

## STATE OF ALASKA


## DEPARTMENT OF FISH AND GAME

## Division of Commercial Fisheries

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Chairman  
Alaska Board of Fisheries

DATE: February 22, 2011

THROUGH: Jeff Regnart   
Director  
Division of Commercial FisheriesFROM: Scott Kelley  
Regional Supervisor  
Division of Commercial FisheriesSUBJECT: Emergency Petition  
on West Behm Canal  
herring gillnet fishery  
mesh restriction change

This memo provides staff assessment of the petition Kathryn Hansen, Executive Director of Southeast Alaska Fishermen's Alliance, submitted to the Alaska Board of Fisheries (board) on January 15, 2011, to consider emergency action, out of cycle.

***Action Requested***

The petition asks the board to suspend the requirement for 2-1/8 inch mesh for the herring gillnet sac roe fishery at West Behm Canal [5 AAC 27.131 (f)] for the 2011 fishery.

NOTE: Regulation 5 AAC 27.131 (f) clearly states that the minimum mesh requirement is 2-1/4 inches for the West Behm Canal fishery. The department believes that this petitioner meant to say 2-1/4, not 2-1/8. Although the petition is inaccurate when it comes to the description of mesh size, it is clear that the intent is to repeal the specific mesh restriction in 5 AAC 27.131 (f).

***Background***

West Behm Canal is located in Southeast Alaska, approximately nine nautical miles north of Ketchikan. Before statehood, when the federal government was managing and assessing herring stocks in the Ketchikan area, the West Behm Canal herring stock was considered a minor stock of herring. Fisheries occurred in the area throughout the 1960s and 1970s, with the purse seine bait fishery as the largest component. During the 42 years from 1950 and 1992, the miles of spawn ranged from 1 to 8 miles annually.

A portion of Section 1-E (Helm Bay) was established as a herring gillnet sac roe area in 1976 and this area was fished that year with a minimum mesh restriction of 2-1/8 inches and a harvest of 26 tons. At the same time, a portion of Section 1-F (Kah Shakes) was opened with a mesh

restriction of 2-1/8 inches and a harvest of 494 tons. The mesh restriction for these two areas was delineated in 5 AAC 33.631 and was the only mesh restriction for herring set gillnets in regulation for all areas in Southeast Alaska. Section 1-E (West Behm) has been closed since 1977. At Kah Shakes in Section 1-F, annual gillnet sac roe fisheries continued from 1976 until 1998 when herring spawning shifted to Cat Island, the Annette Island Reserve, and other areas; this area has been closed since that time because the minimum spawning biomass has not been met.

After the initial minimum mesh restriction of 2-1/8 inches in Sections 1-E and 1-F, that Southeast Alaska restriction was repealed from regulations specific to Southeast Alaska. From 1979 until 1984, the mesh restriction that was in effect was the statewide regulation [5 AAC 27.050 (c)], that defines mesh as "not less than 2-1/8 inches and not more than 2-1/2 inches." In 1985, a new regulation was adopted specifically for the Section 1-F fishery that required a mesh no smaller than 2-1/4 inches. This change was made to provide better roe recovery and value from larger herring in the area.

The West Behm Canal herring population began to show increased biomass starting in 1993 when the miles of spawn increased to 13.5. From 1993 through 2003, the spawn ranged from 7.5 to 25.5 miles. During this time, commercial and sport fishermen began to notice that the biomass was increasing. Regulations at the time provided for a herring winter food and bait commercial fishery in the West Behm area. Both groups went to the board to promote their interests.

Several proposals were put in front of the board in 2000 requesting herring fisheries in West Behm Canal. The board did not adopt any of those proposals, primarily due to the uncertainty in the stock size and history.

Prior to the 2003 board meeting in Sitka, the department completed an analysis that established the current threshold level of 6,000 tons for West Behm Canal herring (Regional Information Report No. IJ03-02). The threshold level had been 2,000 tons from 1990 to 1999, and 5,000 tons from 2000 to 2002.

At its January 2003 board meeting in Sitka, there were again several proposals seeking commercial sac roe fisheries. The board established a sac herring fishery in West Behm Canal after considering extensive testimony from interested parties with widely differing viewpoints. Regulations were established that provided sac roe fisheries on an alternating annual basis between purse seine and set gillnet gear types. The minimum mesh restriction of 2-1/4 inches was included these new regulations.

The West Behm commercial herring fishery proposal was fully considered during the board committee process. Public comments from that committee included that continuation of the 2-1/4 inch mesh size requirement was thought to be beneficial to the industry and biologically appropriate. In 2003, when the West Behm regulations were adopted, it was thought that West Behm herring were larger than other gillnet stocks since they mixed with the overall Revilla Channel area herring stocks. Additionally, it seemed reasonable based on enforcement consideration to move the adopt the existing Section 1-F mesh restriction into the new adjacent

Section 1-E and 1-F fishery. It was thought that the Kah Shakes fishermen who already had 2-1/4 inch mesh nets would be the primary participants of the new fishery. The larger mesh size would also be less confusing than having two mesh size requirements within the same district. The larger mesh requirement was preferable for those opposed to the fishery since a larger proportion of the herring population would not be vulnerable to the gear.

In February 2003, in Ketchikan, the board heard a petition to reconsider its earlier decision adopted in Sitka to create a West Behm Canal herring fishery. The board determined that no biological emergency existed in the West Behm Canal area. The board stated the *Herring Management Plan for Southeast Alaska* was conservative, would not jeopardize the sustainability of stocks in Southeast Alaska, in general, and West Behm Canal, in particular.

An agenda change request was submitted to the board for its 2004 meeting cycle to reexamine the West Behm Canal herring issue. The board considered that agenda change request and chose not to take this issue up out of cycle.

The department forecast a return of 9,366 tons of herring for the 2004 season, well above the threshold for the first time in many years. A news release was issued on October 7, 2003 with an announced guideline harvest level (GHL) set at 1,040 tons, or 11.1 percent, of the available biomass. After removing 10 percent for the bait pound fishery as required by 5 AAC 27.160, a GHL of 940 tons was announced for the West Behm Canal herring gillnet fishery. The first spawn was seen on April 1, 2004, with a 12-hour fishery notice issued on April 5 that was effective on 9:00 a.m. on April 6. No large concentrations of herring were seen in West Behm Canal at any time during the season and no fishing occurred. The fishery was officially closed for the season on April 19, 2004.

Spawn deposition surveys were conducted on the 2004 spawn in West Behm Canal and the biomass was estimated at only 443 tons. The reason for the lack of herring spawn observed in West Behm Canal in 2004 is subject to much speculation; however, the department still has concerns over the potential movement of spawning herring in the greater Ketchikan area. The increase in miles of spawn around Annette Island in 2004 nearly matches the loss of miles of spawn from West Behm Canal in 2004.

The West Behm Canal fishery has been highly variable since its inception. In 2004, the gillnet fleet geared up for a fishery that did not occur. The first year of the fishery was clearly defined in regulation as an opportunity for the gillnet fleet, but because there was no fishery in 2004, it was unclear what gear group, gillnet or purse seine, would be eligible to fish in 2005. This issue was clarified by the board in its January 2006 meeting, giving the gillnet fleet the first opportunity to fish. No fishery has occurred in West Behm since new regulations were adopted in 2003, but the spawning biomass has again steadily increased since that time. For 2011, the herring season the biomass is forecast to exceed the threshold level for a fishery.

The department issued a news release on November 5, 2010 announcing a gillnet sac roe fishery in West Behm and issuing the guideline harvest level (GHL). The announcement allowed the industry sufficient time to order for 2-1/4 inch gillnet. Some fishermen have invested in the larger mesh gillnet gear that is currently required for the fishery. It is possible, but not formally

documented, that other fishermen may be reluctant to invest in new larger mesh gear because of past variability in the West Behm Canal herring abundance. One net supplier indicated the cost of a new herring net would be around \$550, not including corks, leadline, and time to hang the net. Additional uncertainty exists because, consistent with the management plan, 5 AAC 27.190 (3), the department has clearly stated that no fishery will occur unless adequate numbers of fish are seen on the grounds by department staff, as was the case in 2004.

On November 5, 2010, the department announced a GHL of 957 tons for the West Behm Canal herring stock with 861 tons of the GHL allocated for a gillnet sac roe fishery. The GHL was based on a forecast of 8,761 tons and a harvest rate of 10.9%. Following this announcement, in December 2010, the department discovered significant inconsistencies in its scale aging process that affected the basic database for many herring stocks, including West Behm Canal. Following extensive re-aging of herring scales, a new forecast for West Behm Canal herring has recently been completed. The GHL available is now 1,418 tons with 1,276 tons allocated to the gillnet sac roe fishery based on a forecast of 11,864 tons and a harvest rate of 12.0%.

The forecast age structure of the West Behm spawning aggregate for 2011 is: 23% age-3, 57% age-4, 7% age-5, 4% age-6, 8% age-7, and 2% age-8+. The most recent size-at-age data from 2010 cast net sampling of spawning herring showed average weights of: 48 grams at age-3, 60 grams at age-4, 75 grams at age-5, 77 grams at age-6, 80 grams at age-7, and 89 grams at age-8+ (Table 1). The West Behm Canal herring biomass is forecasted to be well-above the 6,000 ton threshold for a fishery; however, a significant proportion of the mature spawning population is most likely going to be of a size that is not vulnerable to harvest by set gillnet gear. The fishery can be opened, and an economically important harvest could occur, but the 2-¼ inch mesh size currently allowed will be a major factor in the harvest. In addition, considering the expected size and age structure of the population, it seems unlikely that the entirety of the available GHL for the fishery can be harvested.

The Seymour Canal herring stock has supported successful set gillnet sac roe fisheries during recent years from 1998 through 2010. The mesh size for this fishery is stipulated in the statewide regulation and is 2-1/8 inches. Comparing average size data from cast net sampling of the West Behm Canal herring population with the Seymour Canal herring population shows that West Behm herring have been smaller than Seymour Canal herring in many of the years sampled (Figure 1). The West Behm Canal herring population increased in average size throughout the 1990s and early 2000s, decreased from the early 2000s to 2007, and have increased from 2007 to present time. Trend lines for the data in Figure 1 indicate that West Behm herring are consistently smaller in size for any given age class than Seymour Canal herring (Figure 2).

The last year the Kah Shakes herring gillnet fishery occurred, in 1998, was the last year that the mesh restriction of 2-1/4 inches was used in Southeast Alaska. Fishermen occasionally use larger mesh sizes than the minimum of 2-1/8 inch mesh in the other Southeast Alaska herring gillnet fisheries. Two and three-sixteenths inch mesh nets are sometimes used to increase roe content and the value of the catch when sufficient larger-sized herring are available in the spawning population. The mesh size of 2-1/4 is not commonly used in any of the herring gillnet fisheries in Southeast Alaska.

### *Findings of Emergency*

To summarize the board's Joint Board Petition Policy (5 AAC 96.625), "petitions must clearly and concisely state the substance or nature of the regulation, amendment, or repeal requested, the reason for the request and must reference the agency's authority to take the requested action." The department's emergency order authority provides for time and area, but not gear.

In order for the board to take action it would first have to make a finding of emergency. In accordance with state policy expressed in AS 44.62.270, emergencies will be held to a minimum and are rarely found to exist. In this section, an emergency is an unforeseen, unexpected event that either 1) threatens a fish or game resource, or an unforeseen, unexpected resource situation where 2) a biologically allowable resource harvest would be precluded by delayed regulatory action, and such delay would be significantly burdensome to the petitioners because the resource would be unavailable in the future.

There is no threat to a fish or game resource associated with this petition.

A biologically allowable resource harvest would be precluded by retaining the 2-1/4 inch mesh restriction. Even with a 2-1/8 inch mesh, this fishery would only be able to target the largest sized fish in the population.

Data has been summarized from historical age compositions from prior fisheries which were conducted with 2-1/8 inch and 2-1/4 inch mesh. In the Seymour Canal gillnet fishery, where a smaller mesh of 2-1/8 is allowed, the sizes of fish that have been collected in commercial gillnet samples have ranged from 85 to 170 gram herring. Based on commercial gillnet samples from the Kah Shakes fishery, the estimated minimum size herring that is susceptible to harvest using 2-1/4 inch mesh is approximately 95 grams. Figure 3 shows catchability of herring for these two mesh sizes in relation to average size-at-age data for West Behm Canal. Figure 4 shows, in a general way, how size distributions of spawning herring and commercial gillnet harvests compare in the case of Seymour Canal in 2010. Assuming herring sizes in 2011 are similar to 2010 cast net data for West Behm Canal, approximately 8 percent of the population would be harvestable with 2-1/8 inch mesh. Eight percent of the 2011 forecast spawning population equates to 950 tons of harvestable herring biomass that could potentially be available to support a fishery using 2-1/8 inch mesh. Since only 4% of the population is expected to be larger than 100 grams, far less harvest would be expected using 2-1/4 inch mesh.

There are many uncertainties associated with herring behavior, spawning locations, the fishery, and with presenting a forecast. Another significant factor concerning availability of herring for the fishery is the extensive area of closed waters within traditional spawning locations for the West Behm Canal stock (Figure 5).

The petition requests suspending the requirement for a 2-1/4 inch mesh for the West Behm Canal fishery. If the board chooses to consider this petition, the department would recommend rescinding 5 AAC 27.131(f) which would put the West Behm gillnet herring fishery under the statewide regulation of 5 AAC 27.050 (c). West Behm herring fishermen would then be able to use a mesh size that is no less than 2-1/8 inches and no more than 2-1/2 inches. The statewide

regulation currently applies to all other Southeast Alaska gillnet herring fisheries, excluding the Kah Shakes-Cat Island fishery in Section 1-F.

It does not appear to the department that there is a biological basis for continuing the 2-1/4 inch mesh restriction in West Behm Canal. Due to the trend of decreasing herring size in West Behm Canal and the smaller average size of spawning herring sampled in 2010 than those in Seymour Canal, the 2-1/4 in mesh restriction would likely negatively impact the rate of harvest during a fishery, and could potentially make a substantial portion of the GHL unavailable to the fishery. If the fishery is prolonged, additional fishing activity and handling are expected.

Concerning the question raised by the state policy for petitions of whether the resource will be available in the future, an important consideration is that on alternating years, when above the threshold, purse seine gear will be used to harvest the GHL for the West Behm herring population. The department intends to open the fishery for gillnet harvest this year so the next opportunity for this gear group will not be until 2013.

There have been numerous discussions between the department's Ketchikan area management staff and industry leaders, as well as with commercial gear distributors in Southeast Alaska and Washington. The following comments are offered for consideration by the board;

- Herring gillnets, with a mesh size of 2-1/4 inches, are not readily available from commercial netmakers and distributors, so need to be ordered in advance and cost around \$550 each for the webbing. The price of a finished net including leadline, corkline, floats, and assembly is greater.
- Commercial gear retailers in Southeast Alaska and local processors were unwilling to purchase nets to have on hand due to the uncertainty of the West Behm Canal fishery and expected low herring prices in 2011.
- Nets had to be purchased by special order with a deadline of late December, 2010 to get a net to Ketchikan in time for an anticipated early April 2011 fishery. A net supplier explained that if an order was placed on January 26, 2011, a 2-1/4 inch net would take a minimum of 90 days for delivery in Southeast Alaska – too late for the 2011 West Behm Canal fishery.
- Some individual fishermen, cognizant of existing regulations, have already purchased 2-1/4 inch mesh nets in preparation for the 2011 fishery.

The 2-1/4 inch mesh restriction was put into regulation for the Kah Shakes fishery in 1985 and was established for the West Behm fishery in 2003. There was adequate notice of this requirement for 2-1/4 inch mesh requirement since it has been on the books for seven years. The last time that this mesh was used was in 1998 in the Kah Shakes/Cat Island fishery, 12 years ago. The department's news release on November 5, 2010 announcing a fishery in West Behm did provide adequate time to order bigger nets.

The department defers to the board to determine if the criteria of an emergency under 5 AAC 96.625 (f) have been satisfied due to the merits of this petition. The department believes that leaving the 2-1/4 inch mesh restriction in place would preclude harvest of a biological allowable resource. The department defers to the board as to whether that foregone harvest would be a "significant burden" to fishery participants.

In summary:

- The current regulation has been in place for seven years; the next regular Board of Fisheries meeting for Southeast finfish issues is scheduled for February 24–March 4, 2012 in Ketchikan.
- The West Behm herring resource is not threatened by either leaving the existing regulation in place or by repealing it. There is no unforeseen, unexpected event, other than the West Behm herring stock has recently exceeded the threshold to provide for a fishery.
- There is no biological need to continue the current mesh restriction. Issues related to mesh size are the pace of the fishery and roe recovery/value.
- Delay or failure to take regulatory action at this time will be burdensome to permit holders who did not order appropriate gear to participate in the fishery in a timely manner and will forgo potential income from the fishery in 2011. However, adequate notice of the fishery was provided to ensure that legal gear could be ordered and received in advance of the fishery.
- Whether the amount of foregone income is “significant” in this case is for the board to determine.
- Because the West Behm fishery is structured on alternate years that are above threshold as either set gillnet or purse seine, set gillnet fishermen who cannot participate in 2011 will need to wait until 2013 or later following the seine fishery rotation.
- The department does expect the resource will be available in the future.
- Due to herring size in the West Behm Canal, most of the population will not be susceptible to a mesh size of either 2-1/8 or 2-1/4 inch. Only approximately 8 percent of the population will be susceptible to a mesh size of 2-1/8 inch, but far less would be available with 2-1/4 inch.

cc: Cora Campbell, Commissioner  
Jim Marcotte, Executive Director, Alaska Board of Fisheries  
Sue Aspelund, Deputy Director, Division of Commercial Fisheries

Table 1 - 2010 Seymour Canal vs. West Behm weight-at-age in grams, cast net sample only.

Spawning Stock	AGE									Average
	2	3	4	5	6	7	8	9	10	
Seymour Canal		51	67	76	80	83	102	114	126	87
West Behm Canal	23	48	60	75	77	80	89			65

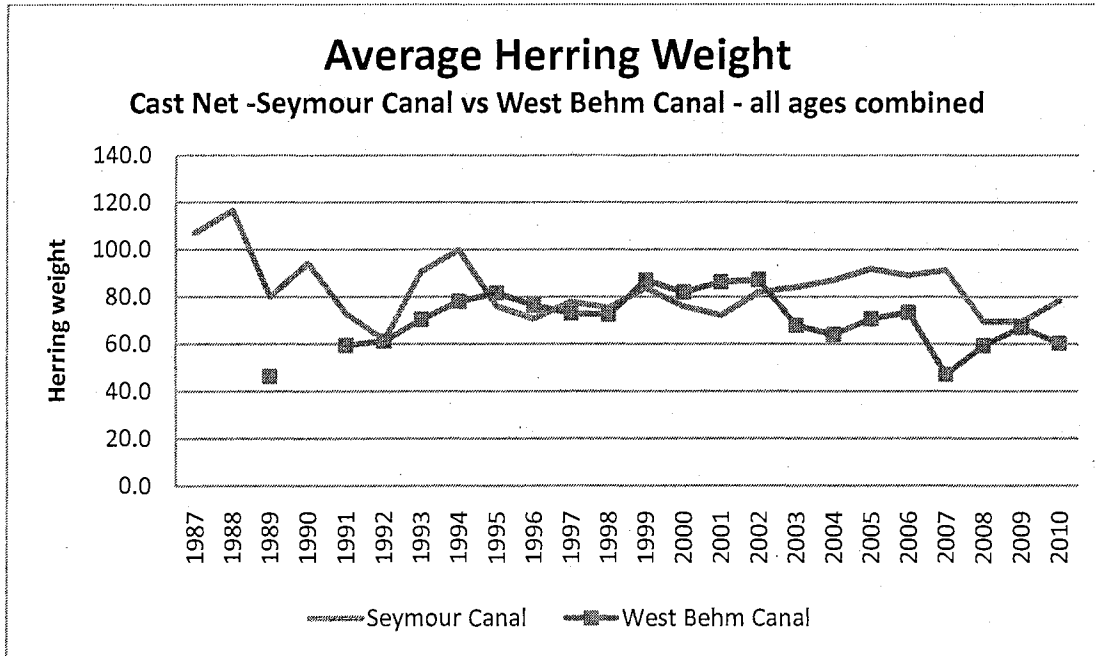


Figure 1.—West Behm Canal and Seymour Canal herring populations – overall average size by year.

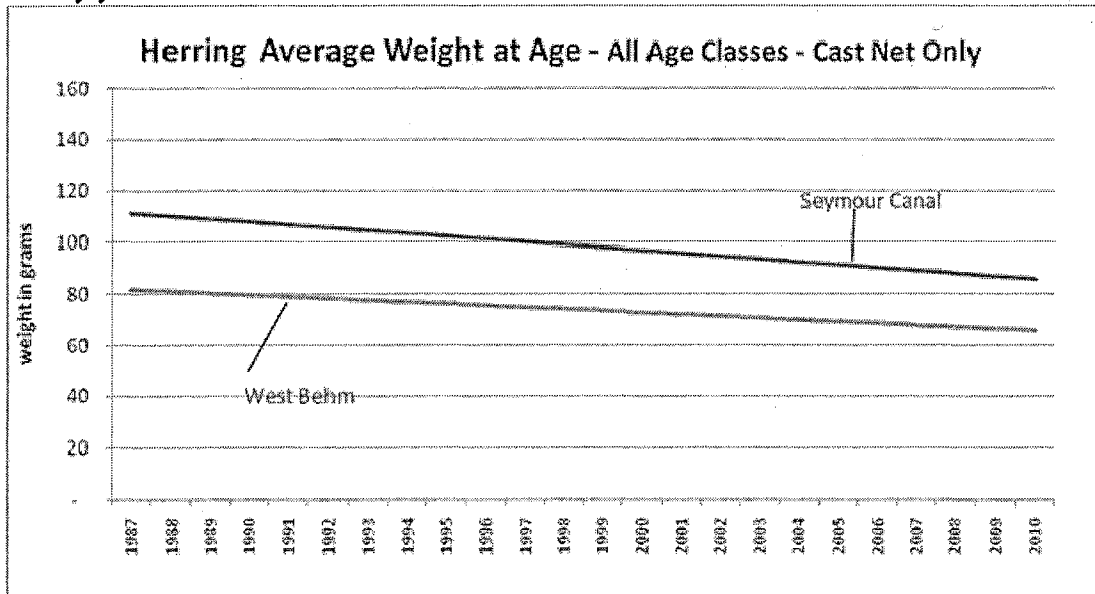


Figure 2.—West Behm Canal and Seymour Canal herring populations –overall average size by year – trend lines.



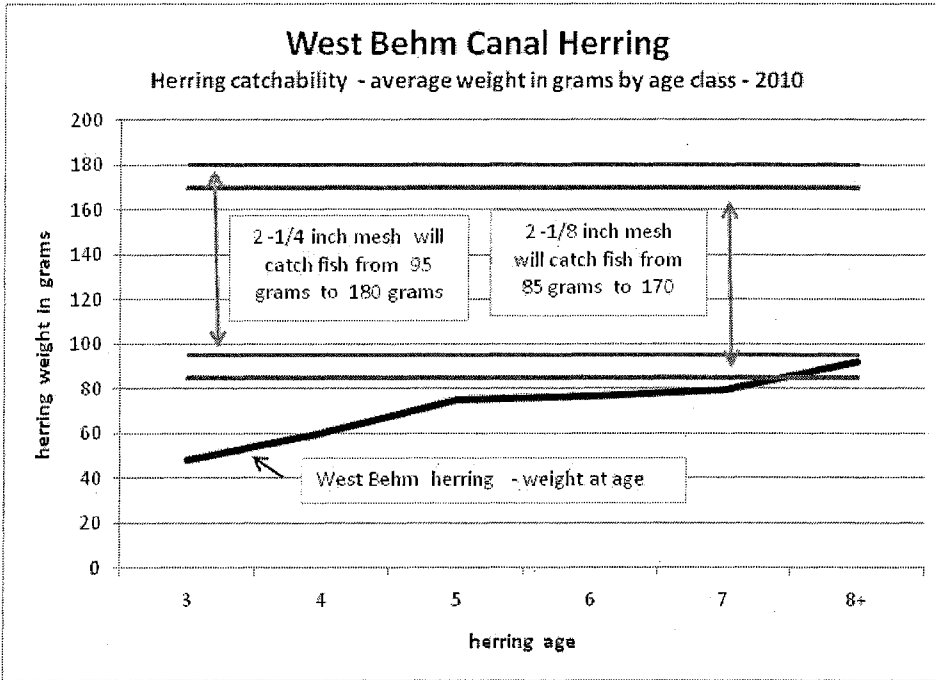


Figure 3.—West Behm Canal herring weight (grams) with box showing sizes of fish catchable with 2-1/8 and 2-1/4 inch mesh gillnet.

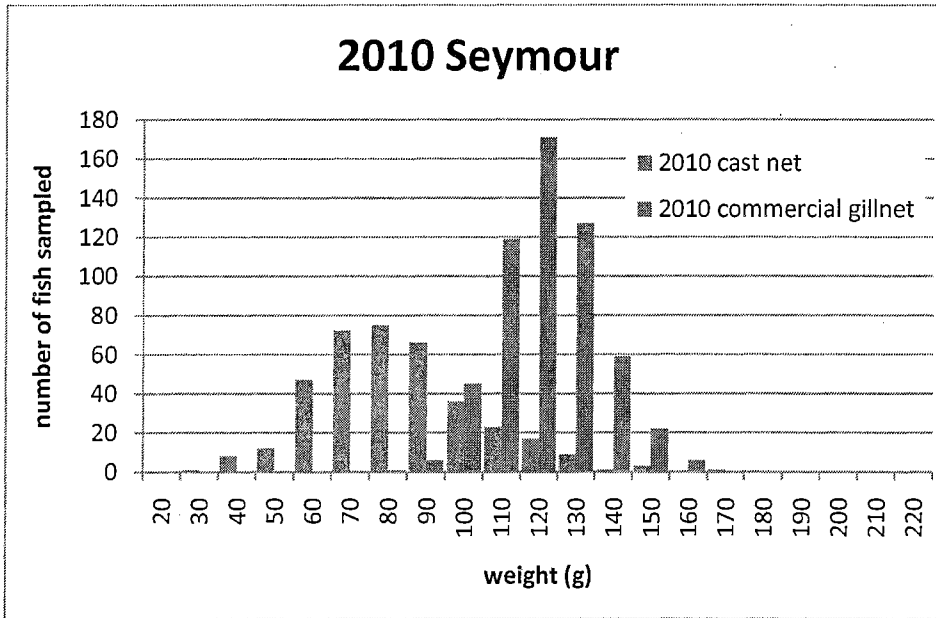


Figure 4.—Sampling from the 2010 Seymour Canal set gillnet herring fishery showing size distribution of the mature spawning population from cast net samples compared with samples of commercial harvest using 2-1/8 inch mesh.

