/Soldotna Fish & Game Advisory Committee (KSF&GAC) voted on 04.04.2023, 12 support, no opposition (unanimous), to write a letter to the BOF requesting that the 2024 UCI meeting be convened in the local area.

The local community has supported this move in the past and are/were extremely helpful in assisting the Department of Fish & Game staff and BOF members in locating suitable meeting space and locations as well as accommodations and services. Discussions with current community organizers and local businesses are already ongoing.

WHAT SOLUTION DO YOU PREFER?

The BOF should adopt at the minimum a 'new' *formal* policy that is patterned after 2018-289-FB. The Board may decide that creating regulatory language that further defines; AS 16.05.300 (b) (3) Southcentral, may be a better method to address meeting locations as the note in (2) Western Alaska (including Kodiak) offers a specific location within a *general area.*
We request the BOF at their 10.12-13.2023 worksession to place on the agenda the discussion and adoption of a change of venue for the 2024 upcoming UCI Regulatory meeting.

STATE IN DETAIL HOW THIS ACR MEETS THE CRITERIA STATED BELOW.

a) for a fishery conservation purpose or reason

The importance of conservation within the Upper Cook Inlet Regulatory area is of utmost importance. Participation by affected stakeholders is very important to the area and to the State. Careful consideration and stakeholder participation is the hallmark of the BOF process, and this cannot be accomplished without the Board allowing open access when possible.

b) to correct an error in regulation

The Board has the authority to determine where and when regulatory or special meetings may be held. Many of us feel that rescinding the policy, 2018-289-FB, was an error. Many hours of dialogue, testimony both written and oral, went into developing this solution. The reasons for adopting the change were to foster more direct involvement from the three areas. Adoption of this policy will afford a sense of balance then is not possible with the current cost of participation. Allowing some relief in costs will facilitate better interactions with the Regulatory process.

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

The restrictions that were in place for 2023 could not have been entirely anticipated by all the stakeholders and supporting business community. In principle maybe, but the severity probably not.

WHAT WILL HAPPEN IF THIS PROBLEM IS NOT SOLVED PRIOR TO THE REGULAR CYCLE?

If this agenda change request is not adopted, then many of the directly affected stakeholders would be excluded from the process. Decisions will be made without the input or the communications with Board members or ADF&G staff that is vital for the 'open meeting process'.

STATE WHY YOUR ACR IS NOT PREDOMINANTLY ALLOCATIVE.

This is not an allocative request as it facilitates access to the policymakers for all stakeholders and others.

STATE YOUR INVOLVEMENT IN THE FISHERY THAT IS THE SUBJECT OF THIS ACR.

I am a resource user and an ESSN commercial fishermen. I am also a member of the community and have been a member of the local AC since the 70's. I am also a Kenaitze Tribal member. My family has been part of the community and an active resource user for over 100 years.

IF THIS REQUEST IS ALLOCATIVE, STATE THE NEW INFORMATION THAT COMPELS THE BOARD TO CONSIDER AN ALLOCATIVE PROPOSAL OUTSIDE OF THE REGULAR CYCLE.

This is not an allocative request.

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.

This request has been before the BOF many times without a workable solution. The last time was in 2018 and 2019. COVID had disrupted our normal cycle which would have been in 2023.

SUBMITTED BY: Paul A. Shadura II