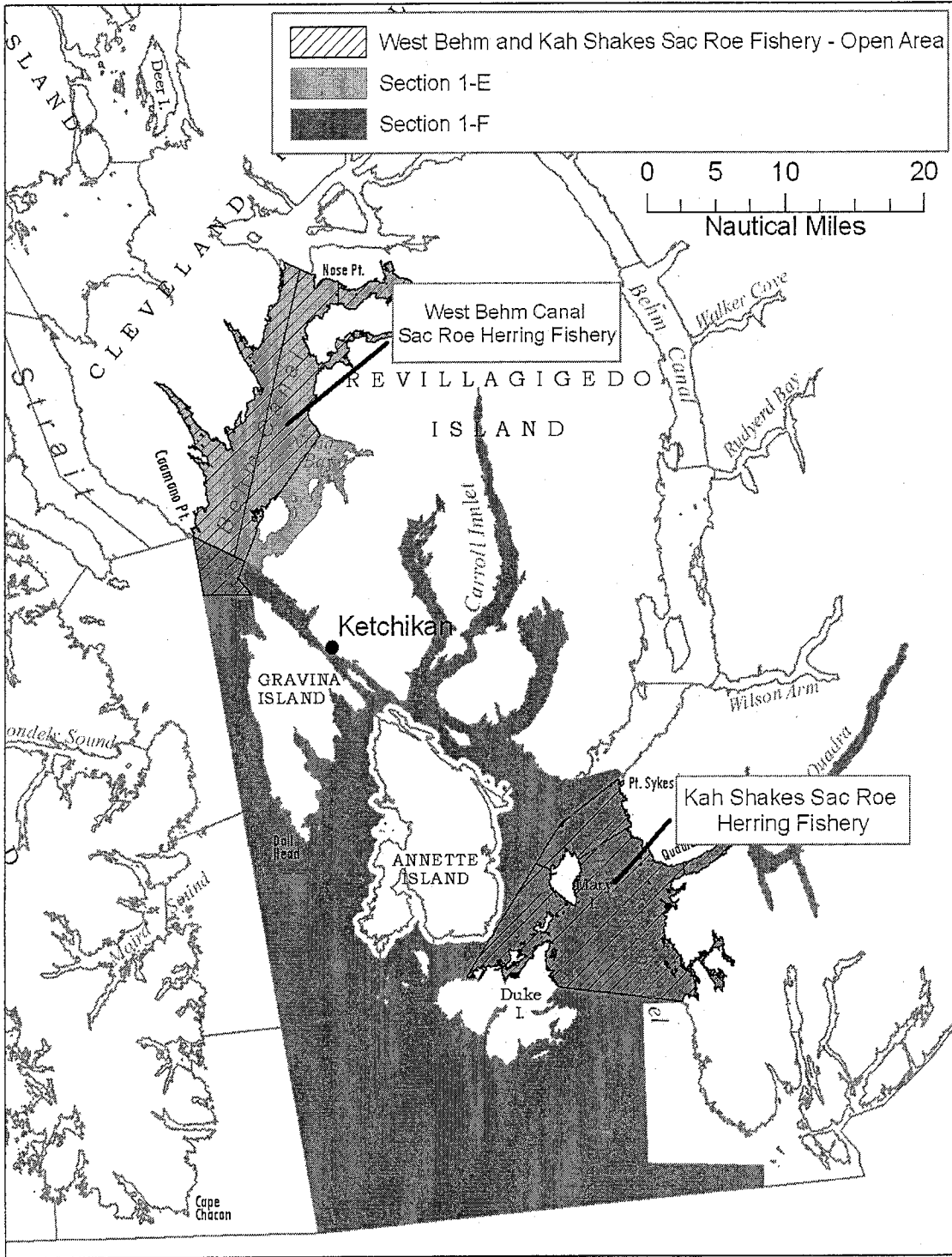
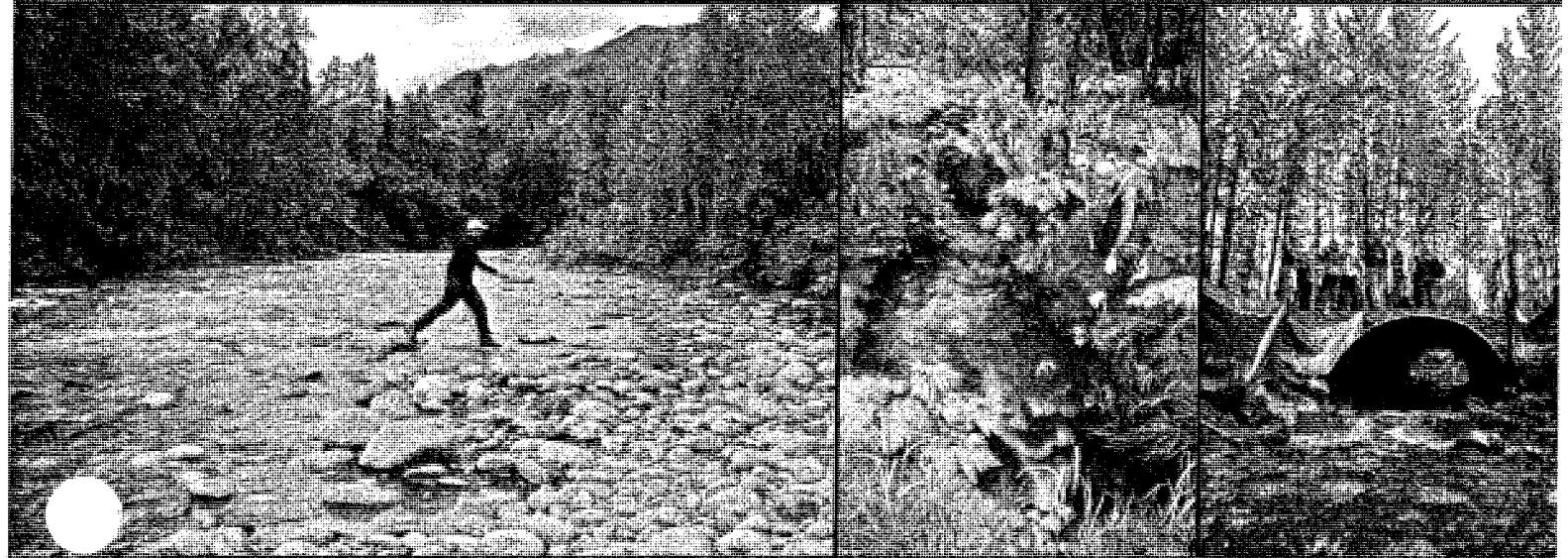


Figure 4.—Sections 1-E and 1-F showing the West Behm Canal and the Kah Shakes herring sac roe gillnet fishing areas. *Note:* portions of Section 1-E and nearby portions of Section 1-F not cross-hatched are closed waters.



# Little Susitna Salmon Passage Restoration

Matanuska-Susitna Basin, Alaska



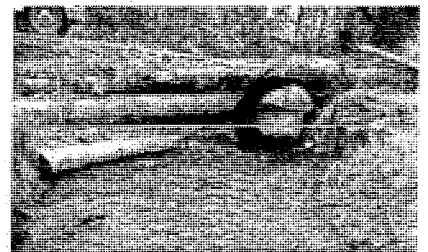
© Clark James Mishler

## Little Susitna Watershed

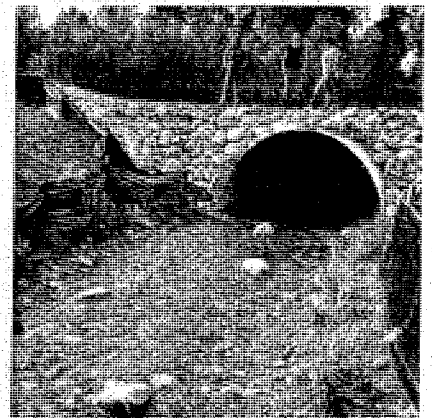
The Little Susitna River and its tributaries support healthy wild populations of coho, Chinook, chum, pink and sockeye salmon as well as resident fish, including dolly varden and rainbow trout. The Little Susitna watershed produces the second-largest freshwater harvest of coho in the state and the sixth-largest number of harvested Chinook in Northern Cook Inlet.

While adult salmon spend only a few weeks in these waters, juvenile salmon may live here for up to five years from the time they emerge from eggs until their journey back down the Little Susitna River to Cook Inlet. The creeks and associated ponds and wetlands in the watershed provide an abundance of food, refuge habitat from winter ice, and clean, cool water for growing. Young salmon must be able to move up and down the creeks throughout the year to reach these different types of habitat.

The Little Susitna watershed is located in the Mat-Su Borough – the fastest growing region in Alaska. Negative impacts to streams from increasing development include the various problems associated with expanding infrastructure of roads and electric utilities. Improperly designed and maintained roads and railroad can interfere with the upstream migration of both adult and juvenile salmon and other resident fish in many ways. Culverts pose the most common migration barriers associated with roads. This restoration project focuses on restoring access for juvenile and adult salmon, enhancing fish habitat, and improving stream function through road crossings in the watershed.



An undersized driveway culvert was a hydraulic barrier to juvenile fish & often washed out the road during high water.



The new arched pipe restores passage for juvenile salmon & accommodates high water events.

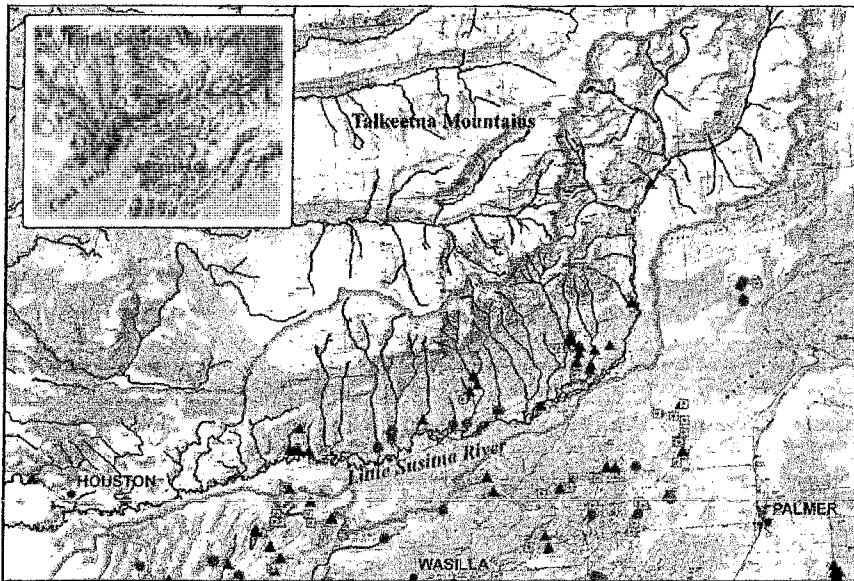
## FISH PASSAGE RESTORATION

Conditions at a culvert that create a barrier or impedance condition are primarily high water velocity, turbulence, inadequate water depth, and elevated outfalls (perched) at stream crossings. In some cases, culverts that were designed to provide for fish passage may not have been installed properly or were inadequately maintained, becoming a fish passage impediment over time.

In an inventory of 320 culverts located under state, borough, and private roads, and the railroad in the Mat-Su Basin, Alaska Department of Fish and Game (ADF&G) found that **40% of culverts are inadequate for fish passage**. ADF&G rates a culvert for passage of juvenile Coho salmon, considering culvert slope, how much it constricts the stream, and if it is embedded into the stream bed. Culverts are then categorized:

- 'red' culverts are inadequate for juvenile fish passage,
- 'green' culverts are assumed to allow juvenile fish passage, and
- 'gray' culverts require additional data and analysis to categorize fish passage.

Of the 35 ADF&G inventoried culverts on Little Susitna tributaries, **66% (23) were categorized as 'red' and 29% (10) as 'gray.'** Over the life of this project, The Nature Conservancy and its partners will restore salmon passage on 5 tributaries in the upper watershed.



*Culverts in the upper Little Susitna Watershed*

## BENEFITS FOR SALMON AND PEOPLE

Salmon are the foundation of many of Alaska's ecological systems. Salmon play an essential role in bringing nutrients from the ocean to freshwater systems. Replacing a poorly designed and/or installed culvert allows salmon to return to their spawning and rearing grounds, thus completing their life cycle and fulfilling their role in the ecosystem. This project will also enhance in-stream and riparian habitat for salmon and resident fishes at stream crossings by returning the creek to its natural width and streambed material through the new culvert. This increases capacity for creeks to remain in channel during high water events, which reduces sediment into the creek and property damage.

Protecting salmon also benefits the human community. **Salmon are a basic staple of life for many residents**, particularly Native people, and a foundational element of the local economy. Ultimately, restoring passage at inadequate stream crossings should increase the abundance of fish populations for subsistence, sport, and commercial fishing. The larger culverts also reduce property damage from flooding and improve public safety.



Volunteers from ConocoPhillips Alaska, Inc. transplant native plants on stream banks at a fish passage restoration site ©Clark James Mishler

## **Working Together**

The Little Susitna Salmon Passage Restoration project expands private-public partnerships addressing salmon restoration in the Mat-Su Basin.

Together with partners such as US Fish and Wildlife Service, Mat-Su Borough, Aquatic Restoration and Research Institute, and Wasilla Soil and Water Conservation District, The Nature Conservancy will restore fish passage in the watershed, expand knowledge about salmon movement in freshwater, and educate the public about the importance of maintaining healthy fish passage.

This project is supported in part by US Fish and Wildlife Service, The Nature Conservancy and National Oceanic and Atmospheric Administration (NOAA) Community-based Restoration Program, Alaska Sustainable Salmon Fund, National Fish and Wildlife Foundation, Wallace Foundation, Lovelace Foundation, Mat-Su Basin Salmon Habitat Partnership and ConocoPhillips Alaska, Inc.

*The mission of The Nature Conservancy is to preserve the plants, animals, and natural communities that represent the diversity of life on Earth by protecting the lands and waters they need to survive.*

## **for more information**

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RC 80

# 2010 Mat-Su Salmon Science & Conservation Symposium



November 16 – 17, 2010



## November 16, 2010, Tuesday

At Central Mat-Su Public Safety Building, 1010 W. Swanson Avenue, Wasilla

### 8:30 Registration

### 9:00 Welcome

Moderator: Ann Rappoport (U.S. Fish and Wildlife Service)

Howard Delo, Mat-Su Borough Mayor's Blue Ribbon Sportsmens Committee

Kelly Hepler, Chair, National Fish Habitat Board

### 9:30 Keynote Address: *Salmon are Cool* - Ray Troll

Introduction by Tim Troll (The Nature Conservancy)

### 10:15 Networking Break

### 10:45 Mat-Su Salmon – Economic Benefits and Land Management

Moderator: Lisa Rabbe (US Army Corps of Engineers)

*Matanuska-Susitna Borough Suitability and Alternative Futures Analysis* – Emerson Krueger  
(Mat-Su Borough)

*Strategic Conservation Planning in Partnerships* – Kim Sollien and Phil Shephard (Great Land  
Trust)

*Economics of Sportfishing in the Matanuska-Susitna Borough* - Dave Hanson (Mat-Su Borough)  
and Andrew Couch (Mat-Su Borough Mayor's Blue Ribbon Sportsmens Committee)

### 11:45 LUNCH

### 12:45 Geomorphology and Hydrology

Moderator: Laura Eldred (Alaska Department of Environmental Conservation)

*Braid Plain Dynamics and Bank Erosion on the Matanuska River, Alaska* – Janet Curran (US  
Geological Survey)

*Baseline Channel Geometry and Aquatic Habitat* – Bill Rice (US Fish and Wildlife Service)

*Shallow Groundwater in the Matanuska-Susitna Valley, Alaska* - Colin Kikuchi and Janet Curran  
(US Geological Survey)

*An Overview of Instream-flow Efforts in the Mat-Su* – Tom Cappiello and Joe Klein (Alaska  
Department of Fish and Game)

*Stream Temperature Monitoring Network for Mat-Su Salmon Streams* – Sue Mauger (Cook  
Inletkeeper)

### 2:00 Tidbits

Moderator: Janet Curran (US Geological Survey)

*Please sign up to speak at the registration desk to present a 3 minute project summary or  
announcement. If you have a slide or two to project, please load them by the end of lunch.*



## 2:15 Poster Session

*Poster authors will be on hand to answer questions about their project.*

*Fisheries Research Direction of the USFWS in the Matanuska-Susitna Basin – Jon Gerken (US Fish and Wildlife Service)*

*USFWS Conservation Planning Assistance Branch: WHO is THAT? – Phil Brna, Betsy McCracken, and Maureen DeZeeuw (US Fish and Wildlife Service)*

*Considering Lamprey when Implementing Instream Activities – Betsy McCracken (US Fish and Wildlife Service)*

*Trophic Ecology of Non-native Alaska Blackfish (*Dallia pectoralis*) in Cook Inlet Basin, Alaska – Dona Eidam (University of Alaska Anchorage)*

*Linkages Between Alder Abundance and Nitrogen Dynamics in Headwater Streams of the Kenai Peninsula, Alaska – Rebecca Shaftel (Baylor University)*

*Regional Curve Analysis in the Matanuska-Susitna Borough – Bill Rice (US Fish and Wildlife Service)*

*Future Climate Conditions for the Cook Inlet Watershed – Sue Mauger (Cook Inletkeeper)*

## 2:45 Cook Inlet and Mat-Su Basin Fish Distribution

Moderator: Matthew LaCroix (Environmental Protection Agency)

*Cook Inlet Tidal Energy Pilot Project Pre-installation Fish Study – Scott Prevatte (HDR Inc.)*

*Inventory of Fish Distribution in the Mat-Su Basin, 2010 – Libby Benolkin (US Fish and Wildlife Service)*

*Harm or Help? Palmer's Wastewater Effects on Salmon - Ralph Hulbert (Hulbert Family)*

*Spawning Counts in Four Matanuska Side Channels, 3rd Year - Ruth Hulbert (Hulbert Family)*

## 3:45 Adjourn

## 4:00- Mat-Su Salmon Partnership Annual Meeting

5:00 Facilitator: Kathy Wells (Friends of Mat-Su)

## 7:00- Fish Worship – Is It Wrong? Ray Troll

9:00 At Evangelos Restaurant, 2530 Parks Highway, Wasilla



## November 17, 2010, Wednesday

At Central Mat-Su Public Safety Building, 1010 W. Swanson Avenue, Wasilla

### 8:30 Registration

### 9:00 Susitna Basin Salmon Distribution Studies

Moderator: Cecil Rich (U.S. Fish and Wildlife Service)

*Susitna River Basin Salmon Monitoring Project 2010 Update* – Nathan Weber (Cook Inlet Aquaculture Association)

*Susitna River Chum and Coho Mark-Recapture Study 2010* – Pete Cleary (Alaska Department of Fish and Game)

*Susitna River Chum and Coho Spawning Distribution* - Richard Merizon (Alaska Department of Fish and Game)

*Big Lake Spawning Distribution* – Derek Hildreth (US Fish and Wildlife Service)

*Longitudinal Distribution Patterns and Habitat Associations of Juvenile Coho Salmon in Tributaries of the Little Susitna River, Alaska* – Kevin Foley (University of Alaska Fairbanks)

### Fish Creek Personal Use Fishery

*Fish Creek Streambank Damage* – Catherine Inman (Wasilla Soil and Water Conservation District)

### 10:30 Networking Break

### 11:00 Open Space Discussion Groups

Facilitator: Kim Sollien (Great Land Trust)

*The discussion topics below were proposed before the Symposium (see descriptions on page 20 – 21) and additional ideas can be suggested on the signup sheet at the registration desk. If you suggest a topic, please facilitate the discussion and take notes as desired by the group. You may attend multiple discussion groups. Topic numbers will be placed on tables.*

1. *Fish Creek Personal Dipnet Fishery (Amber Bethe)*
2. *Compensatory Mitigation Planning and Execution (Scott Prevatte)*
3. *Methods for Studying Juvenile Salmon Habitat Usage in the Matanuska River and Knik River (Jessica Dryden Winnestaffer)*
4. *Salmon Habitat Use in the Susitna River Drainage (Richard Merizon)*
5. *Using the Stream Temperature Monitoring Network to Direct Restoration and Protection (Sue Mauger)*
6. *Fisheries Science Data Gaps in the Mat - Knik River (Jon Gerken)*
7. *Big Su Dam Hydrology Assessment (Bill Rice)*

### 12:00 LUNCH

### 1:00 Tidbits

Moderator: Bill Rice (US Fish and Wildlife Service)

*Please sign up to speak at the registration desk to present a 3 minute project summary or announcement. If you have a slide or two to project, please load them by the end of lunch.*





**1:15 Salmon Habitat and Passage Restoration**

Moderator: Sue Mauger (Cook Inletkeeper)

*Mat-Su Fish Passage Program* – Bill Rice (US Fish and Wildlife Service)

*Red Pipe Analysis* – Tanya Bratslavsky (Bratslavsky Consulting Engineers, Inc.)

*Eska Creek Fish Passage Restoration Projects* – Brian Winnestaffer (Chickaloon Native Village)

*Mat-Su Basin Restoration Cost Share Project* – Amber Bethe (Alaska Department of Fish and Game)

*Plant Species Selection and Cultivation for Mat-Su Riparian Restoration* – Jeff Heys (US Fish and Wildlife Service)

**2:30 Adjourn**

**3:00- Alaska Fish Habitat Partnerships Meeting**

**4:00** Facilitator: Cecil Rich (U.S. Fish and Wildlife Service)

# Thank you to the Symposium sponsors



RC 81

Chair Webster, Board Members

My name is Christine Brandt, I am an east side set net fisherman, and I represent myself. I live in Kenai and I am actively involved in the local community, I am an Administrative Assistant for Kenai Peninsula Fishermen's Association, I am a Board of Director for Cook Inlet Aquaculture, a committee member for Kenai/Soldotna Fish and Game Advisory and a participant in public process.

I grew up and have lived on the Kenai Peninsula since 1969. My family has been involved in commercial fishing in Cook Inlet since the early 70's. My four children have been raised on the Kasilof beach in which we fish and with the belief that commercial fishing is a beneficial way of life. It teaches them value and respect for hard work. It gives them a sense of self worth to know that they have accomplished a feat that not everyone is able to do. Proposal 324, and 118 would provide an alternative for family businesses that have been fishing for many years.

I am asking you today to not only listen but to hear what the commercial fishing community is saying. I believe that you cannot place a precedence on one economic value over another, that we are important to the integral communities that we live in and that not one person is more valuable than another in their endeavors to benefit and maintain a healthy viable fishery. We are the public and we as a commercial fishing entity provide to residence of Alaska and the rest of the world an opportunity to eat Alaskan Cook Inlet salmon that would otherwise not be readily available.

I would like for you to consider that windows and a three tier escapement goal in the management plan as is written today does not provide managers a tool for biological management and that all salmon species are a resource for all Alaskans. After talking to area sport fish biologist, I would ask that you consider the overwhelming growth of the personal use and sport fishery. I believe that all three user groups are beneficial and are comparable to a three legged stool that without one leg, the stool/fishery would fail.

Conservation concerns should be shared by all users so that escapement goals will be met as well as when fish are in abundance, everyone should benefit.

I support KPFA and SOKI proposals.

I have faith that today you have just not listened but heard what is being said.

Thank you for your time.

Christine Brandt



**Kenai Peninsula Fishermen's Association**

*Ensuring the Sustainability of Our Fishery Resources*

43961 Kalifornsky Beach Road • Suite F • Soldotna, Alaska 99669-8276  
(907) 262-2492 • Fax: (907) 262-2898 • E Mail: [kpfa@alaska.net](mailto:kpfa@alaska.net)

RC 82

February 02, 2011

City of Kenai  
Mayor Porter  
210 Fidalgo Avenue  
Kenai, AK 99611

Mayor Porter and Council Members,

The Kenai Peninsula Fishermen's Association (KPFA) represents approximately 732 set net fishermen, from Kachemak Bay to the Susitna River, along the West side of Cook Inlet to the East beaches of the Kenai Peninsula, for over 50 years. Our motto is "Ensuring the Sustainability of Our Fisheries Resources"

KPFA supports resolution No. 2011-14

KPFA believes in healthy salmon runs managed biologically. We also believe "Cook Inlet commercial fishers have experienced substantial reductions in fishing opportunities that adversely impacted their businesses and the local economy, while other users have not been burdened by the same conservation or harvest reallocation measures and that the Cook Inlet commercial salmon industry is a critical component of our local economy."

A large percentage of local commercial fishers live in the Kenai area and their families have fished this area for generations and hopefully for generations to come.

KPFA would like to see the Board of Fisheries (BOF) address the overwhelming growth in the personal use and sport fish related fisheries.

KPFA would like to thank the City of Kenai for putting forth resolution No. 2011-14.

Respectfully,



Christine Brandt  
Office Manager/Commercial Fisher

RC 83

# **RC for Proposals 117, 118, 324**

---

Submitted by Eric M Beeman

1004 3<sup>rd</sup> Street

Kenai, AK 99611

Mr. Chairman, Board members,

You have heard testimony from many different groups, but you probably haven't heard much from the people who fish on Kalgin Island and the West side of Cook Inlet. I do, and I'd like to share my thoughts on proposals 117, 118, and 324, setnet permit stacking.

I'm generally supportive of this idea. I authored a similar proposal in Bristol Bay last year. Setnetting is often a family business, with members spanning two or three generations. Occasionally members need to exit the fishery for various personal reasons and also because of advancing age. As a personal example, my father is 80, still fishes, and I hope he can forever—but when he can't, he still needs the income. So it would be beneficial to us and to him that a system was in place to keep his permit in the family. So on a very personal level I think permit stacking is a good idea—and I think there's many extended setnet families like ours.

However I do have a concern. We currently have area registration which helps protect Kalgin and Westside fishermen from being mobbed by other setnetters from the Kenai Peninsula during their pre- and post- season periods. This is not a hypothetical concern. Prior to area registration conflicts occurred in traditional fishing areas, and the King quota was exceeded in the Big River Sockeye fishery, triggering a fishery closure. And this came very close to happening a couple other times, also. Since area registration, this has been an orderly fishery, and the we'd like it to remain that way.

Unfortunately, setnet permit stacking has the potential to circumvent area registration—for example one permit registered on the east side of the inlet and one on the west. My nerves are not soothed by remembering that one of the current stacking proposal's authors tried pretty hard to torpedo area registration during the last Board cycle.

That said, I still think the stacking idea has merit and should be adopted—with an amendment. I offer the Beeman Compromise: Implement proposals 117, 118, or 324 but require that both permits be registered in the same area. This would allow stacking for all the good reasons and make it somewhat harder to exploit the bad.

I appreciate your consideration on this matter.

Sincerely,

Eric M Beeman

RC 84

Cook Inlet Board Comments.txt

From: Suzy Oslund [suzyo@gci.net]  
Sent: Tuesday, February 22, 2011 9:39 AM  
To: Stone, Shannon C (DFG)  
Subject: Cook Inlet Board Comments

>  
>Dear Shannon,  
>Could you please forward this comment onto the Cook Inlet Fisheries  
>Board hearings? Thank you for your assistance.  
>  
>  
>The Board of Fisheries has the enormous responsibility for the  
>development, conservation and sustainability of fisheries in the state  
>of Alaska. In Cook Inlet, this is not happening. Decisions made by  
>this Board must be based on an economic, social, and biological impact.  
>Consideration then, must be given to the user group that generates the  
>greatest positive impact by its' use of the resource.  
>  
>By removing prejudice when looking at two of the major user groups,  
>sportfishing and commercial fishing, we can call them group A and group  
>B. Group A has an economic impact of 730 million dollars; Group B has  
>an economic impact of 34 million dollars. Group A holds 75,000 active  
>licenses; Group B holds 1100 active licenses. Group A impacts  
>individual tributary stocks and can be managed as to their  
>harvest of a species. Group B indiscriminately harvests mixed  
>stocks resulting in a negative impact for a large variety of  
>tributaries throughout Cook Inlet. If we are looking for a positive  
>economic, social and sustainable impact, group A meets this criteria,  
>whereas group B does not. The sustainability of all fish stocks in  
>Cook Inlet cannot withstand an indiscriminate harvest.  
>  
>King salmon numbers, Chum numbers, silver salmon return numbers are all  
>in decline. Red salmon in upper Cook Inlet are in decline as well.  
>The duty of the Fisheries Board is to ensure the sustainability of the  
>state of Alaska's fish stocks so that future generations of Alaskans  
>are able to enjoy this great resource. In the last 19 years I have  
>been coming to these Board hearings and participating in the management  
>process. During that time our King, Chum, early run Coho numbers have  
>steadily declined. If this trend continues our fish stocks could very  
>well fall below critical mass and may never recover.  
>  
>What I would like to see in terms of management in the Cook Inlet  
>region is restraints placed on commercial fishing to ensure the  
>escapement of the different stocks to their respective tributaries.  
>  
>Thank you,  
>Mark Oslund  
>907/344-6805

**Alaska Board of Fisheries  
Upper Cook Inlet Meeting – February 21, 2011**

**Cook Inlet Aquaculture Association - Susitna River Sockeye  
Salmon Weir Counts**

1. The Susitna drainage sockeye salmon adult weir counting program began in 2006.
2. Due to flooding conditions in 2006, the weirs were removed just as the sockeye migrations were ending - the 2006 weir counts represent minimum escapements. Partial counts were occasionally obtained at other lakes due to flood conditions, bear damage to the weirs etc. Small numbers of fish (sockeye, coho and pink salmon) were observed spawning in the outlet below the weir and are not included in the weir counts for Fish and Whiskey Lakes.
3. Weirs have been placed at four lakes each year since 2006. These four lakes are believed to be significant sockeye producing systems within the Susitna drainage. The lakes are:
  - Larson Lake
  - Judd Lake
  - Chelatna Lake
  - Shell Lake
4. Three weirs have been placed at various lakes throughout the Susitna drainage each year.
5. In 2011, weirs will be placed at
  - Larson Lake
  - Judd Lake
  - Chelatna Lake
  - Shell Lake
  - Eightmile Lake
  - Neil Lake
  - Fish Creek Lakes

*Submitted by:  
Gary Fandrei  
Cook Inlet Aquaculture Assc.  
Gary Fandrei*



<b>Larson Lake</b>	
<b>Year</b>	<b>Count</b>
2005	9,955
2006	57,411
2007	47,924
2008	34,595
2009	40,933
2010	20,324

<b>Shell Lake</b>	
<b>Year</b>	<b>Count</b>
2005	NC
2006	69,800
2007	26,863
2008	2,620
2009	4,961
2010	2,223 *

<b>Judd Lake</b>	
<b>Year</b>	<b>Count</b>
2005	NC
2006	40,633
2007	57,392
2008	53,681
2009	44,616
2010	18,446

<b>Chelatna Lake</b>	
<b>Year</b>	<b>Count</b>
2005	NC
2006	13,272 *
2007	14,000 *
2008	74,469
2009	17,721
2010	37,734

<b>Byers Lake</b>	
<b>Year</b>	<b>Count</b>
2005	NC
2006	3,071 *
2007	1,701
2008	1,482
2009	NC
2010	NC

<b>Stephan Lake</b>	
<b>Year</b>	<b>Count</b>
2005	NC
2006	NC
2007	3,251
2008	4,996
2009	NC
2010	NC

<b>Swan Lake</b>	
<b>Year</b>	<b>Count</b>
2005	NC
2006	NC
2007	5,509
2008	4,036
2009	NC
2010	NC

<b>Hewitt Lake</b>	
<b>Year</b>	<b>Count</b>
2005	NC
2006	2,507 *
2007	NC
2008	NC
2009	NC
2010	NC

<b>Fish Lake</b>	
<b>Year</b>	<b>Count</b>
2005	NC
2006	NC
2007	NC
2008	NC
2009	562 *
2010	NC

<b>Red Shirt Lake</b>	
<b>Year</b>	<b>Count</b>
2005	NC
2006	NC
2007	NC
2008	NC
2009	0
2010	NC

<b>Trapper Lake</b>	
<b>Year</b>	<b>Count</b>
2005	NC
2006	NC
2007	NC
2008	NC
2009	0
2010	NC

<b>Whiskey Lake</b>	
<b>Year</b>	<b>Count</b>
2005	NC
2006	NC
2007	NC
2008	NC
2009	NC
2010	59 *

<b>Caswell Lake</b>	
<b>Year</b>	<b>Count</b>
2005	NC
2006	NC
2007	NC
2008	NC
2009	NC
2010	0

<b>Sucker Lake</b>	
<b>Year</b>	<b>Count</b>
2005	NC
2006	NC
2007	NC
2008	NC
2009	NC
2010	0

\* Partial Counts

*Mary Fandrei*

Feb. 21, 2011

POACHERS COVE  
HOMEOWNERS ASSOCIATION

To The Board Of Fisheries:

Poacher's Cove Homeowners Association is comprised of roughly 260 homeowners who live on the Kenai River during the yearly salmon runs. Our membership is made up 67% Alaskan residents and 33% nonresidents. We have about 15 guide and 245 residential units located at Mile 17 of the Kenai River. During the month of July, we can have up to 700 people fishing the Kenai River for Chinook and Sockeye salmon per day. Our Association has seen a noticeable downward drop in the amount of late run Chinook salmon available to our members during the last four years. We believe that this lack of fish is due in part to:

- 1) increased openers to the commercial fishing interest above that of the sport fishery group.
- 2) The intercept of Chinook salmon by the Pollack trawl fleet in the Bering Sea.
- 3) Poor quality of raw data collected by Fish and Game needed to control the future salmon runs.

It is our opinion that we need to establish set commercial openings and keep to those scheduled openings while curtailing the use of multiple emergency openings that limiting the number of fish getting into the river. The consensus is that it seems that it takes at least three to four tides to renew Chinook salmon numbers in the river after these emergency openers that are basically targeting Sockeye salmon by the commercial interests. When these emergency openers are strung together with scheduled openings it seems that the fish just disappear from the river for days at a time for the sport fishing group.

We know that the State does not regulate the Pollack fleet in the Bering Sea but we believe it would be wise for the State to be more pro-active with the Federal overseers that control the accidental by-catch that has been depleting the two-three year old Chinook stock. From published accounts we know that up to 60,000 two/three year Chinook salmon were and are still being intercepted on the high seas causing return stocks to suffer. A 25 % reduction in this number could result in 15,000 more Chinook returning to Alaskan rivers with some of that total reaching the Upper Cook Inlet.

The daily data Chinook numbers provided by Fish and Game were totally slanted to the high side and completely bogus during the first and second runs of the 2010 season. These totals were later revised and amended by Fish and Game into four guesstimates groups; three of which were unrealistic. It has been stated that the low end of the escapement projection was reached according to Fish and Game; we only hope that it is true. The test net fisheries at the sonar counter may have shown otherwise. The numbers recorded there showed the lowest capture number ever recorded during the 2010 season. The last four years of test fishery results shows a steady yearly decline amounting to a 60% drop for Chinook stock over that time. This decline if continued could foreshadow the end of the Chinook runs in future years..

We understand that the Chinook and Sockeye salmon resource have a great monetary and recreational value for all users and that as good shepherds we should not let it go to waste but rather optimize the resource. We hope that by addressing the above concerns that the resource can be protect and fully utilize to it greatest recreational and economical benefit for all users and provide a legacy for future users.

Sincerely:

Gerard W. Brell  
President Board Of Directors



P.O. Box 4326  
Soldotna, AK 99669-4326

Phone: (907) 441-9105  
Email:  
poacherscove@acsalaska.net

CONFIDENTIAL



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February 22, 2011



RC ## **87**

Prepared by **Alaska Department of Fish and Game**

Corrected Information for the Staff Comments for proposals 233-234 (RC 3).

Pg 218; paragraph #1:

Pg 225; paragraph #1:

“In 2008, the board adjusted the slot limit again to 46 to 55 inches, allowing approximately 83% [79%] of the returning early-run stocks to be available for harvest. Within this slot limit, 72% of the ocean-age-5 fish are protected, as are about 26% of the ocean-age-4 fish in the run (Figure 233-1). Also within this slot limit, 43% [56%] of ocean-age-5 females are protected and 92% [97%] of ocean-age-5 males are protected, while 8% [13%] of ocean-age-4 females are protected and 52% [61%] of ocean-age-4 males are protected (Figure 233-2).”



Prepared by: Alaska Department of Fish and Game

Figure 264-1 of Department Staff Comments which did not print on page 304 of RC 3.

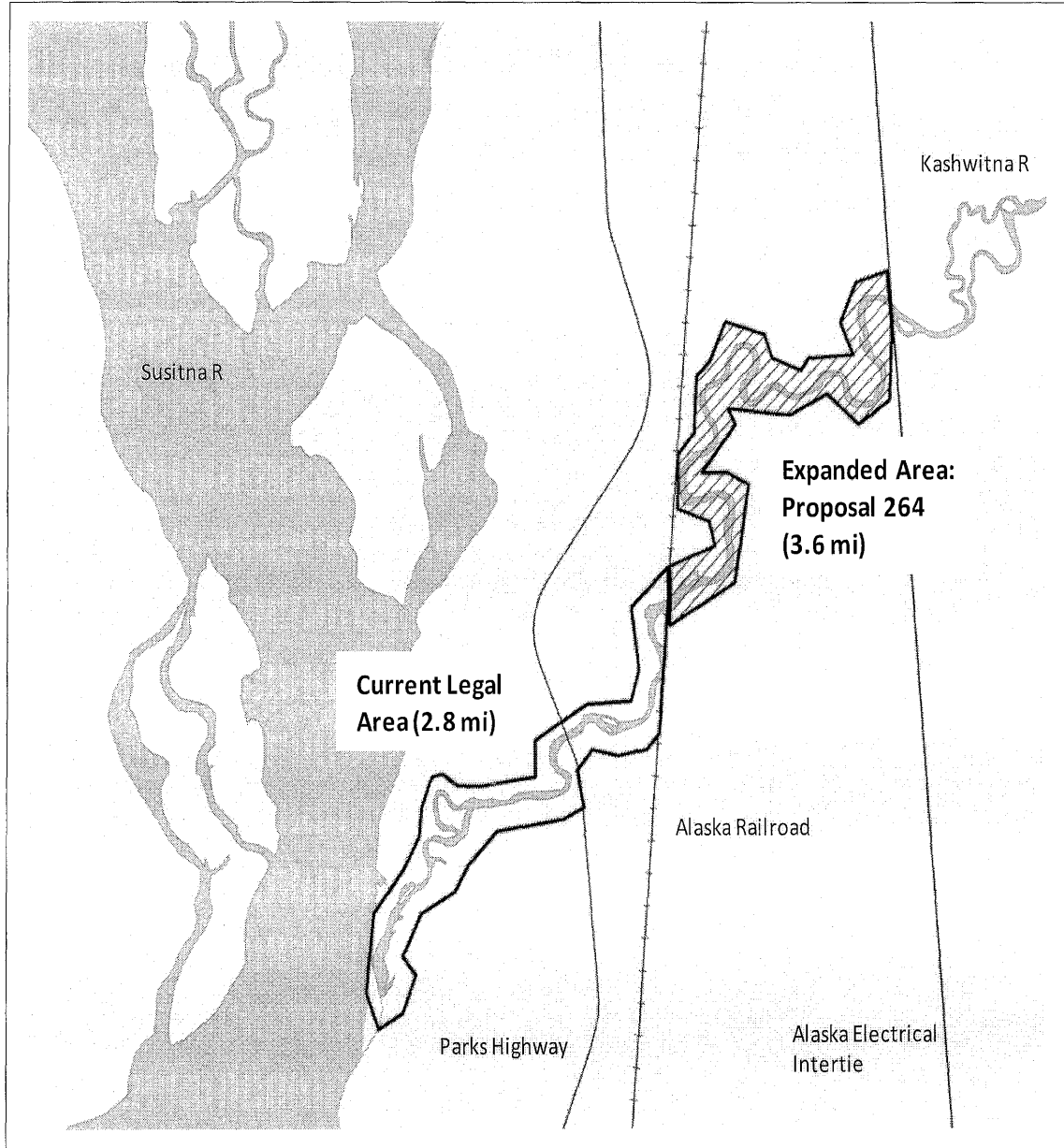


Figure 264-1. Proposed extension of the king salmon fishery on Kashwitna River.

# Cook Inlet Historical Salmon Harvest

RC89

1954	Sockeye	percent
seine	5,000	0
drift	625,343	50
setnet	377,948	30
trap	234,125	19
total	1,242,416	100

1955	Sockeye	percent
seine	3,390	0
drift	579,000	55
setnet	280,277	26
trap	196,434	19
total	1,059,051	100

1958	Sockeye	percent
seine	2,515	1
drift	135,715	27
setnet	252,206	51
trap	105,511	21
total	495,947	100

1959	Sockeye	percent
seine	5,946	1
drift	146,640	23
setnet	472,160	76
total	624,746	100

2009	Sockeye	percent
seine	242,092	8
drift	968,075	31
setnet	1,115,764	36
sport + pu	811,222	26
total	3,137,153	100

2010	Sockeye	percent
seine	78,299	2
drift	1,587,682	42
setnet	1,255,450	33
sport + pu	900,000?	24
total	3,821,431	100

Brent Johnson

1954	King		
seine		0	0
drift		14,095	20
setnet		43,523	63
trap		11,250	16
total		68,868	100

1955	King		
seine		17	0
drift		8,317	18
setnet		28,569	61
trap		9,592	21
total		46,495	100

1958	King		
seine		9	0
drift		3,943	17
setnet		16,341	72
trap		2,554	11
total		22,847	100

1959	King		
seine		24	0
drift		6,153	19
setnet		26,552	81
total		32,729	100

2009	King		
seine		0	0
drift		859	1
setnet		7,975	13
sport + pu		52,000?	85
total		60,834	100

2010	King		
seine		0	0
drift		539	1
setnet		9,391	15
sport + pu		52,000?	84
total		61,930	100

1954	Coho	percent
seine	2,100	1
drift	62,384	21
setnet	160,650	53
trap	77,402	26
total	786,420	100

1955	Coho	
seine	2,386	1
drift	34,840	20
setnet	82,938	48
trap	54,230	31
total	174,394	100

1958	Coho	
seine	222	0
drift	38,599	16
setnet	165,197	68
trap	37,538	16
total	241,556	100

1959	Coho	
seine	397	0
drift	12,972	12
setnet	93,792	88
total	107,161	100

2009	Coho	
seine	1,718	0
drift	82,096	18
setnet	72,082	16
sport + pu	300,000?	66
total	455,896	100

2010	Coho	
seine	1,940	
drift	110,277	
setnet	97,582	
sport	?	
total	?	



1954	Pink	
seine	163,000	6
drift	237,903	9
setnet	932,000	37
trap	1,190,076	47
total	2,522,979	100

1955	Pink	
seine	1,111,565	90
drift	12,956	1
setnet	13,408	1
trap	92,988	8
total	1,230,917	100

1958	Pink	
seine	772,274	31
drift	377,674	15
setnet	757,927	31
trap	557,576	23
total	2,465,452	100

1959	Pink	
seine	76,726	81
drift	2,504	3
setnet	15,303	16
total	94,533	100

2009	Pink	
seine	987,211	85
drift	139,676	12
setnet	76,781	7
sport + pu	20,000?	2
total	1,160,773	100

2010	Pink	
seine	247,917	42
drift	164,006	28
setnet	131,772	22
sport + pu	50,000?	8
total	593,695	100

1954	Chum	
seine	94,000	12
drift	495,650	63
setnet	153,900	20
trap	42,870	5
total	786,420	100

1955	Chum	
seine	61,591	20
drift	186,392	62
setnet	472,620	14
trap	12,300	4
total	302,903	100

1958	Chum	
seine	180,186	20
drift	330,232	55
setnet	125,795	21
trap	19,825	3
total	596,038	100

1959	Chum	
seine	97,710	24
drift	214,863	53
setnet	90,962	23
total	403,535	100

2009	Chum	
seine	71,520	45
drift	77,073	49
setnet	8,817	6
sport + pu	1,000?	6
total	157,780	100

2010	Chum	
seine	93,252	29
drift	216,985	67
setnet	14,791	5
sport + pu	1000?	0
total	326,028	100

Submitted by ADF&amp;G

Table 1.-Estimated harvests, by all user groups, of Chinook salmon of Northern Cook Inlet origin, 1893-2009.

Year	Harvest	Year	Harvest	Year	Harvest
1893	24,000	1935	60,060	1977	5,446
1894	12,400	1936	64,850	1978	4,430
1895	20,159	1937	68,786	1979	9,837
1896	14,461	1938	46,130	1980	11,301
1897	11,266	1939	42,181	1981	<b>11,372</b>
1898	13,111	1940	50,413	1982	<b>17,146</b>
1899	13,682	1941	83,858	1983	<b>18,621</b>
1900	21,346	1942	76,144	1984	<b>23,842</b>
1901	27,455	1943	89,105	1985	<b>25,477</b>
1902	39,210	1944	68,168	1986	<b>43,345</b>
1903	52,818	1945	55,362	1987	<b>40,393</b>
1904	24,058	1946	51,425	1988	<b>44,266</b>
1905	14,134	1947	85,443	1989	<b>50,917</b>
1906	17,936	1948	84,797	1990	<b>42,414</b>
1907	50,355	1949	89,025	1991	<b>42,644</b>
1908	27,019	1950	130,274	1992	<b>51,651</b>
1909	47,699	1951	150,010	1993	<b>54,458</b>
1910	39,222	1952	59,600	1994	<b>35,508</b>
1911	44,676	1953	71,544	1995	<b>22,182</b>
1912	38,293	1954	52,260	1996	<b>22,981</b>
1913	50,922	1955	37,199	1997	<b>24,505</b>
1914	38,043	1956	52,248	1998	<b>26,569</b>
1915	67,034	1957	34,214	1999	<b>37,621</b>
1916	50,316	1958	18,278	2000	<b>37,325</b>
1917	52,399	1959	26,226	2001	<b>33,894</b>
1918	27,909	1960	22,031	2002	<b>29,888</b>
1919	19,041	1961	15,822	2003	<b>31,518</b>
1920	31,650	1962	16,216	2004	<b>31,376</b>
1921	11,157	1963	14,106	2005	<b>33,124</b>
1922	24,824	1964	3,698	2006	<b>34,092</b>
1923	23,929	1965	7,801	2007	<b>30,553</b>
1924	21,610	1966	815	2008	<b>21,326</b>
1925	40,826	1967	623	2009	<b>13,538</b>
1926	60,496	1968	1,163		
1927	69,923	1969	3,927		
1928	55,908	1970	1,853		
1929	54,155	1971	10,494		
1930	57,854	1972	5,748		
1931	41,122	1973	246		
1932	56,745	1974	238		
1933	47,425	1975	301		
1934	57,903	1976	692		

Submitted by ADF&G

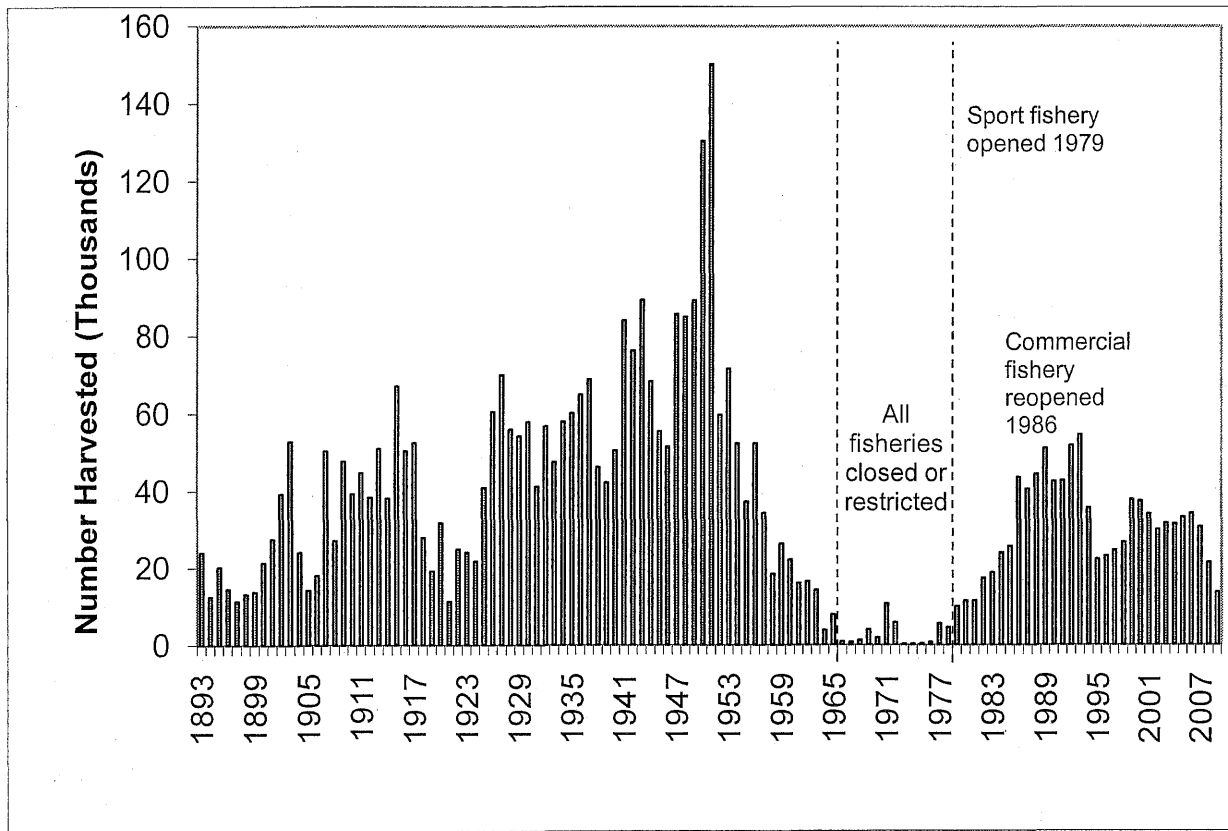


Figure 2.-Estimated harvests by all user groups of Chinook salmon of Northern Cook Inlet origin, 1893-2008.

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RC 91

Public Testimony Sign Up

Name	Representing	Subject / Related RC, PC or AC
1. Curt Burgoyne	Self	PU Kenai
2. Wayne Swartwood	Self	Ship Creek fishing RC 25
3. Mayor David Carrey	Kenai Peninsula Borough	Assembly Resolution function of Board
4. Cindy Calzada	Self	Kasilof PU setnet fishery RC 26
5. Rick Koch	City of Kenai	Resolution 2011-14 RC 11
6. Jeremy Ptak	Self	Oppose prop 155, 172-194, 197-199, 328 PC 70
7. Alan Pefley	Self	PU fishery
8. Steve Runyan	Self	Status of Susitna fisheries
9. Ken Federico	SC Dipnet Assoc	Dipnetting RC 30 & 31, PC 21 & 61
10. Bob Merchant	Self	Prop 125, 128 RC 28 & 29
11. Nathan Corr	Self	Kasilof King terminal fishery, Kenai kings
12. Jodi Sibson	Self	
13. Wes Humbryd	Self	Prop 22-23, 200-205
14. Tony Reetz	Self	PU dipnet fishery
15. Bob Kuchenoff	Self	Dipnetting
16. Don Rapp	Self	Comments on proposals
17. Ron Fuller	Self	Dipnetting
18. Todd Kingry	Self	Chinook & chum returns
19. Natalia Aulenbacher	Self	Prop 215
20. Kristen Labrecque	Self	Prop 193-194
21. Arni Thomson	UFA	Cook Inlet fishery management
22. Dan Schaff	Self	Prop 248
23. Bob Pence	Self	Prop 285 RC 45
24. Loren Flagg	Self	Kenai River King salmon
25. Steve Vanek	Self	Area H Fishery, Drift fishing
26. Eric Beeman	Self	Westside setnet issues/Permit stacking
27. Robert Weimer	Self	Dipnet fishery concerns
28. David Abuobaid	Self	Salmon & halibut fishing

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## Public Testimony Sign Up

Name	Representing	Subject / Related RC, PC or AC
29. Jan Myrlak	Self	Resident sport fishing
30. Scott Eggemeyer	Self	PU fishery – Kenai River RC 46
31. Jack Roskind	Self	Prop 193 – 194
32. Gary Hollier	Self	Prop 328, 105, 167 RC 32, RC 47
33. Jerry Strinby	Self	Kasilof River Prop 255-256, 245-246, 262
34. Gary Deiman	Self	
35. Melissa Deiman	Self	
36. Kelsey Deiman	Self	
37. Rodney Berg	Self	Comments on proposals, PC 69
38. Randy Berg	Self	PU, sport & commercial fishing, PC 63
39. Dwight Kramer	Kenai Area Fishermen's Coalition	Kenai River kings, RC 33
40. Matt Tikka	Self	KPFA proposals 321-331 (324)
41. Tom Corr	Self	
42. Jim Stubbs	Anchorage AC	AC comments on proposals AC 5
43. Bruce Morgan	Self	Building king run / removing sonar
44. Grant Klotz	Self	King salmon priority
45. Paul Michelshon	Self	Fish numbers for Kenai kings
46. Jeffrey Widman	Self	PU vs Commercial fishery management
47. Kevin Sparrowgrove	Self	King count & escapement on the Kenai R.
48. Joel Doner	Self	Prop 169
49. Chris Every	Self	NKB + PU
50. Debbie Brown	Cohoe-Kasilof Community Council	PU fishery PC 73
51. George Pierce	Self	
52. Mayor Larry DeVilbis	Mat-Su Borough	Importance of salmon stocks
53. Mac Minard	Mat-Su Borough	“ “ RC 53
54. Howard Delo	Mat Su Mayor's Blue Ribbon Sportsmans' Committee	Prop 143 & 159 RC 57
55. Ben Allen	Self	Northern District King salmon decline RC 52
56. Larry Engel	Blue Ribbon Sportsmans Committee	Susitna sockeye RC 54

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Public Testimony Sign Up

Name	Representing	Subject / Related RC, PC or AC
57. Bruce Knowles	Blue Ribbon Sportsman Committee	Conservation corridor
58. Andrew Couch	Self	Coho salmon concerns RC 62, PC 27
59. Frankie Barker	Habitat Partnership	
60. Dave Hansen	Mat Su Borough	Economics ICER
61. Jim Colver	Self	PU setnetters RC 58
62. Doug Blossom		MSY management
63. Ilia Kuzmin	Russian community	MSY management – economics
64. Larry Reutor	Russian community	MSY management – economics
65. Kurt Weichhand	Self	Maximum sustained yield
66. Paul Mackie	Self	Importance of fishery to family
67. Tim Tolar	Self	Importance of fishery to family RC 44
68. Roland Maw	UCIDA	RC 34-36, 48, PC 7-8 & 55
69. Richard Person	Self	Prop 115 – 118, 324 PC 71
70. John Sheffery	Self	
71. Jon Salgate	Self	
72. Jason Votruba	Deshka Landing	Salmon status & conservation corridor
73. Ken Tarbox	Kenai Area Fisherman's Coalition	Slikok Creek PC 23
74. Nicholas Berg	Self	PU fishery proposals
75. David Martin	Self	UCI mgmt plans and proposals PC 9
76. Aaron Cooper	Self	Elimination of slot limit oppose 245-246
77. Brent Johnson	Self	Cook Inlet salmon harvest history
78. Dan Shilling	Self	Northern District setnetter
79. Judy Johnson	Self	setnetting
80. David Wickers	Self	K-Beach set net fishing
81. JoAnn Wickers	Self	K-Beach set net fishing
82. David Goggia	KRPGA	Prop 207, 229, 233, 245-246, 327, 147 RC 59-60
83. Gary Chamberlin	Self	Oppose 245-246
84. Monte Roberts	Self	155-156, 164, 214

# Board of Fisheries Upper Cook Inlet Meeting held at the Egan Convention

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## Public Testimony Sign Up

Name	Representing	Subject / Related RC, PC or AC
85. Joe Connors	Kenai Peninsula Tourism & Marketing Council	Predictable fishery RC 23
86. Dante Petri	Self	Sportfishing opportunity to harvest salmon
87. Duane Gluth	Self	Prop 196, 271, 289 RC 61
88. Norm Darch	Self	Prop 116 RC 32
89. Greg Johnson	Self	Prop 167
90. Jim Butler	Self	
91. Jim McCormick	Self	Management issues
92. Andy Szczesny	KRPGA	Prop 233
93. Joe Haines	Self	Prop 250
94. Robert Redmond	Self	Northern District
95. Jimmie Jack Drath	KRPGA	Prop 233-234, 255-256, 147 RC 46, PC 51
96. Jim Hill	Self	PU fishery Prop 178
97. Kevin Delaney	KRSA	UCI salmon management issues PC 25
98. Ricky Gease	KRSA	KRSA proposals RC 15
99. Ray Beamesderfer	Self	Scientific issues related to UCI management
100. Rik Bucy	Self	PU fishery / economic impact
101. Shanon Hamrick	Ken Peninsula Tourism Marketing Council	Impact of Sportfishing
102. Dan Mayhall	Self	Reasonable opportunity
103. Mark Moustakis	Self	Drift areas, dipnet
104. Mike Fenton	Self	Slikok Creek closure, no drift only areas
105. Leverette Hoover	Self	Fishing opportunity
106. Gary Sisk	Self	Dipnetting, drift dates, windows
107. Bill Comer	Self	Dipnetting, drifting, opportunity
108. Jason Votruba	Willow Area Community Organization – Support MatSu Borough recommendations	
109. Ted Crookston	Self	ADF&G mgmt, 29 mesh nets, PU fishery
110. Eric Nyce	Self	Prop 116
111. Gary Fandrei	Cook Inlet Aquaculture Assoc.	Salmon enhancement in UCI
112. Dave Lyon	Homer AC	AC comments on proposals



# Board of Fisheries Upper Cook Inlet Meeting held at the Egan Convention

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## Public Testimony Sign Up

Name	Representing	Subject / Related RC, PC or AC
113. Dave Lyon	AK Backcountry Hunters & Anglers	Salmon allocation
114. Wayne Wilson	Self	Fishing
115. Steve Tvenstrup	Self	PC 13
116. Kenny Rogers	Self	Northern District Comm. fishing RC 63
117. Tony Russ	Self	UCI fishery health RC 73
118. Paul Shadura	Self	Commercial fishing PC 77
119. Scott Blake	Self	Proposal comments
120. Jeff Berger	Self	Proposal comments
121. Ed O'Connor	Self	Prop 229 RC 59
122. Robert Williams	Self	King salmon economics
123. Page Herring	Self	Northern District Set Net Assoc.
124. David Brindle	Self /Pacific Star Seafood	Economic impact to local community
125. Vince Goddard	Self	Fishing
126. Jason Koontz		Fishing
127. Christine Brandt	Self	Commercial fishing
128. Dyer VanDevere	Self	Commercial fishing
129. Jeff Beaudoin	Self	Kenai River escapement goals
130. Ken Coleman	Self	East side set net fishery
131. Stephen Braund	Northern District Set Net Assoc of Cook Inlet	King, sockeye & coho
132. Erik Huebsch	Self	Kenai River escapement
133. Frank Mullen	Self	Kenai River escapement
134. Greg Schumaker	Self	Fishing time in 244-32 N K-Beach
135. Brian Gabriel	Self	K-beach setnet
136. Louis Finch	Self	N. District comm. Fish regulations
137. Tom Rollman	Northern District Setnetters	Commercial fishing
138. Adam Reid	Self	Sportfishing opportunity
139. Steve McClure	Self	Prop 213
140. George Heim	Self	Proposal comments

Board of Fisheries Upper Cook Inlet Meeting held at the Egan Convention  
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Public Testimony Sign Up

Name	Representing	Subject / Related RC, PC or AC
141. John Standifer	Self	Tyonek fishing
142. Ezra Campbell	Seward AC	AC 1
143. Tom Payton	Mt Yenlo AC	AC 6
144. Robert Purpura	Seldovia AC	AC 2
145. Mike Crawford	Kenai/Soldotna AC	AC 4, RC 9
146. David Martin	Central Peninsula AC	AC 8
147. Andrew Couch	Mat Valley AC	AC 3
148. John Renner	Copper River/PWS AC	
149. George Heim	Cooper Landing AC	AC comments on proposals RC 6
150. Al Gozmer	Tyonek AC	AC comments on proposals RC 21-22
151. Steve Runyan	Susitna Valley AC	AC comments on proposals RC 65

RC 92  
First of all, thank you for the opportunity to speak, and I also thank you for your service on this Board. My name is Joel Doner and I am a third generation East Side set net permit holder. My son is a permit holder and my wife is a permit holder. It's a family business. We fish next to my two brothers and their families at Calm Gulch using the same locations my grandfather used 50 years ago. Well, I've been pondering what exactly to spend my 3 minutes with you on, and while listening to some of this public testimony, it occurred to me that there is a user group that is largely unheard here. I would like to tell you about a customer of mine named Helen. She is a dear old lady; some would call her an Alaskan Pioneer. She is in her mid eighties and raised her children in Coopers Landing. She lives here in Anchorage and has Great-grandchildren in town also. Now, Helen does not wish to brave the strong current at the mouth of the Kenai River with a dip net, nor does she want to go combat fishing on the Russian for her Salmon. What Helen has chosen to do is have her fish professionally caught, cared for, and delivered in an economical fashion that often times is less expensive than catching it herself. So I can't help but bring up an earlier testifiers comment that "1% of the people take 87% of the fish". This is nothing but a perversion of the truth. And while I cannot say for certain what Helen would call it, but can guess it wouldn't be pretty. So in the days ahead while you all are deliberating on allocative issues I ask this Board to consider not only the thousands of Alaskans, but also the millions of people around the Globe that access this Cook Inlet salmon resource through the commercial fishery. When the resource is allocated away from the commercial fishery. It is allocated away from Alaskans like Helen.

Another point I would like to talk about is the chronic inability to meet the escapement goals in the Kenai and Kasilof Rivers. On the Kenai River, we have the potential, if managed effectively, to achieve a double digit Return per spawner ratio for sockeye. Instead, the last three complete brood years have yielded a return per spawner ratio of less than 2. Now, the law of the land says to manage for maximum sustained yield. But the management plans that contain "windows" and time restrictions severely hamper the ability to meet MSY. We tell the area biologist to manage for the escapement goals and then turn right around and tie his hands. I would like to bring your attention to one proposal that I believe would help the managers' meet escapement on the Kasilof River. I submitted proposal #169 and it addresses the Kasilof River Special Harvest Area. This proposal asks that when the terminal area is used that the Kasilof 1/2 mile area be used concurrently. This proposal has wide support and in fact the Anchorage Advisory committee has submitted a proposal very similar in proposal #170. If it would help to make this proposal more palatable, I would consider amending this proposal to only the 1/2 mile section south of the Kasilof River. Did you realize that the Kasilof River Special Harvest Area sticks out more than 1/2 mile? If a salmon were swimming up the beach within 1/2 mile of shore, wouldn't it make sense to catch it in the historical and traditional area rather than the Terminal, that is so strife with problems?

I really do thank you guys for listening and considering my point of view. And would love to be included in committee C if that is a possibility.

## Proposal 116

- ✓ Detrimental to all set net fisherman.
- ✓ Removes 36% of mesh from the water.
- ✓ **Does not decrease** the depth a net hangs in the water. This is regulated by bridals and lines used to keep our gear at a designated depth.
- ✓ A 29 mesh net will remove the bag, which is a necessity for nets efficiency. A reduction in this will drastically increase the dropout rate.

Financial costs of switching mesh depth, based on Nyce Family's fish site net log over the past 20 years.

- ✓ Cost per net ranges upwards of \$1000.
- ✓ Typical fish sites own 25-40% more nets than locations to fish them. Additional nets important for swapping nets, storm fishing, and emergency replacements.
- ✓ Nyce Family's fish site owns 18 nets for 12 locations to fish.
- ✓ Life span of a single net is approximately 12 years, with some lasting much longer.
- ✓ Time required to hang a single net ranges upwards of 50 hours. Total hours required to replace all 18 nets on Nyce Family's fish site would be 900 hours.
- ✓ Impossible to simply cut a net down to 29 mesh. This would remove the stronger twine along either the lead or cork line.
- ✓ Impossible to cut a net down and mend in a new lead line. A nets lines need to stretch at the same time/rate. Can't fish a new line with an old line, because of different stretch rates.

Submitted by: Eric Nyce KPFA

## Proposal 116

Members of the Board,

My name is Eric Nyce, I'm a board member on the Kenai Peninsula Fisherman's Association, although I'm here today representing myself. I would like to first say that I'm in full support of proposals 321-331, these proposals if enacted will maintain the long-term sustainability of salmon fishing in the Upper Cook Inlet, rather than the current trend of short-term gains for a single user group.

To address my fishing background, my family has been fishing on Salamantof Beach for the previous 30 years. The fishing lifestyle is the only way of life I have ever known, and one day I hope my children will have the opportunity to embrace the same way of life that I know and cherish.

Which is what brings me here today. I would like to address proposal 116 that proposes to reduce net depth from 45 to 29 mesh. I am strongly opposed to this measure. The Kenai River set net fishery has already been marginalized over the past decade by the introduction of windows, increased escapement goals and a shortened season. Removing 1/3 of our fishing capacity drastically curtails our ability to provide a reliable, high quality food source to the American Public. As stated in the proposal the "lower catch per effort unit of sockeye in the shallower net is more than offset by increased fishing opportunities afforded by the sockeye selective gear". Therefore if proposal 116 were enacted it provides perfect justification to remove windows and lower the escapement goals in the Kenai and Kasilof Rivers. As has been made very public, windows and increased escapement goals have been adopted to bring additional Chinook salmon into these river systems. If this disastrous proposal were adopted, I hope the board would also follow the guidelines presented by KRSA to allow for additional fishing opportunities using sockeye selective nets. If net efficiency is marginalized the only opportunity of increased sockeye catch is the removal of windows and a reduction in escapement goals.

Additionally, the cost of switching from 45 to 29 mesh depth will be a potentially insurmountable challenge. With the cost per net ranging upwards of 1000 dollars. On my family's fish site we own 18 nets, strategically fished through 12 locations. We have maintained a net log over the past 20 years, in that time the average life span of a single net is approximately 12 years, with some lasting much longer. The idea of slowly phasing out these nets is financially impractical, not even to mention the many hundreds of hours required hanging new nets.

**If this proposal were adopted it would be similar to telling a sports fisherman they have to fish with a needle instead of a hook. Because after all, what the difference, they're the same length and both have a sharp point on the end.**

Lastly I would like to address the fallacy that set netters are responsible for catching the large kings from the Kenai. The mesh we use is a very comparable strength to the line

used sports fishing. What happens when a king tries to run with a locked drag? The line breaks. The same thing happens in our nets. When a king of substantial size hits our nets in a running tide, the mesh breaks and the king is allowed to pass unharmed to its intended river system. A solution for larger kings to return needs to be derived from in-river user groups, because set netters are not responsible for there decline.

Thank you for your time.

Submitted by: Eric Nyce KPFA

Alaska Board of Fisheries  
Committee Report

**COMMITTEE A**  
**Subsistence and Commercial Fishing**

February 23, 2011

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Board Committee Members:

1. Mike Smith, \*Chair
2. Mel Morris
3. Tom Kluberton

Alaska Department of Fish and Game Staff Members:

1. Jeff Fox, Area Manager, Division of Commercial Fisheries
2. Pat Shields, Asst. Area Manager, Division of Commercial Fisheries
3. Mark Willette, Area Research Biologist, Division of Commercial Fisheries
4. Tracy Lingnau, Regional Mgmt. Coordinator, Division of Commercial Fisheries
5. Tim McKinley, Area Research Biologist, Division of Sport Fisheries
6. Sam Ivey, Acting Area Manager, Division of Sport Fisheries
7. Tony Eskelin, Fisheries Biologist, Division of Sport Fisheries
8. Greg Buck, Fisheries Biologist, Division of Commercial Fisheries
9. Bob DeCino, Asst. Area Research Biologist, Division of Commercial Fisheries
10. Davin Holen, Regional Program Manager, Division of Subsistence
11. Samantha Oslund, Fisheries Biologist, Division of Sport Fisheries
12. Jim Fall, Statewide Program Manager, Division of Subsistence
13. Lisa Olson, Acting Deputy Director, Division of Subsistence
14. Sue Aspelund, Deputy Director, Division of Commercial Fisheries
15. Lance Nelson, Department of Law
16. Bob Clark, Fisheries Scientist, Division of Sport Fisheries
17. Jim Hasbrouck, Regional Supervisor, Division of Sport Fisheries

Alaska Department of Law Staff Members:

1. Lance Nelson, Senior Assistant Attorney General, Department of Law

Advisory Committee Members:

1. Andrew Couch, Matanuska Valley/ AC
2. Norm Darch, Kenai/Soldotna AC
3. Joel Doner, Anchorage AC
4. Frank Standifer, Tyonek AC
5. David Martin, Central Peninsula AC
6. Steve Runyan, Susitna Valley AC
7. Tom Payton, Mount Yenlo AC



Public Panel Members:

1. Stephen Braund, N. Dist. Setnetter's Assoc.
2. Kenny Rodgers, N. Dist. Eastside Setnetters
3. Dan Johnson, Sport Fish Guide
4. Jeffrey Widman, Drift fisherman
5. Kevin Delaney, Kenai River Sportfish Association (KRSA)
6. Mac Minard, Mat-Su Borough Mayors Sportsman Blue Ribbon Committee (BRC)
7. Eric Beeman, West Side Kalgin Island setnetter
8. Paul Shadura, South K-Beach Independent Setnet Assoc. (SOKI)
9. Greg Johnson, Kenai Peninsula Fisherman's Association (KPFA)
10. Ken Tarbox, Kenai Area Fisherman Coalition (KAFC)
11. Page Herring, N. Dist. Setnetter
12. Gary Hollier, Kenai Peninsula Fisherman's Association (KPFA)
13. Roland Maw, Upper Cook Inlet Drift Assoc. (UCIDA)
14. Jeff Beaudoin, Kenai Peninsula Fisherman's Association (KPFA)
15. David Brindle, Processor
16. Jimmie Jack Drath, Kenai River Guide Association (KRGGA)
17. Gary Deiman, Eastside set gillnetter
18. Brent Johnson, Eastside set gillnetter/historian
19. David Goggia, Kenai River Professional Guide Association (KRPGA)
20. Jeff Berger, Processor, Copper River Seafoods
21. Larry Reutov, Russian community

Federal Subsistence Representative:

1. None

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The Committee met February 23, 2011 at 08:35 a.m. and adjourned at 5:15 p.m.

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PROPOSALS BEFORE THE COMMITTEE WERE: (25 total) 102, 103, 104, 105, 106, 109, 167, 107, 108, 322, 321, 323, 110, 111, 112, 113, 114, 115, 116, 117, 118, 324, 119, 120, 121.

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**PROPOSAL 102 - 5 AAC 01.570. Lawful gear and gear specifications.** *(This proposal was erroneously cited as 5 AAC 01.010(a). Methods, means, and general provisions for subsistence.)*  
Modify gear for subsistence fishing.

**Narrative of Support and Opposition:**

Department:

- None.

Department of Law:

- None.

**Support:**

- Tyonek subsistence fishermen prefer king salmon. Tyonek preference is king salmon, then silvers, reds, and pink last.
- Current mesh size is too small, causing drop-out issue. Concerned w/ excess mortality.
- This proposal is only for the king salmon season and would help because of the tides and efficiency to harvest king salmon.

**Opposition:**

- Increased mesh size would harvest larger fish and more females.
- Opposed due to Chuitna River king salmon is a stock of concern.
- 8" mesh size is not used elsewhere in Cook Inlet.
- There is an increase of participants in Tyonek and that increase will harvest additional salmon.

**General:**

- Harvests have declined but a lack of opportunity doesn't seem to be the driving issue.
- Chuitna coal development will be harmful to spawning habitat and salmon would not return. Spawning habitat would be ruined and runoff from the coal mine would hurt the eggs.
- Proposed Chuitna coal development may increase population in area dramatically, which may lead to additional king salmon harvests.

## **ANS Discussion Points:**

### **Department:**

- There is currently an administrative ANS, but the board has not established an ANS into regulation. There is a regulatory cap of 4,200 king salmon.
- RC 74, RC 20, and RC 50 provide options for ANS ranges. The board should adopt an ANS.
- Board establishes ANS ranges. These ranges are based on harvest records and long term trends.
- Options used to develop ANS: 1) define ANS range based on mean harvests and standard deviation, 2) define ANS range based on low and high harvests w/in 1996-2010. Tyonek options differ in range of years (1980-2009 or 1992-2009). Define ANS ranges based on means & standard deviation or high low harvests.

### **Department of Law:**

- Recommends board put the ANS into regulation so that the department has guidance.
- Reasonable opportunity is required.
- Define stocks to largest grouping reasonable. In this case, there is a court case as well as information from the department. A prior board should have considered kings specifically. Prior board may have acted improperly.
- Under the subsistence statute, sustained yield is a priority. If there is harvestable surplus, then reasonable opportunity should be provided.
- Reasonable opportunity for subsistence fisheries is the obligation of the board.
- The board has the flexibility to address conservation concerns and the authority to limit time, seasons bag limits.
- Restrictions can occur to subsistence fisheries as long as there is reasonable opportunity. When there's a conservation concern on a specific stock, then you're looking at further restrictions.

### **Support:**

- Tyonek subsistence fishermen prefer king salmon. Tyonek preference is king salmon, then silvers, reds, and pinks last.

### **Opposition:**

- None.

### **General:**

- Seems the best thing to do would be to develop an ANS for king salmon, then another for other species.

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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 103 - 5 AAC 01.593. Upper Yentna River subsistence salmon fishery.** This proposal asked for a review of C&T finding, reduce the harvest cap and require first 500 fish be retained for the Skwentna River.

**Narrative of Support and Opposition:**

Department:

- The department noted that 54% or 55% of permits went to residents of Skwentna and the remainder were Mat-Su and Anchorage residents.
- The board should adopt an ANS. The board has not established an ANS range and RC 74, RC 20, and RC 50 provide options for ANS ranges.

Department of Law:

- See comments to Department of Law comments on Proposal 102.

**Support:**

- General consensus in support of option 1A in RC 20 for an ANS range of 400-700 salmon.
- This fishery only targets sockeye salmon. King salmon and trout must be released.

**Opposition:**

- There are no roads in that area as stated in the proposal.
- Requiring that all salmon caught in the live boxes in fishwheels would prevent species selection by subsistence fishers.
- Does not want the requirement that the first 500 salmon must be kept.

**General:** General support for ANS amount (Option 1A).

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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose the proposal as written.

Substitute Language:

**5 AAC 01.566. Customary and traditional subsistence uses of fish stocks and amount necessary for subsistence uses.**

5 AAC 01.566(a)(1)(C) is amended to read:

(C) except king salmon in the Yentna River drainage outside the Anchorage-Matsu-Kenai Nonsubsistence Area described in 5 AAC 99.015(a)(3);

5 AAC 01.566 a new subsection is added to read:

(e) The board finds that 400 - 700 salmon, except king salmon, are reasonably necessary for subsistence uses in the Yentna River drainage described in 5 AAC 99.015(a)(3);

**5 AAC 01.593. Upper Yentna River subsistence salmon fishery.**

5 AAC 01.593(5) is repealed to read:

(5) repealed.[THE COMMISSIONER SHALL CLOSE THE SUBSISTENCE FISHERY, BY EMERGENCY ORDER AS NECESSARY, TO ENSURE THAT NO MORE THAN 2,500 SALMON ARE TAKEN DURING THE ENTIRE SEASON UNDER THIS SECTION.]

**PROPOSAL 104 - 5 AAC 21.200. Fishing districts, subdistricts, and sections.** (*This proposal was erroneously cited as 5 AAC 21.350 Closed waters.*) Mirror the east side salmon escapement corridor in the Central District.

**Narrative of Support and Opposition:**

Department:

- None.

Department of Law:

- None.

**Support:**

- Need to reduce harvest on kings.

**Opposition:**

- No reason for it; this is an allocative proposal, but has no effect.
- There are no fisheries at that time; king salmon have already moved through this area.
- The drift fishery does not fish in the Northern District.

**General:** Not Discussed.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSALS 109, 105, 106, and 167 - 5 AAC 21.310. Fishing Seasons** (*Proposal 167 was erroneously cited as 5 AAC 21.365. Kasilof River Management Plan.*) Allow for earlier harvest of sockeye salmon.

**Narrative of Support and Opposition:**

Department:

- None.

Department of Law:

- None.

**Support:**

- This proposal will provide additional opportunity for harvesting sockeye given the genetics data indicates harvests in this area contain a large proportion of Kasilof River sockeye salmon.
- There was support of this proposal and also to amend Proposal 167 to include areas north of Kenai River.
- Not enough fishing for this area as it used to be open during the proposed timeframe.
- There is no issue on early-run king salmon; it is an inriver issue.
- Department should use EO authority to close.
- The early-run sockeye command higher price.
- Setnetters note that this would provide some additional training opportunities.

**Opposition:**

- This would result in an expansion or addition of effort and harvest additional stocks such as early-run Russian River and Kenai River king salmon.
- There is already enough opportunity and king salmon runs have been low recently.
- Impact on industry will be mild with the harvest of additional fish, but there would be a larger impact on inriver fishermen.
- Early Russian River sockeye would be harvested.

**General:**

- Other dates were discussed such as July 1.
- Some discussion about northern-bound sockeye salmon on the east side at that time of year.



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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to support with substitute language.

Substitute Language:

**5 AAC 21.310 Fishing Seasons**(b)(C) is amended by adding a new sub-subparagraph to read:

(iv) south of the mouth of the Kenai River (stat area 244-32) and the Kasilof section from **July 1** [JUNE 25] through August 15;

**Proposal 107 - 5 AAC 21.310. Fishing Seasons.** Allow for earlier harvest of Kasilof River sockeye salmon with one net in the set gillnet fishery.

**Narrative of Support and Opposition:**

Department:

- None.

Department of Law:

- It would be illegal to only allow residents who hold a commercial fishing permit to commercially fish.

**Support:**

- One net is better than no nets.
- This would be valuable for safety training.
- Earlier caught sockeye salmon command higher prices which helps the economy.

**Opposition:**

- No biological rationale.
- Concerns about early run king salmon.
- Those opposed referenced their comments on the previous proposal.

**General:** It was suggested to only allow resident commercial fishermen.

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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

**PROPOSAL 108 - 5 AAC 21.320. Fishing seasons.** Extend the commercial fishing season.

**Narrative of Support and Opposition:**

Department:

- None.

Department of Law:

- None.

**Support:**

- Seeks more time similar to previous proposals.

**Opposition:**

- None.

**General:**

- Committee took no action based on discussions on the previous proposal (107).  
Committee action/recommendation has already occurred.
- This proposal was not understood.

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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: None.

Board Committee Recommendation: No action.

Substitute Language: None.

**PROPOSAL 322 - 5 AAC 21.310(C)(ii). Fishing seasons.** Reinstate the July 1 season opening in the Kenai and East Forelands sections, allow additional fishing time until August 15, and delete 1% rule.

**Narrative of Support and Opposition:**

Department:

- The 1% rule states that after July 31<sup>st</sup> when the eastside set gillnet fishery harvests 1% of the total sockeye harvest for two consecutive periods, the eastside set gillnet sockeye salmon fishery closes and the drift fishery is moved to Area 3 and 4.
- Discussion of tagging study in 2002 that suggested low interception of Upper Cook Inlet stocks.

Department of Law:

- None.

**Support:**

- Provides harvest opportunity.
- No biological issue.

**Opposition:**

- Would harvest additional coho salmon, including Kenai River coho salmon.
- Opposed to other proposals that extend fishing into August.
- Opposed and referenced previous proposals to extend the season.
- Would harvest Kenai River coho salmon.
- May harvest northern-bound salmon.

**General:**

- Not Discussed.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 321 - 5 AAC 21.310. Fishing seasons.** Extend the season in the Kenai, Kasilof, and East Forelands sections.

**Narrative of Support and Opposition:**

Department:

- None.

Department of Law:

- None.

**Support:**

- Need opportunity to allow the harvest of pink salmon.
- Harvest of surplus fish later in the season.
- This would extend the season for buyers and provides a desirable product.
- Keeps people employed and has a significant economic value.
- The department study completed in 2002 indicated low exploitation of coho salmon.

**Opposition:**

- Opposed as pink salmon fishery will intercept coho.
- Exploitation rate is already high on Mat-Su coho.
- There is a good and predictable Kenai River coho salmon sport fishery.

**General:**

- If this proposal goes forward, there needs to be a trigger that closes the commercial fishery.
- The 1% rule works in some years but doesn't in others.
- Develop odd/even year plans to harvest pink salmon.

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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to support with substitute language.

Substitute Language:

**5 AAC 21.3XX. Pink Salmon Management Plan.** The purpose of this management plan is to allow for the harvest of surplus pink salmon in the Upper Cook Inlet Area for set gillnet gear. The department may open a pink salmon fishery when the sockeye salmon escapement goals in the Kenai and Kasilof Rivers are being achieved, and coho salmon run strength is sufficient to withstand additional harvest. Notwithstanding 5 AAC 21.310(b)(2)(C)(iii) (1 percent rule). On the even years the department shall manage the fishery as follows:

(1) for one to two fishing periods between August 11 - 15; opened by emergency order;

(2) set gillnets may not be operated less than 600 feet from the shore,

(3) a set gillnet may not have a mesh size greater than 4 and three quarters of an inch;

**OPTIONS:**

Triggers to open a regular 12 hour fishing period from August 11 - 15:

(A) during regular fishing periods from August 6 - 10, the daily harvest of pink salmon exceeds 50,000 fish;

(B) or cumulative harvest of 100,000 pink salmon from August 6 - 10;

Trigger to open a second 12 hour fishing period from August 11 - 15:

(A) if less than 50,000 pink salmon are harvested during first fishing period, no additional fishing period;

(B) if more than 2,500 coho salmon are harvested during first period, no additional fishing period;

**PROPOSAL 323 - 5 AAC 21.310(C)(iii). Fishing seasons.** Revise the closing date in the Kenai, Kasilof, and East Forelands sections.

**Narrative of Support and Opposition:**

Department:

- None.

Department of Law:

- None.

**Support:**

- Little coho interception of Upper Cook Inlet stocks.
- Supports using emergency authority to manage commercial fishery and not the current regulations.
- 2006 season shows that the 1% rule isn't flexible.

**Opposition:**

- Believe existing 1% regulation to close the eastside set gillnet fishery is working.
- There would be increased coho salmon harvest.
- There is a disparity between commercial and sport harvest.
- Attempt to minimize overharvest might be more effective with date.
- There would be additional harvests of fish headed to the Northern District.
- There is no regulation that can cover really odd years like 2006.
- Opposed to extending the season, referencing previous proposals.

**General:**

- 4 or 5 days of 1% suggested but department replied that may be difficult with the current reporting procedures.
- Creating standardized fishing periods would improve process.

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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.



**PROPOSAL 110 - 5 AAC 21.310. Fishing seasons.** Amend set gillnet fishing to close by emergency order.

**Narrative of Support and Opposition:**

Department:

- None.

Department of Law:

- None.

**Support:**

- Department has the authority to close via emergency order.
- There are extra fish to harvest later in the season.
- Want to harvest the pink salmon later in the season.

**Opposition:**

- Would take too much from sport fishermen for the benefit of commercial fishermen.
- Commercial fishing may fish into September.
- There would be exploitation on coho if fishing on pink salmon; opposed to catching coho.
- Disrupts successful management plans.
- This will harvest additional Kenai River coho salmon

**General:**

- Discussion about catching pinks with sockeye gear.

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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 111 - 5 AAC 21.320. Weekly fishing periods.** Extend closure time by three hours in the Central District.

**Narrative of Support and Opposition:**

Department:

- None.

Department of Law:

- None.

**Support:**

- Increase efficiency and allow more time to work around tides.
- Support as long as harvests don't increase.
- Increased periods would provide for a margin of safety due to tides.
- This provides a predictable period instead of waiting to hear from the department.

**Opposition:**

- This is already being done.
- Department should continue to use EO authority.
- This is already available in regulation.

**General:**

- Adding hours would help some setnetters, but may not help others because of the tides being different in some areas versus others.

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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 112 - 5 AAC 21.320. Weekly fishing periods.** Modify the weekly fishing periods in Upper Cook Inlet.

**Narrative of Support and Opposition:**

Department:

- None

Department of Law:

- None.

**Support:**

- Modifying the weekly fishing periods in Upper Cook Inlet would provide more flexibility.
- This would reflect historical fishing periods.

**Opposition:**

- Additional fishing time would increase harvests coho salmon.

**General:** Not Discussed.

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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 113 and 114 - 5 AAC 21.3XX. New Section and 5 AAC 21.320. Weekly fishing periods.** Require removal of gear during closures.

**Narrative of Support and Opposition:**

Department:

- None.

Department of Law:

- None.

**Support:**

- This would provide additional personal use fishing opportunity.

**Opposition:**

- It would likely cause escapement goals to be exceeded.
- Burden of removing and then resetting gear during weekends.
- This could create a chaotic fishery trying to commercially harvest excess fish during the week.
- It would be difficult to manage.

**General:** Not Discussed.

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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 115 - 5 AAC 21.331. Gillnet specifications and operations.** Ban the use of monofilament salmon web in Cook Inlet.

**Narrative of Support and Opposition:**

Department:

- None.

Department of Law:

- None.

**Support:**

- Monofilament is wasteful; leads to poor fish quality.
- May be problems catching seabirds and marine mammals.
- There tends to be more dropouts using monofilament gear.
- Could be allocative and is not used anywhere else used in the state.

**Opposition:**

- Costly to replace monofilament gillnets.
- Financial burden on those that have switched to monofilament.
- Monofilament is easier to clean than multifilament gillnet.

**General:**

- Discussion regarding economics, ease of use, quality of catch, lack of federal regulations.

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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 116 - 5 AAC 21.331. Gillnet specifications and operations.** Reduce mesh number and net depth in the Central District.

**Narrative of Support and Opposition:**

Department:

- In Bethe study, catches in the upper, middle and lower third of setnets was examined. No significant differences in catch were found.

Department of Law:

- None.

**Support:**

- This proposal potentially could save king salmon.
- A desire to fish fewer hours at periods of higher sockeye abundance is the only way to reduce king catch.

**Opposition:**

- It is not conclusive that reducing net depth would decrease king salmon harvest.
- It is not justified to take 1/3 of nets out of the water.
- It would be very expensive to change from current mesh depth to shallower gillnets.
- Need more studies to see if this would actually work.
- Doubts that this would really work.

**General:** Not Discussed.

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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSALS 117, 118, and 324 - 5 AAC 21.331. Gillnet specifications and operations.**  
Modify the amount of gear used by CFEC set gillnet permit holders.

**Narrative of Support and Opposition:**

Department:

- None.

Department of Law:

- The board has no authority to restrict ownership of permits, but can restrict when/where those permits are used.

**Support:**

- It keeps permits in the family.
- Many setnet permits are operated as family operations.
- Allowing permit holders to fish multiple permits would encourage the retention of permits in the family by allowing other family permit holder to fish them in the permit holder's absence.
- Would likely not result in additional gear in water, or increase harvests very much.

**Opposition:**

- Could put more gear in the water harvesting more fish.

**General:**

- If this passes, stacked permits should be registered and operated in the same area.
- The board allowed this to sunset in Kodiak. Intent was that permits would be somehow tied together.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to support with substitute language.

Substitute Language:

**5 AAC 21.331. Gillnet specifications and operations.** is amended by adding a new subsection to read:

(i) A CFEC permit holder who holds two Cook Inlet set gillnet permits may not operate more than an aggregate length of set gillnets not to exceed 210 fathoms. A single set gillnet may not exceed 35 fathoms in length. The buoys must be marked as specified in 5 AAC 21.334 and 5 AAC 39.280. All identifiers must be displayed in a manner that is plainly visible, unobscured, and in a color that contrasts with the background.



**PROPOSAL 119 - 5 AAC 21.333. Requirements and specifications for use of 200 fathoms of drift gillnet in the Cook Inlet Area. Allow the use of dual drift gillnet permits.**

**Narrative of Support and Opposition:**

Department:

- None.

Department of Law

- None.

**Support:**

- Permits may go latent and not fished.
- May help manage for the escapement goals.
- Can be issues under current regulations when second registered permit holder is not available.

**Opposition:**

- Potential of killing too many northern-bound fish.
- Allowing dual permits potentially would increase the number of permits fished.
- There is no need to have more permit holders participating to manage for the escapement goals.

**General:**

- Discussion on stacked drift gillnet permits only operating where they fish now, which is the intent of this proposal and proposal 120.
- Proposal intent was to reduce gear.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 120 - 5 AAC 21.333. Requirements and specifications for use of 200 fathoms of drift gillnet in the Cook Inlet Area.** Allow four shackles of gear to be fished.

**Narrative of Support and Opposition:**

Department:

- None.

Department of Law:

- None.

**Support:**

- None.

**Opposition:**

- Four shackles of gear in the Kenai and/or Kasilof sections is too much.

**General:**

- This proposal has a similar intent as proposal 119.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Table to follow action on proposal 126.

Substitute Language: None.

**PROPOSAL 121 - 5 AAC 21.350. Closed waters.** *(This proposal was erroneously cited as 5 AAC 62.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the West Cook Inlet Area.)* Prohibit commercial vessels from fishing within five miles of mouth of streams.

**Narrative of Support and Opposition:**

- None.

Department:

- None.

Department of Law:

- None.

**Support:**

- Bottom topography affects migration of king salmon that are offshore.
- There are low king salmon escapements in the rivers, therefore, protection of king salmon is needed.

**Opposition:**

- This can already be done using EO authority.
- Existing regulations are sufficient.
- Not biologically necessary.
- Regulatory overreach.

**General:**

- There was a suggestion of no action because the proposal, as written, has no effect in the set gillnet fishery.

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**POSITIONS AND RECOMMENDATIONS**

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

## Alaska Board of Fisheries Committee Report

### **COMMITTEE B**

#### **Drift Gillnet, Northern District Salmon Management Plans, and Commercial Fishing**

February 24, 2011

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##### Board Committee Members:

1. Bill Brown, \*Chair
2. John Jensen
3. Karl Johnstone

##### Alaska Department of Fish and Game Staff Members:

1. Jeff Regnart, Director, Division of Commercial Fisheries
2. Jeff Fox, Area Manager, Division of Commercial Fisheries
3. Pat Shields, Asst. Area Manager, Division of Commercial Fisheries
4. Mark Willette, Area Research Biologist, Division of Commercial Fisheries
5. Tracy Lingnau, Regional Mgmt. Coordinator, Division of Commercial Fisheries
6. Sam Ivey, Acting Area Manager, Division of Sport Fisheries
7. Stacey Buckelew, Assistant Area Manger, Division of Commercial Fisheries
8. Bert Lewis, Fisheries Biologist, Division of Commercial Fisheries
9. Samantha Oslund, Fisheries Biologist, Division of Sport Fisheries
10. Lisa Olson, Acting Deputy Director, Division of Subsistence
11. Sue Aspelund, Deputy Director, Division of Commercial Fisheries
12. Bob Clark, Fisheries Scientist, Division of Sport Fisheries
13. Jim Hasbrouck, Regional Supervisor, Division of Sport Fisheries

##### Alaska Department of Law Staff Members:

1. Mike Mitchell, Senior Assistant Attorney General, Department of Law
2. Lance Nelson, Senior Assistant Attorney General, Department of Law

##### Advisory Committee Members:

1. Bruce Knowles, Susitna Valley AC
2. Jim Stubbs, Anchorage AC
3. Dave Martin, Central Peninsula AC
4. John Renner, Copper River/Prince William Sound AC
5. Andrew Couch, Matanuska Valley AC
6. Norm Darch, Kenai/Soldotna AC
7. Joel Doner, Anchorage AC
8. Steve Runyan, Susitna Valley AC

## Public Panel Members:

1. Amy Shaw, Cook Inlet Aquaculture Association (CIAA)
2. Robert William, Kenai Peninsula Fishermen's Association (KPFA)
3. Stephen Braund, Northern District Setnetters Association
4. Page Herring, Northern District Setnetters Association
5. Roland Maw, Upper Cook Inlet Drift Association (UCIDA)
6. Bob Merchant, Commercial drift gillnet fisherman
7. Ken Tarbox, Kenai Area Fishermen's Coalition (KAFC)
8. Jeff Berger, Processor, Copper River Seafoods
9. David Goggia, Kenai River Professional Guide Association (KRPGA)
10. Rickey Gease, Kenai River Sportsfishing Association (KRSA)
11. Ray Beamesderfer, Kenai River Sportsfishing Association (KRSA)
12. Larry Engle, Mat-Su Mayor's Blue Ribbon Sportman's Committee (MSBRC)
13. Erik Huebsch, UCIDA (drift gillnet)
14. Ted Crookston, commercial set gillnet fisherman
15. Don Johnson, Kenai River sport fishing guide
16. Ilia Kuzmin, Russian community, commercial drift fisherman
17. Paul Shadura, South K-Beach Independent Setnet Assoc. (SOKI)

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The Committee met February 24, 2011 at 8:44 a.m. and adjourned at 6:00 p.m.

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PROPOSALS BEFORE THE COMMITTEE WERE: (23 total) 122, 123, 124, 125, 126, 127, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, and 145.

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**PROPOSAL 126 - 5 AAC 21.353. Central District Drift Gillnet Fishery Management Plan.**  
Revise the Upper Cook Inlet Salmon Management Plan.

*Note: Proposal review order was changed to take up review of suggested substitute language in RC112 that was distributed to the committee prior to the start of the committee meeting.*

### **Narrative of Support and Opposition**

Department:

- Provided description of the current drift fishery management plan and the history and changes to the plan to provide fish for escapement and minimize interception of northern-bound salmon stocks.

Department of Law: None.

#### **5AAC 21.353 (a)**

##### **Support:**

- Proposal provides overall direction, but does not introduce new management ideas; language used to be in umbrella plan, but as plans have been revised, language became confusing; proposal adds preamble to umbrella plan.
- Compromise language needs to be included for consistency with other plans.
- Added preamble language for several reasons: 1) used to be in old plan and 2) the purpose is to minimize coho salmon harvest bound to UCI.
- Coupled with the conservation concern; idea of abundance-based management is to allow harvest capability using different strategies to adapt fishing area and time according to abundance.

##### **Opposition:**

- Prevents the department from managing for MSY; the foregone harvest has affected communities and businesses.
- This is not exactly minimized language from earlier management plan (1977); adds Kenai coho and sport fish to the plan; in favor of moving fish north to benefit more user groups.
- This is a major allocation and creates practical concerns.
- There is no verifiable way to show the gain of fish in restricting or decoupling fisheries.
- This will tie the manager's hands and won't accomplish conservation.

**5AAC 21.353 (b)(i)****Support:**

- Time-span from 9<sup>th</sup> to 15<sup>th</sup> is most likely time fish will pass area; this is the ideal time-span to implement conservation measures.
- Based on practices from 1980s and scale patterns and genetic ID; if harvest power is taken out of the fleet, then the need to make up time in corridor increases.
- Abundance-based management serves to allow escaped fish from the July 9-15 period to get to Northern District to spawn.
- In the last 2 years, coho salmon goals were not met in UCI; this proposal addresses coho and sockeye salmon.

**Opposition:**

- Doesn't think these dates are appropriate and need to look at the genetics information.
- Exploitation rate needs to be estimated. If the fleet harvests 20-25% of the fish, and Inlet is closed, 25% more sockeye will go north.
- Escapement goals have not been met without fishing restrictions.
- Managers need flexibility to adjust inseason conditions accordingly; need to state exact proportion of exploitation that needs reduced and then put measures in place to determine success.
- There is a minimal exploitation rate on coho salmon moving to tributaries in Northern Cook Inlet.
- Drift fleet is efficient with harvest in any given area; if the whole Inlet is opened, the fleet will naturally spread out in Cook Inlet, allowing for escapement; concentrating fleet within one area will increase impact
- There is no data to suggest that coho salmon will be moving during this date.
- The proposal takes the fishery out of the EEZ without adequate analysis.
- There are no escapement goals for coho salmon on Kenai; the success of this proposal cannot be measured.
- This plan was developed before and did not work. It resulted in overescapement in Kenai River on sockeye salmon because it takes the fleet out of the area where there are fish.
- The new information shows that additional sockeye salmon are not necessary as the current goals are being met.

**5AAC 21.353 (b)(ii)****Support:**

- Proposal is an abundance-based approach to conservation and allows more fishing time in corridor during smaller runs; more liberal when run sizes are bigger; ensures passage of sockeye; addresses minimization of coho salmon exploitation; provides flexibility in management based on run size to maximize harvest and allow for escapement.



**Opposition:**

- This strategy has not worked in previous years; not clear how this plan will be different; it's not worth it to overscape the system; unclear what exactly is needed to address yield concern.

**5AAC 21.353 (b)(iii)****Support:**

- There needs to be a decoupling for set and drift gillnets, if necessary, to use as a conservation tool, although it is a departure from normal way of joint harvest.

**Opposition:**

- This proposal is decoupling and 21.360 needs to be considered for setnet. It is not clear how many hours will be fished and it is not clear where this leaves the east side set gillnets.
- The current Susitna River sockeye salmon weir data from indicator lakes for 5 year period shows that escapement goals are generally met. Unsure of what the problem is that is trying to be solved.

**5AAC 21.353 (c)****Support:**

- Proposal intent reduces allocative decisions by commercial managers.
- Not necessarily wedded to 48-hr time period.
- The department can't predict fish within 48 hours; if moved 3 to 4 days, would be acceptable and may allow the department more time to predict.

**Opposition:**

- Need flexibility for fishing and adaptive management, not micro management.
- Precludes managers to open set net if escapement goals are exceeded.
- This may deny equal access to harvestable surplus.

**General:** None.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

**PROPOSAL 143 - 5 AAC 21.366. Northern District King Salmon Management Plan.** Modify the Northern District King Salmon Management Plan to articulate recreational use priority.

*Note: Proposal review order was changed to take up review of suggested substitute language in RC112 that was distributed to the committee prior to the start of the committee meeting.*

### **Narrative of Support and Opposition**

Department: Provided information in response to sport fishing actions proposed in RC 111.

- Beluga River sport fishing averages 400 angler days and 120 kings are harvested in Coal Creek.
- East Susitna River tributaries (Unit 2) closing the last weekend of the season will probably reduce the harvest by 25-30% depending on calendar date when the last weekend falls. Reduction in hours may also reduce harvest by 25%.
- Willow Creek is an enhanced fishery with hatchery contribution decreasing in recent years. When fish are restocked from the new hatchery in 2012, a good return should be expected by 2014.
- Goose Creek is very shallow, lending to good fish counts; few angler days on this river; closure would not divert many angler days to other streams.
- Last weekend closure on Little Susitna does not have a lot of effect; most fishing pressure has already occurred; if escapement goals are not met it makes sense to close the last weekend.
- Doshka has good inseason data from weir; bait is generally first restriction on fishery if projections are low.
- Proposed regulation changes in RC 111 would reduce commercial fishery harvest by 70% to 80%, reduce West Cook Inlet sport fish harvest by 100%, and reduce Parks Highway streams' sport harvest by 50%.

Department of Law: None.

### **Support:**

- Theodore, Chuit, and Lewis rivers have been catch-and-release in the sport fishery, but no reductions of the commercial harvest.

- Historically the sport fishery was restricted; sport anglers could not harvest the surplus; agreed back then that regulations would be readdressed if conservation concerns occurred in the future; the preamble used to exist in historic plans, but language got dropped; fishing hours were expanded and periods were added; we are going back to where the original plan was; there are no longer the same fish surpluses that historically occurred.
- Addresses omission from management plan triggering closure around river mouths of catch-and-release streams
- Collectively looks at stocks of concern; aims to make 50% reduction in harvest with sport and commercial fishing; no attempt to address subsistence fisheries.
- Close commercial fishing in 247-20 and 247-30, which are big interception areas for kings.
- There is a need to restrict commercial as long as subsistence is not affected; if commercial fishing is closed, then close sport fishery entirely (e.g., no catch and release).
- King salmon stocks are small and fragile; don't want to increase fishing pressure in other areas; this proposal provides additional protection so may reduce fishing in other areas.

**Opposition:**

- Restores 1977 language; language is confusing; not sure if preamble is needed.
- Burden of conservation sharing clause in sustainable fishery policy: is not 50-50%; should address conservation concern in streams with stock of concern; address concern along beach (start at mouth of Big Susitna) and within stat areas where there is stock of concern; don't punish the whole Northern District, just address stocks of concern.
- The problem is that preamble does not address specific regulations; in regards to fishing hours in 1986, the purpose of change was to align fishing with tides.
- Provides for sport opportunity, but not for commercial; this is unprecedented opportunity.
- Set gillnetters affected in allocated areas; the conservation burden needs to be shared across all user groups.
- It is unclear what the impact of catch and release is to king salmon; concerned about sustainability of fishery assumed to be 10%.
- Commercial harvest is only 10% of the sport harvest.

**General:**

- This is new and would link sport fishing to commercial fishing. Restrictions to sport fishing will also influence restriction on commercial fisheries.
- RC111 deviates from Proposal 143 with no harvest limit provided; Susitna managed based on Deshka return.

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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

**PROPOSAL 122 - 5 AAC 21.353(a)(2)(B)(i-iii). Central District Drift Gillnet Fishery Management Plan.** Modify the Upper Cook Inlet Central District Drift Gillnet Management Plan.

**Narrative of Support and Opposition**

Department: None.

Department of Law: None.

**Support:**

- Creating corridors would help get fish to the Northern District.

**Opposition:**

- Already getting enough coho salmon escapement. Is there really conservation concern or do proponents just want more coho salmon?
- Closing this area is not going to save very many fish.

**General:** None.

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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

**PROPOSALS 123 and 124 - 5 AAC 21.353. Central District Drift Gillnet Fishery Management Plan.** Revise the Central District Drift Gillnet Fishery Management Plan.

**Narrative of Support and Opposition**

Department: None.

Department of Law: None.

**Support:**

- Support for the same reasons stated in Proposal 126.
- Comment for record relating to RC113: MSY has been addressed throughout committee; concur with Magnuson-Stevens Act Section 1: prevent overfishing while maintaining optimum yield; believe proposal addresses optimal yield based on management concerns.

**Opposition:**

- This would cause the Kenai and Susitna river goals to be exceeded and put Kenai and Susitna sockeye salmon runs at risk.
- There is no way to manage for MSY with these restrictions and there is no data to support the closure.
- The exploitation rates on these stocks are already low.
- Proposals restricting early periods have the potential to dramatically increase harvest during the next commercial opening; important for processor to maintain consistent markets.

**General:** None.

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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: No action based on withdrawal of proposer's support (RC124).

Substitute Language: None.

**PROPOSAL 125 - 5 AAC 21.353. Central District Drift Gillnet Salmon Management Plan.**  
Delete references to Areas 1, 2, 3, and 4.

**Narrative of Support and Opposition**

Department: None.

Department of Law: None.

**Support:**

- Prefer general parameters from board; from 2002 to 2006 lots of sockeye salmon (2 million) went into Kenai and Kasilof; this is foregone harvest opportunity.
- This would allow harvests to occur and manage for MSY so that escapement goals would be achieved.
- There would not be lost yields and it takes shackles off biologists to manage fisheries for MSY based on abundance estimates.
- This would benefit local industry and communities.
- The Russian community relies on salmon fishery as source of income; 33% of the drift fleet composed of the Russian fleet.

**Opposition:**

- Run strength information is available after most of the fishery has been implemented; therefore, impact has already occurred.
- Majority of Susitna fish are in river by end of July so measures taken in early August have little effect on coho and sockeye salmon; first information arrives from weirs in late July, with peak numbers around late July and early August.
- All Susitna, Knik Arm, and Kenai streams have biological concerns.
- No assessment of run strength until fish actually hit the rivers.
- This would cause more interception.

**General:** None.

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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.



**PROPOSAL 127 - 5 AAC 21.353(a)(2)(C). Central District Drift Gillnet Fishery Management Plan.** *(This proposal was erroneously cited as 5 AAC 21.310. Fishing Seasons.)*  
Restrict the commercial drift gillnet fishery in the Western Subdistrict of Cook Inlet.

### **Narrative of Support and Opposition**

Department: None.

Department of Law: None.

#### **Support:**

- Need to determine priority; if it is sport fish, then why is there a commercial fishery?
- There is market desirability for late-run coho salmon; according to one study, economic benefit does not vary between sport fishery and commercial fishery.
- Lots of sport fishing activity in this area; sport fishing has economic value to the state that surpasses commercial value.
- Late season coho salmon extend the guiding season; commercial effort reduces the sport fishing season; there is economic benefit to the state from this sport fishery.

#### **Opposition:**

- Boats fish in this area late-season; this is a low participation fishery with negligible exploitation; this area is important to direct marketers; there is a lot of hook-and-release sport fishing happening in this area; it's not like there are not enough fish in the river, so no justification to restrict commercial fisheries.
- This is a limited duration commercial fishery; weather and cost of travel naturally impede this fishery anyhow.
- Lots of tidal influence in this area moves fish over large spatial areas; it will be technically difficult to limit these areas.

**General:** None.

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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

**PROPOSAL 129 - 5 AAC 21.365. Cook Inlet Pink Salmon Management Plan.** Establish a management plan for pink salmon bound for the Kenai River.

### **Narrative of Support and Opposition**

Department:

- Staff explained the history of the pink salmon management plan. Management plan created in 2002 as drift-only in areas outlined in area map. The market was poor and value was low with few fish caught. There is a potential for lots of pinks, but most will be caught on the beach and not in drift.

Department of Law: None.

#### **Support:**

- Proposal written loosely to allow consideration (previously similar proposals were too specific); many different options could be considered; without a management plan it is difficult to manage fishery and issue EOs; setnetters want to fish when there is an abundance of fish.

#### **Opposition:**

- Will escalate the coho salmon harvest; there is bycatch information on coho salmon incidentally-caught through late 1980's.

**General:** None.

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### *POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Table to Committee A.

Substitute Language: None.

**PROPOSAL 130 - 5 AAC 21.356. Cook Inlet Pink Salmon Management Plan.** Amend the Cook Inlet Pink Salmon Management Plan.

**Narrative of Support and Opposition**

Department: None.

Department of Law: None.

**Support:** See comments for Proposal 129.

**Opposition:** See comments for Proposal 129.

**General:** See comments for Proposal 129.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose the portion of proposal addressing drift gillnets. The set gillnet portion will be addressed by Committee A. Reference comments in Proposal 129.

Substitute Language: None.

**PROPOSAL 131 - 5 AAC 21.358. Northern District Salmon Management Plan.** Modify the Northern District Salmon Management Plan.

**Narrative of Support and Opposition**

Department: None.

Department of Law: None.

**Support**

- There needs to be a definition of “minimize”; created problems with 1% rule.
- Aligns department management practices and exploitation rates statewide as fisheries are important for economic livelihood of local communities.

**Opposition:**

- Minimization of runs contrary to MSY management.

**General:** None.

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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

**PROPOSAL 132 - 5 AAC 21.358(b). Northern District Salmon Management Plan.** Add pink salmon to the Northern District Salmon Management Plan.

### **Narrative of Support and Opposition**

Department:

- Direct department to harvest pink and coho salmon beyond current levels; will increase harvest rates of coho salmon.
- There will be mixed stock in the Inlet at that time, although majority will be pink salmon.

Department of Law: None.

#### **Support:**

- Need clarification for harvesting pink salmon in absence of a pink salmon management plan.
- Need to be able to harvest for MSY. There is no harvest now.
- There are conditions where some exclusive fisheries are being created outside the CFEC process.

#### **Opposition:**

- Pink salmon have been overescaped for years and there is no need for additional harvest.
- Not in favor of increased fishing time that would harvest coho salmon.
- Fish wheels or other alternative gear types could be considered.

**General:** None.

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### *POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

**PROPOSAL 133 - 5 AAC 21.358. Northern District Salmon Management Plan, 5 AAC 21.353. Central District Drift Gillnet Fishery Management Plan, and 5 AAC 21.366. Northern District King Salmon Management Plan.** Make consumptive use a priority for fishing king and coho salmon.

### **Narrative of Support and Opposition**

Department: None.

Department of Law: None.

#### **Support:**

- Reacquire priority use of king and coho salmon for sport anglers which has been stated in plans before.
- The most critical issue is putting language back in that specifies coho salmon sport priority.

#### **Opposition:**

- Average commercial catch is negligible for total coho salmon return; this is strictly allocation.
- Commercial fishery should be considered consumptive use, since fish are consumed.
- This would negatively impact Salmon for Seniors Program.

**General:** None.

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### ***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

**PROPOSAL 134 - 5 AAC 21.358. Northern District Salmon Management Plan.** This is a placeholder proposal that would amend subsection (b) by addressing changes in counting methods for sockeye salmon migrating into the Susitna River drainage.

### **Narrative of Support and Opposition**

Department: Provided a brief explanation of previous and current sonar programs and species apportionment issues. An overview of the current research was also provided.

Department of Law: Beyond the authority of the board to dictate which type of sonar should be utilized.

#### **Support:**

- Emergency petition to the board in 2010; since 2008, the change in Yentna sockeye counting has changed significantly and out of cycle; encourage board to consider impacts of such change.
- Eliminated sonar as tool; then a major change occurred; need to clarify which end of the escapement goal will be attained across all species; need to clarify what ADF&G is seeking and how this may influence future management.
- No win situation; ADF&G needs to take cautionary principle to ensure sockeye salmon EGs are met.
- Issue was debated at the 2008 board meeting.
- Sonar information is valuable; important to utilize new information and technology; time and resource intensive.

#### **Opposition:**

- It is clear that what was being done did not provide adequate data to determine the actual passage.
- Comparison counts are not useful because of the wide range in the fish wheel information.

**General:** None.



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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

**PROPOSAL 135 - 5 AAC 21.358(b). Northern District Salmon Management Plan.** Update the management plan to reflect Yentna River sockeye salmon count.

**Narrative of Support and Opposition**

Department: None.

Department of Law: None.

**Support:**

- Attempt to highlight a need to change the regulatory language.

**Opposition:** None.

**General:** None.

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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

**PROPOSAL 136 - 5 AAC 21.3XX. New section.** Modify the OEG on the Susitna River sockeye salmon.

### **Narrative of Support and Opposition**

Department: None.

Department of Law: None.

#### **Support:**

- Genetics show large numbers of sockeye salmon in the Susitna system that are not included in the escapement goal, so should increase bottom goal range; will increase outflow of marine nutrients and nutrient supplies for local resources.
- Proposal specifically addressed stocks in areas not previously identified.

#### **Opposition:**

- Need additional data to support decisions; hence, proposal is premature.
- There is not yet a life cycle measured with the new technology.
- Assumption that all lakes are capable of producing at proposed OEG, but we don't have the data from previous actions.

**General:** None.

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### ***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

**PROPOSAL 137 - 5 AAC 21.358. Northern District Salmon Management Plan.** (*This proposal was erroneously cited as 5 AAC 21.358. Kenai River Late-run King Salmon Management Plan*). Amend the management plan based on Bendix-like numbers from Yentna River.

### **Narrative of Support and Opposition**

Department: None.

Department of Law:

- The board has no administrative, fiscal, or budgeting power over the department.
- The board may be able to put triggers in place, but if the department does not have funds to implement, then it may not occur.

### **Support:**

- The lowest sockeye salmon escapements in the Yentna River have occurred in recent years.
- Would provide inseason metric on Yenta escapements, similar to what was done in the past 30 years.
- Next year is an odd year so not as many problems with pink salmon in the sonar estimate.

### **Opposition:**

- See previous comments on Proposal 136.

**General:** None.

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### *POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: No action.

Substitute Language: None.

**PROPOSAL 138 - 5 AAC 21.358. Northern District Salmon Management Plan.** Remove gear restrictions in the Northern District after July 30.

### **Narrative of Support and Opposition**

Department: None.

Department of Law: None.

#### **Support:**

- Proposal is response to restrictions and desire to get back full gear complement for sockeye salmon; restrictions from 3 to 1 nets occurred years ago in lieu of being closed; idea to sustain fishery in periods of closures.
- Tail end of sockeye salmon run would be harvested with restrictions in place; traditional coho salmon fishery and likely to be low impact.
- Would provide for additional opportunity in Northern District that would provide economics to community.
- No biological reason to restrict to 1 net; there is a harvestable surplus not harvested; any fish will help communities.

#### **Opposition:**

- Large number of coho salmon will be taken; proposal was submitted to request for coho salmon sport priority; data shows mixed stocks are caught.
- Conservation concern for sockeye and coho salmon; if Northern District plan is extended, would need to also consider sport fisheries; need equitable expansion.

**General:** None.

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### *POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

**PROPOSAL 139 - 5 AAC 21.3XX. New Section.** Establish a terminal fishery for Fish Creek area.

**Narrative of Support and Opposition:**

Department: None.

Department of Law: None.

**Support:** None.

**Opposition:** None.

**General:** **WITHDRAWL** proposal in light of coho conservation concern; request that dip net fishery limit coho harvest; sport fish can look at post-season trends however commercial fishery cannot do the same; there is great confusion about this

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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus

Board Committee Recommendation: No action based on withdrawal of proposer's support (RC 132).

Substitute Language: None.

**PROPOSAL 140 - 5 AAC 21.358. Northern District Salmon Management Plan.** Modify the coho management plan.

### **Narrative of Support and Opposition**

Department: None.

Department of Law: None.

#### **Support:**

- Proposal needs clarification. Intent of proposal to clarify lacking regulation.
- The board needs to consider amending the Central District and eastside drift gillnet fisheries to move fish to the northern area.

#### **Opposition:**

- Refer to staff comments (RC 3 page 106); unclear which fishery this proposal is addressing; there are no drift nets in Northern District.
- Proposal is strictly an allocation; there are no conservation concerns.

**General:** None.

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### *POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 141 - 5 AAC 21.363. Upper Cook Inlet Salmon Management Plan, 5 AAC 21.360. Kenai River Late Run Sockeye Salmon Management Plan, 5 AAC 21.353. Central District Drift Gillnet Fishery Management Plan, and 5 AAC 21.358. Northern District Salmon Management Plan.** Modify the Upper Cook Inlet Salmon Management Plan.

**Narrative of Support and Opposition**

Department: None.

Department of Law: None.

**Support:** None.

**Opposition:** None.

**General:**

- Withdraw support for proposal in light of Proposal 126; points already addressed in Proposal 126.

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*POSITIONS AND RECOMMENDATIONS*

---

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No action based on withdrawal of proposer's support (RC 120).

Substitute Language: None.



**PROPOSAL 142 - 5 AAC 21.366. Northern District King Salmon Management Plan.**  
Revise the Northern District King Salmon Management Plan.

**Narrative of Support and Opposition**

Department: None.

Department of Law: None.

**Support:** None.

**Opposition:** None.

**General:**

- Withdraw support for proposal in light of RC 111; issues were addressed in RC 111.

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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: No action based on withdrawal of proposer's support (RC 125).

Substitute Language: None.

**PROPOSAL 144 - 5 AAC 21.366. Northern District King Salmon Management Plan.**  
Establish a Susitna River small stream and river management plan.

**Narrative of Support and Opposition**

Department: None.

Department of Law: None.

**Support:** None.

**Opposition:** None.

**General:**

- Proposer withdrew support for their proposal.

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*POSITIONS AND RECOMMENDATIONS*

---

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No action based on withdrawal of proposer's support (RC 119).

Substitute Language: None.

**PROPOSAL 145 - 5 AAC 21.366. Northern District King Salmon Management Plan.**  
Conduct stock assessment of the kings caught during the marine fishery off Deep Creek.

**Narrative of Support and Opposition**

Department: None.

Department of Law:

- Board lacks authority to direct the department in this capacity.

**Support:**

- Marine fishery needs to be considered when addressing harvests that have an impact of fish bound for Northern District.
- All harvests needs to be considered and restrictions considered; there has been no dialogue about marine fishery off Deep Creek.
- Board needs to consider this fishery when discussing stocks of concern
- The regulations are confusing regarding catch in Northern Districts.

**Opposition:** None.

**General:** None.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: No action given lack of authority by board.

Substitute Language: None.

## Alaska Board of Fisheries Committee Report

# COMMITTEE C

### **Kenai and Kasilof River Sockeye Salmon Management Plans** February 25, 2011

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#### Board Committee Members:

1. Mel Morris, \*Chair
2. John Jensen
3. Tom Kluberton

#### Alaska Department of Fish and Game Staff Members:

1. Jeff Fox, Area Manager, Division of Commercial Fisheries
2. Robert Begich, Area Manager, Division of Sport Fisheries
3. Jason Pawluk, Assistant Area Manager, Division of Sport Fisheries
4. Tim McKinley, Area Research Biologist, Division of Sport Fisheries
5. Pat Shields, Assistant Area Manager, Division of Commercial Fisheries
6. Mark Willette, Area Research Biologist, Division of Commercial Fisheries
7. Tracy Lingnau, Regional Mgmt. Coordinator, Division of Commercial Fisheries
8. Jim Hasbrouck, Regional Supervisor, Division of Sport Fisheries
9. Sue Aspelund, Deputy Director, Division of Commercial Fisheries
10. Charlie Swanton, Director, Division of Sport Fisheries
11. Lisa Olson, Acting Deputy Director, Division of Subsistence
12. Dan Gray, Regional Management Biologist, Division of Commercial Fisheries
13. Tommy Sheridan, Assistant Area Manager, Division of Commercial Fisheries
14. Susie Jenkins-Brito, Fish and Wildlife Tech., Division of Commercial Fisheries
15. Kerri Tonkin, Regulations Program Coordinator, Division of Commercial Fisheries

#### Alaska Department of Law Staff Members:

1. Michael Mitchell, Assistant Attorney General, Department of Law

#### Advisory Committee Members:

1. Dave Martin, Central Peninsula AC

2. John Renner, Copper River/Prince William Sound AC
3. Norm Darsch, Kenai/Soldotna AC
4. Bruce Knowles, Susitna Valley AC
5. George Heim, Cooper Landing AC
6. Joel Doner, Anchorage AC

Public Panel Members:

1. Robert Williams, Kenai Peninsula Fisherman's Association (KPFA)
2. Jeff Beaudoin, KPFA
3. Roland Maw, Upper Cook Inlet Drift Association (UCIDA)
4. Cheryl Sutton, United Fishermen of Alaska (UFA)
5. Joe Connors, Big Sky Charter and Fishcamp
6. Paul Shadura, South K-Beach Independent Setnet Association (SOKI)
7. Ted Crookston, KPFA
8. Stephen Braund, N. District Setnetter's Association
9. Ray Beamesderfer, Kenai River Sportfish Association (KRSA)
10. Mac Minard, Mat-Su Borough Mayor's Sportsman Blue Ribbon Committee (BRC)
11. David Goggia, Kenai River Professional Guide Association (KRGGA)
12. Jeff Berger, Processor, Copper River Seafoods
13. Don Johnson, Sport Fish Guide
14. Kenny Rodgers, N. District Eastside Setnetters
15. David Brindle, Processor, Pacific Star Seafoods
16. Brent Johnson, KPFA
17. Jovkov Reutov, Russian Community
18. Bruce King, Kenai Area Fisherman Coalition (KAFC)
19. Gary Hollier, set gillnetter

Federal Subsistence Representative:

1. Rod Campbell, USFWS
2. Doug Palmer, USFWS

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The Committee met February 25<sup>th</sup> 2011 at 9:20 a.m. and adjourned at 5:00 p.m.

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PROPOSALS BEFORE THE COMMITTEE WERE: (31 total) 146, 147, 327, 148, 149, 150, 151, 152, 128, 326, 325, 153, 154, 156, 157, 158, 159, 160, 161, 162, 329, 163, 164, 165, 166, 168, 169, 170, 330, 171, 331.

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**PROPOSAL 146 - 5 AAC 21.359. Kenai River Late-Run King Salmon Management Plan.**

This proposal would allow the department to reduce the size of the closed area around the mouth of the Kenai River if the inriver king salmon run is less than 40,000 fish.

**Narrative of Support and Opposition:**

Department:

- The department clarified that 40,000 king salmon is the inriver goal and not the escapement goal.

Department of Law: None.

Federal Subsistence Representative: None.

**Support:**

- This proposal provided an extra tool in controlling sockeye salmon escapement.
- Maximum sustained yield should be optimum sustained yield.

**Opposition:**

- History of conflicts between set and drift gear groups impedes fishing in an efficient manner.
- This would result in conflict with personal use fishery.
- There are mixed-stock conservation concerns and some abundance concerns.

**General:**

Commercial and sport fishermen have different principles regarding the successful management of systems.

- Sport fishing success defined as consistent opportunity with some measure of predictability.
- Interest in giving the commercial fishery manager the tools for commercial users to harvest surplus sockeye salmon without jeopardizing sport fish users.

- There was some support for reducing gear to one shackle and lowering the trigger to the lower end of the king salmon escapement goal.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 147 - 5 AAC 21.360. Kenai River Late-Run Sockeye Salmon Management Plan.** This proposal would add an additional purpose statement; increase the upper end of the inriver goal to 1,200,000 sockeye salmon in all three management tiers; in runs of 2,000,000–4,000,000 sockeye salmon, have two set closed fishing windows of 36 hours each and delete the floating 24 hour window closure; shorten the set gillnet fishing season by a minimum of eight days; and direct the department to develop inriver projections.

### **Narrative of Support and Opposition:**

Department:

- There were two regular periods (9<sup>th</sup> through the 15<sup>th</sup>) restricted by regulation each year in 2008–2010.
- Provided background information on conversion from Bendix to DIDSON numbers.
- Statewide Harvest Survey provides sport fishery harvest above the sonar.

Department of Law:

- Outside of the board’s authority to direct the department.

Federal Subsistence Representative: None.

### **Support**

- Manage to OEG for goals of all user groups.
- Intent is to affirm personal use and sport fish opportunity for late-run sockeye.
- Windows have been effective for inriver fishermen.
- Increase the 24-hour floating window of no fishing to 36 hours.
- Limit the plan’s set asides until after the goal is exceeded.
- Reasonable opportunity is not met using the 24-hour window for sport fishermen.

### **Opposition:**

- Escapement goal changes are based on DIDSON numbers, which are 40% higher for Kenai.
- Commercial harvesters cannot fish 3 out of 7 days due to closed windows.
- Prioritization for commercial use versus sport fishing and personal use.
- Does not comply with MSY.
- Windows do not make sense and should not be added to the plan.



- Proposal takes 8 days of fishing away from setnetters.
- Inriver users have enough opportunity due to the average harvest from personal use and sport fisheries estimated at 600,000 to 750,000 total fish.
- 2.5% exploitation rate by setnetters for Kenai River coho salmon on east side.
- Roving 24-hour window helps managers by distributing escapement within goal ranges.
- An additional 36-hour window will impede department's ability to manage.

**General:** None.

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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 327 - 5 AAC 21.360(c). Kenai River Late-Run Sockeye Salmon Management**

**Plan.** This proposal would remove regulatory language that requires closed windows and limitations on the amount of emergency order authority beyond the two regular 12-hour commercial fishing periods that can be fished each week. It would delete everything in the management plans except the inriver goals within the three tiers of regulations related to run size.

**Narrative of Support and Opposition:**

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

**Support:**

- Set an escapement goal and then manage to the goal.
- Manage to MSY principles consistently; windows impede managing to MSY.
- We should react to the fishery as it develops.
- Sockeye salmon are not predictable and this would allow for management of the runs.
- This proposal gives managers a new tool to limit overescapement.
- Kasilof and Kenai Rivers overescape primarily due to windows.

**Opposition:**

- Proposal requires managers to allocate by enacting arbitrary closures to load the river.

**General:**

- Concentration of catch in very few days impedes the quality of production.
- Conservation measure windows are okay, but windows should also include inriver fisheries and not just commercial fisheries.
- All users should take time off and not just the commercial fleet.

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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 148 - 5 AAC 21.360. Kenai River Late-Run Sockeye Salmon Management Plan.** *(This proposal was erroneously cited as 5 AAC 21.360. Weekly Fishing Periods.)* This proposal would increase the Kenai River OEG and inriver goals by an additional 100,000 sockeye salmon for Russian River and Hidden Lake sockeye salmon stocks within the Kenai River drainage.

**Narrative of Support and Opposition:**

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

**Support:** None.

**Opposition:** None.

**General:**

- Support for proposal withdrawn by proposer.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: Consensus to take no action.

Board Committee Recommendation: No action.

Substitute Language: None.

**PROPOSAL 149 - 5 AAC 21.360. Kenai River Late-Run Sockeye Salmon Management Plan.** This proposal lowers the current Kenai River OEG of 500,000–1,000,000 sockeye salmon, and requests it become a BEG with a range of 400,000–700,000 sockeye salmon and seeks an inriver goal of 600,000–800,000 sockeye salmon. It also removes regulatory language which requires closed windows and limitations on the amount of emergency order beyond the two regular 12-hour commercial fishing periods that can be fished, and deletes the three tiers of regulations related to run size and the inriver goals associated with those tiers.

**Narrative of Support and Opposition:**

Department: None.

Department of Law:

- It is the responsibility of the department to set escapement goals.
- Board has no authority.

Federal Subsistence Representative: None.

**Support:** None.

**Opposition:** None.

**General:** None.

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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No recommendation.

Board Committee Recommendation: No action.

Substitute Language: None.

**PROPOSAL 150 - 5 AAC 21.360. Kenai River Late-Run Sockeye Salmon Management Plan.** This proposal would change the Kenai River SEG to 450,000–650,000.

**Narrative of Support and Opposition:**

Department: None.

Department of Law:

- Board has no authority.

Federal Subsistence Representative: None.

**Support:** None.

**Opposition:** None.

**General:** None.

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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No recommendation.

Board Committee Recommendation: No action.

Substitute Language: None.

**PROPOSAL 151 - 5 AAC 21.360. Kenai River Late-Run Sockeye Salmon Management Plan.** *(This proposal was erroneously cited as 21.353. Central District Drift Gillnet Fishery Management Plan.)* This proposal would remove the three-tier management system and guidelines contained in 5 AAC 21.360(c), and requests a single Kenai River inriver goal range of 600,000–900,000 sockeye salmon based on the DIDSON system.

**Narrative of Support and Opposition:**

Department: None.

Department of Law:

- It is within the board’s authority to establish an inriver goal, but the board has no authority to tell the department to use DIDSON numbers when establishing SEG or BEG.

Federal Subsistence Representative: None.

**Support:**

- The three-tier inriver goals for the Kenai River are not working.
- The Kenai late-run sockeye return per spawner ratios based on DIDSON numbers indicate best ratio occurs between Markov table of 600,000 and 900,000 spawners.
- There have been three additional brood years since last board meeting with very high escapements providing a better idea of MSY.

**Opposition:**

- This would result in the reduction of inriver escapement.
- Eliminates tiers which serve to allocate fish.

**General:** None.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

**PROPOSAL 152 - 5 AAC 21.360. Kenai River Late-Run Sockeye Salmon Management**

**Plan.** This proposal would delete a large portion of the purpose statement that guides management and changes the OEG of 500,000–1,000,000 to a SEG of 400,000–700,000 sockeye salmon.

**Narrative of Support and Opposition:**

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

**Support:**

- There is concern over high escapements and resulting waste; there is a desire to keep escapement within escapement goal.

**Opposition:**

- Expressed some concern over SEG versus OEG wording.

**General:**

- Enumeration goals and estimates in this proposal are expressed in Bendix units, making the proposal difficult to discuss.
- The proposal attempts to change the OEG from Bendix to DIDSON without adjusting for conversion.
- We are not sure how this proposal's changes would affect other stocks.
- We want to wait on more data before deciding further action.

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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.



**PROPOSAL 128 – 5 AAC 21.360. Kenai River Late Run Sockeye Salmon Management Plan.** *(This proposal was erroneously cited as AAC 5 21.353. Central District Drift Gillnet Salmon Management Plan.)* This proposal would delete the three tiers of the Kenai River inriver sonar goals and replace them with a single tiered OEG of 400,000–700,000 Bendix equivalent spawners.

**Narrative of Support and Opposition:**

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

**Support:**

- See comments stated in support of Proposal 152.

**Opposition:**

- Opposed to anything that reduces inriver fish.

**General:**

- Proposal seems unclear.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

**PROPOSAL 326 - 5 AAC 21.360. Kenai River Late-Run Sockeye Salmon Management Plan.** (*This proposal was erroneously cited as 5 AAC 21.360. Kenai River Late-Run King Salmon Management Plan.*) This proposal would revise the escapement goal to 400,000–700,000 spawners under one optimum escapement goal range and delete 5 AAC 21.360(c).

**Narrative of Support and Opposition:**

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

**Support:**

- There was support for the proposal, but objections to removing windows altogether.
- Gives managers more flexibility.
- Current plans have led to exceeding the OEG, resulting in loss of yields in recent years.

**Opposition:**

- Removing tiers sidesteps issues of multispecies management and should not be an option.
- Does not address increased king salmon harvest issues.

**General:**

- Proposal deletes windows and three-tiers system. Windows have been used to achieve MSY effectively.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: No action.

Substitute Language: None.

**PROPOSAL 325 - 5 AAC 21.360. Kenai River Late-Run Sockeye Salmon Management Plan.** This proposal would revise the *Kenai River Late-Run Sockeye Salmon Management Plan* and other management plans affected, by the re-establishment of a single spawning escapement goal range and single OEG range, as measured at the Kenai River sockeye salmon sonar.

**Narrative of Support and Opposition:**

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

**Support:**

- Single escapement goal is only way to comply with MSY management.

**Opposition:**

- See comments stated in opposition to Proposal 326.

**General:** None.

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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: No action.

Substitute Language: None.

**PROPOSAL 153 - 5 AAC 21.360. Kenai River Late-Run Sockeye Salmon Management**

**Plan.** *(This proposal was erroneously cited as 5 AAC 21.358. Northern District Salmon Management Plan and 5 AAC 21.360. Kenai River Late-run Sockeye Salmon Management Plan.)*

This proposal would delete a portion of the purpose statement in 5 AAC 21.360(a) guiding management of late-run Kenai River king salmon.

**Narrative of Support and Opposition:**

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

**Support:**

- Cannot manage for MSY under the current language.
- Reasonable opportunity has been met.
- The current wording limits management.
- Need to return to abundance-based management.

**Opposition:**

- Language regarding minimizing harvest alerts public that management is for multiple species and not one species.
- To put MSY on one stock only would be a death sentence for other stocks.

**General:** None.

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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 154 - 5 AAC. 21.360. Kenai River Late-Run Sockeye Salmon Management**

**Plan.** This proposal would delete a portion of the purpose statement in 5 AAC 21.360(a) guiding management of late-run Kenai River king and Northern District Coho salmon.

**Narrative of Support and Opposition:**

Department:

- A 1990 study was cited regarding catch-and-release mortality rates for king salmon. Other studies indicate other species have higher catch-and-release mortality rates. Acclimation to fresh water reduces catch and release mortality rates.

Department of Law: None.

Federal Subsistence Representative: None.

**Support:**

- This proposal also does away with the “minimize” harvest language.
- Current regulations do not allow for MSY management.
- There is no commercial harvest allowed during the fall fishery; therefore, one user group is being excluded from reasonable opportunity.

**Opposition:**

- Shoulder season has huge economic boost for fishing in the upper Kenai River; these fish are more acclimated, which decreases the catch-and-release mortality rate.
- Snagging leads to multiple releases and increases mortality.

**General:** None.

---

*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

**PROPOSAL 156 - 5 AAC 57.150. Russian River Sockeye Salmon Management Plan.** *(This proposal was erroneously cited as 5 AAC 21.361. Russian River Sockeye Salmon Management Plan.)* This proposal would develop a management plan to allow a commercial harvest of 10,000 early Russian River sockeye salmon.

**Narrative of Support and Opposition:**

Department:

- The proposal would have fishing start before the sonar is in place.
- There is no Russian River sockeye salmon forecast.
- Removing 10,000 fish from the escapement would have resulted in dropping below the lower range of the escapement goal in 3 of the last 4 years.

Department of Law: None.

Federal Subsistence Representative:

- Federal Subsistence Program is opposed due to concerns for Russian River fish and federal subsistence harvests at the Russian River Falls. Subsistence users need adequate opportunities to harvest fish.
- In 2010, subsistence users took 943 sockeye in federal subsistence fisheries on the Kenai and Kasilof Rivers combined.

**Support:**

- There is a potential for \$3.50 to \$5.00 per pound price from processors, and \$7.50 to \$15.00 per pound for those who direct-market their fish.
- Offer early-season fish for commercial harvesting.
- Run has exceeded escapement goal in previous years.
- Harvestable surplus not being used.
- Russian River Falls area subsistence cap of 4,000 sockeye never met.
- Early-run sockeye have high value and would provide many early-season jobs for processing companies.
- Desire to provide setnetters with a reasonable opportunity to harvest with a cap.

**Opposition:**

- First opportunity for participation in sport fishery, which offers the Kenai-Soldotna area a major fishery with economic benefits.

- Sockeye salmon provides for the economy in June for Cooper Landing including restaurants, guide services, gas stations. The river opens June 11. Peak season June 15<sup>th</sup>.

**General:**

- The federal program has concerns that harvest of Russian River sockeye would also result in harvest of early-run Kenai River king salmon.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 157 - 5 AAC 21.363(e). Upper Cook Inlet Salmon Management Plan.** This proposal seeks to remove language that was repealed during the 2008 Upper Cook Inlet board meeting.

**Narrative of Support and Opposition:**

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

**Support:**

- Hope to avoid a situation like 2006 where there were no conservation concerns and escapement goals were being met. There were no openings for harvestable surpluses in this situation.

**Opposition:**

- General opposition was stated referencing department comments.

**General:** None.

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***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No action.

Substitute Language: None.



**PROPOSAL 158 - 5 AAC 21.363. Upper Cook Inlet Salmon Management Plan.** This proposal would restrict any harvests by all user groups until the minimum escapement goals have been met.

**Narrative of Support and Opposition:**

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

**Support:** None.

**Opposition:** None.

**General:** None.

---

*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 159 - 5 AAC 21.363. Upper Cook Inlet Salmon Management Plan.** This proposal would add directives into the *Upper Cook Inlet Salmon Management Plan*.

**Narrative of Support and Opposition:**

Department:

- Clarification that 650,000 was the average PU and sport fishery sockeye harvest.

Department of Law: None.

Federal Subsistence Representative: None.

**Support:**

- This proposal seeks to clean up language of the plan and restore overarching guidance to the umbrella plan.
- Northern Chinook, late-run Chinook, and Coho salmon stocks need allocative direction.
- Umbrella plan gave direction in 2005, but results of the 2008 meeting caused intent to become fuzzy. If there is an issue with personal use fishery it is due to inconsistent language which should clearly establish boundaries for users.

**Opposition:**

- Language does not clearly identify current allocation of fish stocks.
- Proposal has far-reaching ramifications to inriver numbers. 800,000 sockeye are harvested inriver by PU and sport fishery, which makes up 20% of total run.
- This proposal undermines the 2008 board meeting results.
- All chum and pink salmon are primarily for commercial uses, which is already outlined in existing language.
- There are no untargeted species and this plan would not allow for MSY management.

**General:** None.

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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 160 - 5 AAC 21.363. Upper Cook Inlet Salmon Management Plan.** This proposal would return the Upper Cook Inlet commercial fishing regulations to what they were prior to 1998.

**Narrative of Support and Opposition:**

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

**Support:**

- Return to 1990 regulations to be in compliance with Magnuson-Stevens Act.

**Opposition:**

- Increasing numbers of users in Mat-Su Valley so it does not work to return to the 1990 plan.
- Focus on a dominant stock causes other stocks to be ignored.

**General:** None.

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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 161 - 5 AAC 21.365. Kasilof River Salmon Management Plan.** This proposal would delete or change a significant amount of language that provides direction to the department on managing Kasilof River sockeye salmon. Deletions and changes include, but are not limited to, references to the OEG, seasons, windows, additional fishing time, separate management of the Kenai and Kasilof sections, fishing in the one-half mile section, and repealing regulations pertaining to the Kasilof River Special Harvest Area.

**Narrative of Support and Opposition:**

Department:

- Clarification: 150,000–300,000 OEG for Kasilof River.

Department of Law: None.

Federal Subsistence Representative: None.

**Support:**

- Escapement goal reports will change due to Bendix/DIDSON conversions.
- MSY is determined for the system as BEG; BEG should be stated in the management plan.
- Have exceeded escapement goal in nine of the last ten years.
- General dislike of special harvest area by all.
- Inriver user component does not leave drift and set gillnet fleets adequate harvest.

**Opposition:**

- Plan implemented in 2002 resulted in consistent returns of over a million sockeye salmon by setting low goals; we are missing out on an opportunity for increased yields.
- Kasilof escapement goal was exceeded in 9 out of the last 10 years. The board should question the department on the new goals.
- For 20 years there was stocking of 6 million fry. Returns reflect this enhancement. Stocking is no longer occurring so future returns may not be so robust in the future.

**General:**

- Special harvest area was used directly in relation with prescriptive windows.

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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 162 - 5 AAC 21.365. Kasilof River Salmon Management Plan.** This proposal would add a purpose statement to the management plan and require the department to manage for the BEG of 150,000–250,000 sockeye salmon instead of the OEG of 150,000–300,000.

**Narrative of Support and Opposition:**

Department:

- Clarification: BEG was 150,000–250,000, and recommended new BEG will be 160,000–340,000.

Department of Law: None.

Federal Subsistence Representative: None.

**Support:**

- Kasilof River is a spawning-limited system and surplus that is not harvested is wasted.
- Concern was expressed about the loss of hatchery stocking.
- Terminal fishery should stay in regulation.
- Leave escapement goal as is.

**Opposition:**

- The board should set an OEG less than the BEG. No dispute with the department's analysis of the BEG.

**General:** None.

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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 329 - 5 AAC 21.365(b). Kasilof River Salmon Management Plan.** This proposal would place the current Kasilof River sockeye salmon BEG into regulation.

**Narrative of Support and Opposition:**

Department:

- If escapement goals are included in all management plans, they will have to be changed frequently in regulation.

Department of Law: None

Federal Subsistence Representative: None.

**Support:**

- Referred to comments for proposal 162.
- There are many plans with BEGs in place that express and inform the public of the intended application.
- The additional 50,000 sockeye in the OEG is for late-run sockeye salmon.
- 2010 was the lowest smolt outmigration yet seen.
- Large smolt indicating the system is spawning-limited.
- The *Policy for Management of Sustainable Salmon Fisheries* requires the department to manage for MSY and the department should not be managing for an OEG.

**Opposition:**

- General opposition referencing department comments.

**General:** None.

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**POSITIONS AND RECOMMENDATIONS**

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.



**PROPOSAL 163 - 5 AAC 21.365. Kasilof River Salmon Management Plan.** This proposal would increase the lower and upper end of the Kasilof River OEG by 50,000 sockeye salmon, from the current OEG of 150,000–300,000 to an OEG of 200,000–350,000.

**Narrative of Support and Opposition:**

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

**Support:**

- Establish Kenai River Special Harvest area trigger at the top of the Kasilof OEG (300,000).

**Opposition:**

- Leave trigger at 275,000 rather than the top end of the OEG.
- 300,000 sockeye salmon escapement will create significant risk of lower returns.
- There is a reduction of fish to the Kasilof. Large escapements are not producing.

**General:** None.

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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: No action based withdrawal of proposer’s support (RC 150).

Substitute Language: None.

**PROPOSAL 164 - 5 AAC 21.365. Kasilof River Salmon Management Plan.** This proposal would change the *Kasilof River Salmon Management Plan* so that achieving the lower end of the Kenai River sockeye salmon inriver escapement goal shall take priority over not exceeding the upper end of the Kasilof optimal escapement goal (OEG) range.

**Narrative of Support and Opposition:**

Department: None.

Department of Law: None.

**Support:**

- Put priority on Kenai run because it is not an enhanced run like Kasilof.
- Few spawners in Kenai below Skilak Lake. Upper end of Skilak Lake still performing, yet stock appears to be diminished.

**Opposition:**

- The proposal ties the Kasilof River to the lower end of Kenai River sockeye salmon goals.
- South K-Beach fishery will be restricted.

**General:** None.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 165 - 5 AAC 21.365. Kasilof River Salmon Management Plan.** (*This proposal was erroneously cited as 5 AAC 21.320. Cook Inlet Area weekly fishing periods.*) This proposal asks for one day a week with no commercial fishing.

**Narrative of Support and Opposition:**

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

**Support:** None.

**Opposition:** None.

**General:** None.

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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 166 - 5 AAC 21.365. Kasilof River Salmon Management Plan.** This proposal would open set gillnets closest to the current tide line in years when the Kenai River sockeye salmon goal is not being met.

**Narrative of Support and Opposition:**

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

**Support:** None.

**Opposition:** None.

**General:** None.

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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 168 - 5 AAC 21.365. Kasilof River Salmon Management Plan.** This proposal would not allow the Kasilof River Special Harvest Area (KRSHA) to open until it is projected the escapement would exceed the OEG of 150,000–300,000 sockeye salmon. It would also limit the use of the KRSHA to 48 consecutive hours, and then mandate a minimum closure time of 24 hours.

**Narrative of Support and Opposition:**

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

**Support:**

- The 340,000 trigger should be amended to 300,000 sockeye salmon.
- Would support if the word “king” was removed from proposal.
- Set the trigger for the Special Harvest Area at the upper end of OEG.
- Desire to have this trigger to allow king and Coho salmon, and steelhead into the river.
- Agree on 340,000 as the trigger for Special Harvest Area, but disagree with mandatory windows.
- Would support with amendment to use beach nets only.

**Opposition:**

- Can’t manage for MSY with this in place.
- Desire for the 275,000 trigger to stay in place.
- Takes away management flexibility.

**General:** None.

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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 169 - 5 AAC 21.365(f). Kasilof River Salmon Management Plan.** This proposal would open commercial fishing with set gillnets within one-half mile of the beach in the Kasilof Section whenever the Kasilof River Special Harvest Area is opened to commercial fishing if it is necessary to achieve escapement goals contained within this and other management plans.

**Narrative of Support and Opposition:**

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

**Support:**

- Fish that swim through half-mile area also swim through SHA.
- There is a problem with fish quality in the SHA.
- Move harvest down the beach to half-mile area away from SHA.

**Opposition:**

- It is not clear if this would avoid Kenai fish.
- Concerns over king salmon harvests in the half mile area.

**General:**

- Perhaps start with half-mile fishery, move to beach nets (35 fathoms), and then move to terminal area.
- Purposes of these two areas are in conflict. The half-mile area is used to conserve Kenai fish; the SHA is used to prevent overescapement to the Kasilof; the board assumed these two tools would be used together.

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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

**PROPOSALS 170 and 330 - 5 AAC 21.365(f). Kasilof River Salmon Management Plan.**

These proposals would open commercial fishing with set gillnets within one-half mile of the beach in the Kasilof Section whenever the Kasilof River Special Harvest Area is opened to commercial fishing.

**Narrative of Support and Opposition:**

Department:

- These would add an additional step-down in case of a conservation situation.
- These problems were largely addressed in 2008.

Department of Law: None.

Federal Subsistence Representative: None.

**Support:**

- KPFA will be submitting an amendment that allows for fishing in the terminal area if a window causes fishing in the SHA.
- Reduces congestion in the SHA.
- Provides more flexibility to managers.

**Opposition:**

- Windows have been allowed to give a break to the inriver users.

**General:** None.

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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.



**PROPOSAL 171 - 5 AAC 21.365. Kasilof River Salmon Management Plan.** This proposal would open the South K-Beach statistical area (244-31) whenever the Kasilof River Special Harvest Area is open.

**Narrative of Support and Opposition:**

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

**Support:**

- This proposal gives more flexibility to managers.
- Any option to keep fleet out of the SHA is good.
- 600 feet offshore in half-mile area would be a good intermediate step prior to fishing the terminal harvest area.

**Opposition:**

- Encompasses only one statistical area and not Kasilof area as a whole.
- This proposal is highly allocative.

**General:**

- Allow terminal area and 600-foot beach nets to operate concurrently.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: No action based on withdrawal of proposer's support (RC 147).

Substitute Language: None.

**PROPOSAL 331 - 5 AAC 21.365(f)(1) and (3). Kasilof River Salmon Management Plan.**

This proposal would increase the fishing area for set gillnets by 600 feet and decrease the fishing area by 600 feet for drift gillnets in the Kasilof River Special Harvest Area.

**Narrative of Support and Opposition:**

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

**Support:**

- This would result in a more orderly fishery.
- This would bring the area percentage for set gillnetters up from 6.6% to 15%.
- There is currently a half-mile of tidal flats in the Kasilof SHA, and the set gillnetters need more area.

**Opposition:**

- The tide flats are a large enough area as is.
- Doubling the set gillnet area in the SHA would constitute a disproportionate burden for the drift fleet.
- Prefer to have existing rules stay in place.
- Reduces driftnetters' fishing area.

**General:** None.

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*POSITIONS AND RECOMMENDATIONS*

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

## Alaska Board of Fisheries Committee Report

# COMMITTEE D

### Upper Cook Inlet Personal Use Salmon Fishery

February 23, 2011

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#### Board Committee Members:

1. John Jensen, \*Chair
2. Bill Brown
3. Karl Johnstone

#### Alaska Department of Fish and Game Staff Members:

1. Tom Vania, Regional Fishery Manager, Division of Sport Fish
2. Robert Begich, Area Management Biologist, Division of Sport Fish
3. Jason Pawluk, Assistant Area Management Biologist, Division of Sport Fish
4. Sam Ivey, Acting Area Management Biologist, Division of Sport Fish
5. Al Cain, Department Enforcement Specialist
6. Dan Bosch, Area Management Biologist, Division of Sport Fish
7. Matt Miller, Regional Management Biologist, Division of Sport Fish
8. Kristine Dunker, Fishery Biologist, Division of Sport Fish
9. Tracy Lingnau, Regional Management Biologist, Division of Commercial Fisheries
10. Bob Chadwick, Regional Management Biologist, Division of Sport Fish
11. Jack Erickson, Regional Research Coordinator, Division of Sport Fish
12. Sam Hochhalter, Assistant Area Management Biologist, Division of Sport Fish
13. Jenny Cope, Fishery Biologist, Division of Sport Fish
14. Dan Teske, Assistant Area Management Biologist, Division of Sport Fish
15. Rob Massengill, Fishery Biologist, Division of Sport Fish
16. Kerri Tonkin, Regulations Program Coordinator, Division of Commercial Fisheries
17. Tom Brookover, Deputy Director, Division of Sport Fish

#### Advisory Committee Members: (only those representing Advisory Committees in committee)

1. Jim Stubbs, Anchorage AC
2. Jon Renner, Copper River-Prince William Sound AC
3. Steve Vanek, Central Peninsula AC
4. Mike Crawford, Kenai-Soldotna AC
5. George Heim, Cooper Landing AC

#### Public Panel Members:

1. Ken Coleman, Self

2. Cheryl Sutton, United Fisherman's Association (UFA), Statewide Chair
3. Debbie Brown, Coho-Kasilof Community Council
4. Jim Clover, Mat Su Assembly
5. Howard Delo, Mayor's Blue Ribbon Sportsmen's Committee, Mat Su (MBRSC)
6. Harry Brod, Upper Cook Inlet PU and Copper River PU
7. Ricky Gease, Kenai River Sport Fishing Association (KRSFA)
8. Scott Eggemeyer, Kenai River Professional Guide Association (KRPGA)
9. Don Johnson, Sport Guide
10. Steve Tvenstrup, Upper Cook Inlet Drift Association (UCIDA)
11. Ted Crookston, Kenai Peninsula Fisherman's Association (KPFA)
12. John Christian, PU Fisher/Seniors
13. Joe Connors, Kenai Tourism Marketing Council
14. Jeffrey Widman, Cook Inlet Drift Fisherman
15. Ken Federico, South Central Dipnetters Association
16. Wayne Wilson, Kenaitze Indian Tribe
17. Vince Goddard, Inlet Fish Processor, Kenai
18. Paul A. Shadura, South K-Beach Independent Setnet Association (SOKI)
19. Dwight Kramer, Kenai Peninsula Fisherman's Coalition (KPFC)

Federal Subsistence Representative:

1. None.

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The Committee met February 23, 2011 at 8:30 a.m. and adjourned at 4:00 p.m.

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PROPOSALS BEFORE THE COMMITTEE WERE: (30 total) 172, 173, 174, 175, 176, 177, 178, 179, 180, 328, 155, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, and 199.

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**PROPOSAL 172 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.** Require users to complete a class and obtain a dipnet education card prior to receiving a dipnet permit.

### **Narrative of Support and Opposition**

#### **Department:**

- Definition of personal use is in Sport Fish regulation summary booklet and on department website. Department describes what immediate family means on website and at Great Alaskan Sportsman Show. Division of Sport Fish uses means available to inform PU fishermen of regulations.
- Department uses the regulatory definition of personal use in regulation summary booklet.
- There are currently no educational requirements for sport fish license, commercial fish limited entry permit, or a subsistence permit.

#### **Department of Law:**

- Board does not have authority. (RC1)

#### **Support:**

- Education will improve compliance with the regulation.
- Lack of clarity in the regulation.
- Enforcement issues due to conflicting definitions between statute and regulation. Educate users on where fish can go and who can eat PU-caught fish, etc.
- Support concept of education, but no way of stating what education would entail.
- A lot of fish caught in the PU fishery are shipped out of state.

#### **Opposition:**

- Proposal is a way to reduce PU participation.
- Would not address the inconsistency between statute and regulation.
- No support for a proposal that would reduce PU participation.
- No mechanism in place to implement the educational program.
- Already educational opportunities online with South Central Dipnetters Association.
- As long as PU fish are not sold, what difference does it make if people ship out fish?
- Too intrusive.

#### **General:**

- There are two definitions of PU: one in statute, one in regulation. Board definition “personal use means taking, fishing for, or possession of finfish, shellfish, or other fishery resources, by Alaska

residents for personal use and not for sale or barter, with gill or dip net, seine, fish wheel, longline, or other means defined by the Board of Fisheries.” Legislature definition does not mention who can consume personal use caught fish. Department of Law and Fish and Game uses board 5 AAC 77.

- Lack of definition of immediate family.
- Put definition of PU fishery on permit.
- Label shipping boxes with which method and fishery the fish were taken.
- Need regulation that keeps PU fish in-state and within household of permittee.
- Existing regulation is pretty restrictive; “immediate family”.
- Federal Lacey Act already makes illegal the shipping of unreported fish.

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### ***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 173 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.** Repeal sport fish license requirement to participate in Cook Inlet personal use fisheries.

**Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- Fee for PU permit could cover costs associated with toilet facilities, trash cans, etc.

**Opposition:**

- None.

**General:**

- Need predictable funding source to provide amenities/sanitation.
- Bill introduced to legislature (SB 20) that would require fee for PU permit.
- Recommend a sockeye stamp similar to the one in place for king salmon to provide funding.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.



**PROPOSAL 174 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.** Allow nonresidents to participate in the Upper Cook Inlet personal use fishery.

**Narrative of Support and Opposition**

**Department:**

- Department spent ~50 hours educating and enforcing fishery in 2009 and in 2010.
- AWT spent ~ 382.5 hours enforcing the fishery in 2010.
- DNR patrols fishery daily.
- A lot of enforcement spent on a fishery for which the department has no conservation concern.
- Working with vendors to ensure compliance with permit issuance.
- Electronic harvest reporting is desired.

**Department of Law:**

- Board does not have authority. (RC 1)

**Support:**

- None.

**Opposition:**

- Most participants are legal.
- State statute restricts PU fishery to AK residents.
- Board has no authority. PU definition already in statute.
- Already options for nonresident commercial fishermen to take harvested fish as homepack.

**General:**

- Small fragment of population take advantage of regulations.
- Difficult to determine how many PU-harvested fish are shipped out.
- Many proposed restrictions on the PU fishery are based on unfounded information.
- Restricting the fishery will likely impact the local community.
- Majority of nonresident participation violations are by individuals that have not met residency requirements.
- Enforcement report would be looked at.
- Would like to see double the enforcement on PU fishery.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: No action.

Substitute Language: None.

**PROPOSAL 175 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.** Establish a July 17 opening date for the Kenai River personal use fishery on runs under two million.

### **Narrative of Support and Opposition**

Department:

- The late-run management plan provides the flexibility to adjust regulations via EO.
- The department has the tools in place to assess the run, although sometimes they are not very timely.

Department of Law:

- None.

### **Support:**

- The proposal would let Alaska residents know before planning their trip that the fishery is restricted, rather than restricting through EO.
- PU fishery is downstream of sonar so managing for escapement is more difficult with a fixed opening in the PU fishery.
- No sharing of conservation burden among users – PU fishery does not have equal share of burden.
- PU fishery takes fish before department knows a given run is low. Therefore, sport users are restricted and no conservation burden on PU fishery.
- PU fishery should be managed on an escapement basis. Prosecute the fishery when runs are large; restrict fishery when runs are low.
- If one user group cannot fish, then all users should not be allowed to fish.
- Spreads the conservation burden more evenly across the three user groups.
- A set time is ideal because it is predictable and allows the city to hire and retain personnel rather than hire, layoff, then rehire if the fishery is closed and then later reopened.
- Sport fishery starts with low bag limit and then liberalizes when runs are large. PU fishery has set opening and closing dates regardless of run size.

### **Opposition:**

- Proposal would concentrate users and result in greater impact to adjacent land.
- Proposal would result in more sport anglers and thus, increased habitat damage.
- Conservation measures are built into plan already with season dates and limited hours.
- If PU fishery is restricted in number of trips (i.e., additional season restriction) then local economies are impacted.

- PU fishery harvests a small portion of the run.
- Greater conservation burden would be placed on PU fishery compared to sport and commercial users.
- Restricting the PU fishery on the front end would have a negligible effect on the overall escapement.
- City of Kenai is getting nervous about growth in the fishery and costs associated with dealing with the fishery: contracting for garbage, additional police officers, etc.
- PU fishery is already structured to adjust regulations according to run size.

**General:**

- There are not enough fish to go around when the run is under 2 million.
- A restriction in PU fishery would effectively allocate more fish to the commercial fishery. Inriver goal is determined at sonar so accounts for downriver harvest.
- If the same opening date is kept, the bag limit should be reduced, or a two-tiered system should be developed.
- Recommendation for the board to read the 2010 City of Kenai report to understand that a 3-week planning period was important for infrastructure.
- Coho and Kasilof communities thought when the PU fishery was adopted by the board that the fishery would be abundance driven. Fishery has become an entitlement fishery and a festival. Recommended the dipnet fishery be closed and to leave the gillnet fishery open.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

**PROPOSAL 176 – 5 AAC 21.360. Kenai River Late-run Sockeye Salmon Management Plan.** Open Kenai River personal use fishery after 350,000 sockeye pass the sonar.

**Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- PU fishery should occur before and after the commercial fishery.

**Opposition:**

- Oppose any proposal that would restrict the PU fishery.
- Restriction in PU fishery would result in increased commercial harvest, which is a mixed stock fishery. Potential to increase harvest on Northern District stocks would be a conservation concern.
- Oppose an opening based on a fixed number. Strongly encourage openings based on and adjusted according to abundance.
- Oppose concentrating fishery with additional inseason restrictions to fishery. Harvest needs to be spread throughout the duration of the run to prevent overharvest of one particular stock.
- PU fishery draws in sport anglers and therefore reduces habitat degradation.
- Need to take into account that the late-run Kenai sockeye run is comprised of many smaller stocks. Don't narrow the fishery and focus harvest on a particular segment of run.

**General:**

- Request that the Kasilof fishery be managed differently than the Kenai.
- Suspend Kasilof PU dipnet fishery, but not the gillnet fishery, until habitat issues have been resolved or properly handled.
- Recommend a fishery that is spread throughout the season in set openings and closures. This would prevent overharvest of smaller stocks, spread out the fishery, and provide more opportunity for local families.
- New and expanding fishery. Where is the end? Where is the ceiling?

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 177 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.** Close fishing on the south bank of the Kenai River until minimum inriver goals are met.

**Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- Would provide another management tool to restrict PU harvest inseason.
- PU fishery would fish on half of the run.
- Fishery takes place almost exclusively on the banks – sockeye migrate along the shorelines.
- Fishery is distributed evenly on each bank (north and south).

**Opposition:**

- Many residents of the adjacent subdivisions fish from the south bank.
- North side has large sand bar that makes the north side unfishable during low tides.
- Department already has the ability to manage the sport, PU, and commercial fisheries inseason.
- Impossible to enforce a line drawn down the middle of the river that restricts fishing from a boat on one side.
- Cleaner fishery from boats – avoids habitat degradation from shore fishermen.

**General:**

- None.

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***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

**PROPOSAL 178 – 5 AAC 21.360. Kenai River Late-run Sockeye Salmon Management Plan.** Open dipnet fisheries in Cook Inlet only after optimal escapement goals are met.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

#### **Support:**

- See comments on proposals 176 and 177.

#### **Opposition:**

- See comments on proposals 176 and 177.

#### **General:**

- See comments on proposals 176 and 177.

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### ***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: See proposals 176 and 177.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.



**PROPOSAL 179 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.** Open Kenai and Kasilof dipnet fisheries only after lower escapement goals will be achieved.

**Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- Bring PU fishery back to its original intent.
- Place necessary conservation burden on PU fishery.
- Commercial fishery was closed for an extended period of time in 2008, but the PU fishery was allowed to proceed without any additional restrictions.

**Opposition:**

- Local manager has EO authority to liberalize or restrict the fishery if needed.

**General:**

- See comments on proposals 176 and 177.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 180 – 5 AAC 21.360. Kenai River Late-run Sockeye Salmon Management Plan.** Close Kenai River personal use fishery on Tuesdays and Fridays until 450,000 sockeye pass the sonar.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

#### **Support:**

- In 2008, the burden was not shared among all users - PU fishery was not restricted.
- Conservation burden should be shared by all users.

#### **Opposition:**

- If the PU fishery is further restricted then the commercial and sport fisheries should be further restricted.
- Season dates provide predictability in fishery.

#### **General:**

- When PU fishery went into effect in 1996, the PU allocation came from the commercial fishery.
- PU fishery ends on July 31 due to early run coho entering the system in early August.

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### ***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 328 – 5 AAC 21.360. Kenai River Late-Run Sockeye Salmon Management Plan.**  
Revise closure time for the Kenai River personal use fishery.

**Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- There are not, nor have there been, many restrictions on the PU fishery.
- Need a precautionary approach to managing the PU fishery.
- PU fishery has no priority; subsistence does.
- The PU fishery needs to share the conservation burden.

**Opposition:**

- See comments on proposal 180.

**General:**

- None.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None

**PROPOSAL 155 – 5 AAC 21.360(b)(4). Kenai River Late-Run Sockeye Salmon Management Plan.** Add language that all fisheries will be closed if the OEG will not be achieved.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

#### **Support:**

- See comments on proposal 328.

#### **Opposition:**

- See comments on proposal 328.

#### **General:**

- See comments on proposal 328.

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### ***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: See proposal 328.

Board Committee Recommendation: No consensus.

Substitute Language: None.

**PROPOSAL 181 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.** Establish a harvest cap of 150,000 for the Kenai River personal use fishery.

**Narrative of Support and Opposition**

**Department:**

- Presence of harvest cap may necessitate liberalization of other fisheries to meet OEG/SEG and prevent overescapement.

**Department of Law:**

- None.

**Support:**

- PU fishery is out of context with original intent.
- 24-hour reporting would be great.
- A harvest cap would be the best way to restrict the fishery.
- Required reporting would help protect against theft of the resource.
- Without upper limit, expansion of the PU fishery will come from commercial fishery allocation.
- Proposed commercial midweek closures would shift more allocation to PU fishery.
- Commercial fishermen have lost time (i.e., allocation) due to the PU fishery.
- Intent of the PU fishery was to capitalize on surpluses that were not previously allocated.

**Opposition:**

- No biological concern so no need to restrict PU fishery.
- Fishery limits each family; growth comes from new participants. Resources belong to the people of AK and as such, the PU fishery should not have a cap.
- Mandatory reporting would be hard to enforce.
- Harvest cap would use up a lot of the department's valuable resources.
- PU fish are used directly by AK families and this should be prioritized.

**General:**

- None.

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***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 182 – 5 AAC 21.360 Kenai River Late-Run Sockeye Salmon Management Plan.** Set allocation of 100,000 - 150,000 sockeye in Kenai River personal use fishery.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

#### **Support:**

- See comments on proposal 181.

#### **Opposition:**

- See comments on proposal 181.

#### **General:**

- See comments on proposal 181.

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### ***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: See proposal 181.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 183 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.** Establish a guideline harvest for Cook Inlet personal use fisheries based upon run size.

**Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- Establish a reasonable harvest for PU fishery, like those in place for sport and commercial users.
- Methods and means presented thus far seem appropriate to adjust the PU fishery.
- The growth in the PU fishery needs to be slowed down.
- Commercial users want to see a ceiling put in place on the PU fishery.

**Opposition:**

- This proposal is a reallocation from one group to another.
- If a PU cap is put in place, those users will shift to sport methods which will increase habitat degradation.

**General:**

- Utilization of aquaculture facilities are at 50%. Why are Kasilof and Kenai rivers the only PU fisheries? Need to take pressure off of these systems – establish other PU fisheries.
- Recommend area expansion of Kenai PU fishery.
- In the past there has been discussion on allowing property owners upstream of the current PU area to dipnet along their property (but recognizes enforcement concern).
- Numbers in proposal are not set in stone and are open to adjustment.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.



**PROPOSAL 184 – 5 AAC 21.360. Kenai River Late-Run Sockeye Salmon Management Plan; and 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.** Establish GHL for sport and personal use harvest in the Kenai and Kasilof rivers.

### **Narrative of Support and Opposition**

**Department:**

- See comments on proposal 183.

**Department of Law:**

- See comments on proposal 183.

**Support:**

- See comments on proposal 183.

**Opposition:**

- See comments on proposal 183.

**General:**

- See comments on proposal 183.

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### ***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: See proposal 183.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 185 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.** Set allocation based on harvest and use in Kasilof River personal use fishery.

**Narrative of Support and Opposition**

Department:

- See comments on proposal 183.

Department of Law:

- See comments on proposal 183.

**Support:**

- See comments on proposal 183.

**Opposition:**

- See comments on proposal 183.

**General:**

- See comments on proposal 183.

---

***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: See proposal 183.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 186 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.** Establish a bag limit of 15 per family in the Kenai River personal use fishery and no fishing until escapement goal will be achieved.

### **Narrative of Support and Opposition**

Department:

- The current limit of 25/head of household and 10/additional household member was a carryover from the previous subsistence fishery.

Department of Law:

- None.

#### **Support:**

- If season restrictions are not adopted, then a bag limit reduction needs to be put in place.

#### **Opposition:**

- None.

#### **General:**

- The Sustainable Salmon Policy states that harvest should be spread throughout the run.
- Makes sense to put windows on the season to spread out harvest.
- Cohoe and Kasilof communities are maxed out and time windows throughout the season would help thin people out which would be a tremendous help to Kasilof.
- Subsistence limits were determined by customary and traditional uses and do not necessarily apply to current PU needs.

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### ***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

**PROPOSAL 187 – 5 AAC 77.525. Personal use salmon fishery.** Reduce household limit to 10 fish in Cook Inlet personal use salmon fishery.

### **Narrative of Support and Opposition**

Department:

- See comments on proposal 186.

Department of Law:

- See comments on proposal 186

#### **Support:**

- See comments on proposal 186.

#### **Opposition:**

- See comments on proposal 186.

#### **General:**

- See comments on proposal 186.

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### ***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: See proposal 186.

Board Committee Recommendation: No consensus.

Substitute Language: None.

**PROPOSAL 188 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.** Reduce bag limit or delay opening of the Kenai River dipnet fishery.

**Narrative of Support and Opposition**

Department:

- See comments on proposal 186.

Department of Law:

- See comments on proposal 186.

**Support:**

- See comments on proposal 186.

**Opposition:**

- See comments on proposal 186.

**General:**

- See comments on proposal 186.

---

***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: See proposal 186.

Board Committee Recommendation: No consensus.

Substitute Language: None.

**PROPOSAL 189 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.** Prohibit retention of king salmon in Cook Inlet dipnet fisheries.

**Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- Intent is to provide a first step to put more kings into the river.
- People have begun to target kings in the PU fishery.
- Some participants would support this proposal if a smaller mesh size were adopted.

**Opposition:**

- It is not easy to catch a king while dipnetting.
- Difficult to release a king from a dipnet. Dipnets are built for retention – very difficult to remove a king alive without removing from the water.
- Kings are rarely caught by dipnetters but they enjoy the fish as do sport fishermen.

**General:**

- Was the intent of the fishery ever to allow harvest of kings?
- Kasilof zero king limit established because kings are not enumerated on the Kasilof.
- Release fishing is a concern. Smaller web would help improve discard survival.

---

***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 190 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.** Allow one king per household for all Cook Inlet personal use dipnet fisheries.

**Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- No support.

**Opposition:**

- All opposed.

**General:**

- None.

---

***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 191 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.** Reduce allowable mesh size to two inches in Cook Inlet dipnet fisheries or prohibit release of fish.

**Narrative of Support and Opposition**

Department:

- Release of dipnetted fish is uncommon based on observations of the fishery.

Department of Law:

- None.

**Support:**

- Attempts to improve the survival of discarded fish.
- Concern that current mesh size may be more damaging to fish that escape compared to smaller mesh size.
- Regulations in sport fishing prohibit molestation of salmon. No regulations prevent dip-and-release fishing. It is difficult to figure out the fate of released fish, which is necessary to successfully prosecute in the court of law. If it is clear the fish are dead and people toss them out, that is considered wanton waste.

**Opposition:**

- May be difficult to effectively dipnet from shore with smaller net mesh and strong currents.
- Most fish released are small kings, rainbows, Dolly Varden, flounders, pinks or small sockeye. These species are not caught often while dipnetting.
- Dropouts with 4.5 inch mesh happens and smaller mesh would further reduce capture efficiency.
- Do not want efficiency reduced.

**General:**

- None.

---

***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.



**PROPOSAL 192 – 5 AAC 77.525. Personal use salmon fishery.** Prohibit possession of sport and personal use caught salmon on the same day.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

#### **Support:**

- Proposer would withdraw if the department said there was no issue with sport and PU overlap.
- No support.

#### **Opposition:**

- All opposed.

#### **General:**

- There have been no reports or complaints of people mixing sport and PU-caught fish.

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### ***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 193 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.** Prohibit dipnetting from boats in Kenai River personal use fishery.

**Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- Fishery started as a shore fishery. This is an initial attempt to return fishery to the way it started.
- Safety concern.
- Beluga whales might not be entering the Kenai because of boat fishing.
- May be time to limit the size of outboards in the PU fishery.

**Opposition:**

- Would put more people on the shore and increase damage to habitat.

**General:**

- There is a safety issue that needs to be addressed.
- Boating safety is an issue. Other entities are addressing this concern.

---

***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 194 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.** Prohibit dipnetting from boats in Kenai River personal use fishery.

**Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- None.

**Opposition:**

- None.

**General:**

- Already in regulation.

---

***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: Consensus to take no action.

Board Committee Recommendation: No action.

Substitute Language: None.

**PROPOSAL 195 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.** Open the Fish Creek dipnet fishery by regulation instead of emergency order.

**Narrative of Support and Opposition**

**Department:**

- Having the fishery open at a projected escapement of 50,000 would result in the fishery opening a few days earlier.
- Will not open fishery if there is any indication that the escapement goal will not be achieved.
- The department could manage for sustained yield with a target escapement trigger of 50,000.
- The Kenai, Kasilof, and Fish Creek PU fisheries are covered under the Upper Cook Inlet Personal Use Salmon Permit.
- Weir not installed until July 4.
- Current opening date of July 10 corresponds to the beginning of the run.
- Projections of escapement do not start until approximately July 15 which marks the 8<sup>th</sup> percentile of the run.

**Department of Law:**

- None.

**Support:**

- Proposer suggested an amendment to include a trigger of 50,000.
- Help alleviate pressure on the Kenai and Kasilof PU fisheries.

**Opposition:**

- More reasonable to have a trigger escapement of 50,000.
- No support for a fixed opening date.

**General:**

- Put hatchery-reared smolt in Big Lake to take pressure off Peninsula PU fisheries.
- Precautionary approach should be used since hatchery fish are no longer stocked.
- Proposer suggested an amendment to include a trigger of 50,000.

---

***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: Consensus to support a trigger of 50,000.

Board Committee Recommendation: No consensus.

Substitute Language:

5 AAC 77.540(d)(1) is amended to read:

(1) the commissioner **may** [WILL] open, by emergency order, the personal use dip net fishery in Fish Creek from July 10 through July 31, if the department projects that the escapement of sockeye salmon into Fish Creek will be above the upper end of the escapement goal of **50,000** [70,000] fish;

**PROPOSAL 196 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.** Increase season dates and expand area for Beluga River personal use fishery.

**Narrative of Support and Opposition**

Department:

- There is no escapement goal for king salmon in the Beluga River.
- Sport fishery harvest is ~120 kings and ~400 angler days of effort in Beluga system.
- Weekly reporting requirements for participants in the PU fishery.

Department of Law:

- None.

**Support:**

- Support area extension, but not season extension.

**Opposition:**

- An earlier start date could compromise the king run in this system since it is in an area with recent low king returns.
- There was concern over Theodore kings entering Beluga and becoming susceptible to the Beluga PU fishery.

**General:**

- None.

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***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Additional Language:

5 AAC 77.540(g)(3) is amended to read:

(3) the annual limit is as specified in 5 AAC 77.77.525; **except that only one king salmon may be retained per household;** [KING SALMON MAY NOT BE RETAINED; ANY KING SALMON CAUGHT MUST BE RELEASED IMMEDIATELY AND RETURNED TO THE WATER UNHARMED;]

**PROPOSAL 197 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.** Establish a personal use fishery on Eklutna River.

**Narrative of Support and Opposition**

Department:

- No hatchery on the Eklutna River.
- Low abundance of fish for any species during any year.
- Concerns about public access because most property in area is privately owned.

Department of Law:

- None.

**Support:**

- Could be an opportunity to alleviate pressure on the Kenai.

**Opposition:**

- Eklutna drainage is small. Not much information on run sizes. Thousands of dipnetters could participate in the fishery leading to unsustainable harvest.

**General:**

- All proposals that create a new PU fishery in another part of the state should be considered so that folks closest to those systems could capture fish near their homes.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 198 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.** Establish a personal use fishery on Deshka River.

**Narrative of Support and Opposition**

Department:

- Pinks immediately outmigrate upon emergence from the gravel.
- May not be sustainable on some even years given recent downward trend in even-year pink returns (since 2000).

Department of Law:

- None.

**Support:**

- A lot of lost opportunity during large escapements. Someone needs to harvest these fish.
- Pink salmon are good eating and high in omega 3s.
- Move users away from Kasilof fishery.

**Opposition:**

- Concern for incidental mortality of coho, rainbows, and Dolly Varden.
- No road accessibility limits participation.
- Pinks are not desirable table-fare after extended freshwater migration.

**General:**

- PU fisheries on pinks and chums should be considered.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.



**PROPOSAL 199 – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.** Establish a personal use fishery on Talkeetna River.

**Narrative of Support and Opposition**

Department:

- Run size of the Susitna River chum return in 2010 was ~115,000.

Department of Law:

- None.

**Support:**

- Proposal attempts to get people to think outside of the box.

**Opposition:**

- Sustainability issues.
- Concern over declining trends in chum returns.
- Safety concerns over thousands of PU participants on a dangerous river.
- Chum are colored-up once they reach the Talkeetna – food quality issues.

**General:**

- None.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

## Alaska Board of Fisheries Committee Report

# COMMITTEE E

**Sport Fisheries**  
February 24, 2011

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### Board Committee Members:

1. Tom Kluberton, \*Chair
2. Mike Smith
3. Mel Morris

### Alaska Department of Fish and Game Staff Members:

1. Tom Brookover, Deputy Director, Division of Sport Fish
2. Tom Vania, Regional Management Biologist, Division of Sport Fish
3. Matt Miller, Regional Management Biologist, Division of Sport Fish
4. Rick Merizon, Fish Biologist, Division of Sport Fish
5. Dan Bosch, Area Management Biologist, Division of Sport Fish
6. Patrick Fowler, Assistant Area Management Biologist, Division of Sport Fish
7. Jack Erickson, Regional Research Biologist, Division of Sport Fish
8. Sam Ivey, Acting Area Management Biologist, Division of Sport Fish
9. Tony Eskelin, Fishery Biologist, Division of Sport Fish
10. Rob Massengill, Fishery Biologist, Division of Sport Fish
11. Jenny Cope, Fishery Biologist, Division of Sport Fish
12. Steve Fleischman, Fisheries Scientist, Division of Sport Fish
13. Robert Begich, Area Management Biologist, Division of Sport Fish
14. Samantha Oslund, Fishery Biologist, Division of Sport Fish
15. Bob Chadwick, Regional Management Biologist, Division of Sport Fish
16. Jason Pawluk, Assistant Area Management Biologist, Division of Sport Fish
17. Al Cain, Enforcement Specialist, Division of Sport Fish
18. Dan Teske, Assistant Area Management Biologist, Division of Sport Fish
19. Tom Taube, Regional Management Biologist, Division of Sport Fish
20. Pat Shields, Assistant Area Management Biologist, Division of Commercial Fish
21. Krissy Dunker, Fish Biologist, Division of Sport Fish

### Alaska Department of Law:

1. Lance Nelson, Assistant Attorney General

### Advisory Committee Members:

1. Steve Runyun, Susitna Valley AC
2. Gary Dimond, Central Peninsula AC

3. Mike Crawford, Kenai / Soldotna AC
4. Steve Vanek, Central Peninsula AC
5. George Heim, Cooper Landing AC
6. Bruce Morgan, Anchorage AC

Public Panel Members:

1. Howard Delo, Mat-Su Blue Ribbon Committee
2. Joe Conner, Kenai Peninsula Tourism and Marketing
3. Steve McClure, Kenai River Professional Guide Assoc.
4. Kevin Delaney, Kenai River Sportfishing Association
5. Andy Szczesny, Self / Guide
6. Dwight Kramer, Kenai Area Fisherman's Coalition
7. Bruce King, Kenai Area Fisherman's Coalition, Self
8. Natalia Aulenbader, Self / Guide
9. Jeff Beaudoin, Kenai Peninsula Fisherman's Association, Self
10. Mike Fenton, Self / Guide
11. Mike Goodwin, Independent / Drift Fisherman

Federal Subsistence Representative:

1. Rod Campbell, USFWS, Office of Subsistence Management

Federal Agency Representatives:

1. Dave Nelson, National Park Service
2. Doug Palmer, US Fish and Wildlife Service

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The Committee met February 24, 2011 at 8:30 a.m. and adjourned at 4:00 p.m.

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PROPOSALS BEFORE THE COMMITTEE WERE: (27 total) 21, 22, 200, 201, 202, 203, 204, 23, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, and 223

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**PROPOSAL 21 - 5 AAC 62.122. Special provisions and localized additions and exceptions to the seasons, bag possession, and size limits, and methods and means for the West Cook Inlet Area.**

Decrease bag limit to 2 coho salmon in West Cook Inlet.

**Narrative of Support and Opposition**

Department:

- Approximately 1,700 fish were caught and released in Silver Salmon Creek (WCI).

Department of Law:

- None.

**Support:**

- This would be a proactive measure to reduce WCI coho salmon harvest potential.
- Fishing pressure has increased.
- Coho salmon have a high catch-and-release mortality rate.

**Opposition:**

- Commercial fishery users have not made any concessions.
- No legitimate conservation concern.
- Could reduce opportunities for federal subsistence users.

**General:**

- Department comments were inconsistent when recommending actions for commercial and sport fisheries.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus, except consensus to oppose reduction on the Kustatan River.

Board Committee Recommendation: Consensus to support substitute language.

Substitute Language:

**5 AAC 56.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area**

**5 AAC 57.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area**

**5 AAC 59.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Anchorage Bowl Drainages Area**

**5 AAC 60.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Knik Arm Drainages Area**

**5 AAC 61.110. General provisions for seasons, bag, possession, and size limits, and methods and means for the Susitna River Drainage Area**

**5 AAC 62.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the West Cook Inlet Area**

**(x) if retention is permitted under this section, a coho salmon that is removed from the water must be retained and becomes part of the bag limit of the person originally hooking it; a person may not remove a coho salmon from the water before releasing the fish;**

**PROPOSAL 22 - 5 AAC 62.120(2). General provisions for season, bag, possession, and size limits, and methods and means for the West Cook Inlet Area.** Increase bag and possession limit to 3 coho in West Cook Inlet Area.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

#### **Support:**

- Restores traditional bag limit.
- There is no conservation concern.
- Commercial fishery has been harvesting the majority of the coho salmon, yet the original intent was for coho salmon to be primarily managed for sport anglers.
- Commercial fishery regulations were liberalized in 2008, yet the sport fishery was not.

#### **Opposition:**

- Could have a greater impact to coho salmon stocks that are road accessible.

#### **General:**

- Department comments were inconsistent when recommending actions for commercial and sport fisheries.
- Abundance estimates of coho salmon varied between the 2002 and 2010 mark-recapture studies.
- The department moved the Little Susitna River weir and that changed the escapement valuation. This makes comparing all years of Little Susitna River coho salmon escapement data more difficult.

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### ***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

**PROPOSAL 200 - 5 AAC 61.110(2)(A). General provision for seasons, bag, possession, and size limits, and methods and means for the Susitna River Drainage Area.** Increase bag and possession limit to 3 coho salmon in Susitna River drainage.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

#### **Support:**

- Mat-Su anglers want to harvest their salmon in a timely manner when salmon are most abundant and avoid deteriorating fish quality later in the season.
- Coho salmon are an essential food fish for Mat-Su anglers.
- Sport anglers have shouldered most of the conservation burden.
- Fishing at the mouth of the Parks Hwy streams are mixed-stock fisheries and may be able to absorb increased harvest.

#### **Opposition:**

- The department already has the ability to increase bag limits with EO authority.

#### **General:**

- Proposal 138, if passed, would allow increased coho salmon catch. The department comments differ for similar issues between proposals, causing confusion on the part of the public.
- Most of coho salmon sport fishing effort is catch-and-release with little harvest occurring.

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### ***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

**PROPOSAL 201 - 5 AAC 61.120. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for Unit 5 of the Susitna River Drainage Area.** Increase bag and possession limit to 3 coho salmon in the Talkeetna River.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

#### **Support:**

- See comments on proposal 200.

#### **Opposition:**

- See comments on proposal 200.

#### **General:**

- See comments on proposal 200.

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### ***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: See proposal 200.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.



**PROPOSAL 202 - 5 AAC 60.120(2)(A). General provision for seasons, bag, possession, and size limits, and methods and means for the Knik River Drainage Area.** Increase bag and possession limit to 3 coho salmon in Knik Arm Drainage Area.

### **Narrative of Support and Opposition**

#### Department:

- The department is examining the option of moving the Little Susitna weir further downstream. This would provide more timely escapement estimates.

#### Department of Law:

- The board does not have the authority to direct department's research efforts.

#### **Support:**

- Reference comments on Proposal 200.
- Coho salmon is important to the economy of the Mat-Su and has eclipsed the popularity of the king salmon fishery.

#### **Opposition:**

- Would increase pressure on existing access points of the Little Susitna River. This also has the potential to increase boating accidents and damage to the riparian zone.

#### **General:**

- Community support for moving the Little Susitna weir has begun to develop. The City of Houston is more receptive to the idea.

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### ***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 203 - 5 AAC 59.120(2)(A). General provision for seasons, bag, possession, and size limits, and methods and means for the Anchorage Bowl Drainage Area.** Increase bag and possession limit to 3 coho salmon in the Anchorage Bowl drainages Area.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

#### **Support:**

- Reference comments from proposal 200.
- By increasing coho salmon bag limits in Anchorage, it may alleviate pressure from Anchorage residents on Mat-Su streams.

#### **Opposition:**

- Concern about increased effort on road accessible streams.
- Increased angler effort in Bird Creek could create conflict between local residents and private landowners and could increase concern about bear interactions.

#### **General:**

- None.

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### ***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 204 - 5 AAC 57.120(4)(A). General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area; and 5 AAC 57.170(b)(3). Kenai River Coho Salmon Management Plan.** Increase bag and possession limit to 3 coho salmon in the Kenai River Drainage Area.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

#### **Support:**

- Reference comments from proposal 200.
- Kenai coho salmon stocks are very productive stocks and can sustain a high exploitation rate.

#### **Opposition:**

- The drift gillnet fleet is already restricted to the west side of the Inlet at that time.
- The river has already become too congested. Coho salmon are already being exploited at a high rate.
- Commercial fishery users are still restricted from traditional levels.
- Lack of any current stock assessment warrants conservative management practices.
- The department begins the season with a conservative approach and bag limit increases later in the run.
- Can be difficult to catch 2 coho salmon.

#### **General:**

- Concerns about access to streams and coho salmon populations. Would like to see additional monitoring if bag limits were increased as it could create a conservation concern. On federal waters there is a 4 fish limit, but would change outside federal jurisdiction to reflect state regulations.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

**PROPOSAL 23 - 5 AAC 56.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area.** Increase daily bag and possession limit to 3 coho salmon in Kenai Peninsula Area.

### **Narrative of Support and Opposition**

Department:

- This proposal was tabled from the Lower Cook Inlet board meeting in November 2010.

Department of Law:

- None.

#### **Support:**

- Support increased limit for lower peninsula streams to benefit local resident anglers.
- Only the lower 2 miles of the lower peninsula streams are open to sport fishing.

#### **Opposition:**

- Road accessible systems already receive high exploitation.
- The proposal is too broad; should be pared down.

#### **General:**

- Catch-and-release mortality should be taken into account when calculating exploitation rates.

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### ***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

**PROPOSAL 205 - 5 AAC 56.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area; and 5 AAC 57.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area.** Increase bag and possession limit to 3 coho salmon on the Kenai and Kasilof rivers.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

#### **Support:**

- See comments on proposal 204.

#### **Opposition:**

- See comments on proposal 204.

#### **General:**

- See comments on proposal 204.

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### ***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: See proposal 204.

Board Committee Recommendation: No action based on actions taken on 23 and 204.

Substitute Language: None.

**PROPOSAL 206 - 5AAC 57.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Middle Section of the Kenai River Drainage Area.** Align coho salmon bag limit with adjacent waters in the Russian River Sanctuary Area and Russian River.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

#### **Support:**

- Consistent bag limit in this area would be easier to enforce.
- The powerline is a well known landmark.

#### **Opposition:**

- None.

#### **General:**

- None.

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### ***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

**PROPOSAL 207 - 5 AAC 57.140(b). Kenai River guiding and guided fishing requirements in the Kenai River Drainage Area.** Repeal the provision that allows a charitable or educational event to fish from guide vessels on the first Sunday in June on Lower Kenai River.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

#### **Support:**

- Infringes upon private angler days.
- The Wounded Warrior event does not occur on the first Sunday of June any longer.
- Regulation was enacted without going through the traditional proposal process.

#### **Opposition:**

- First Sunday in June is a very low-use angler day. If approved this would only put another 20 boats on the river.
- The additional day was created to accommodate a traditional military work schedule, providing a two day event.
- This would benefit private anglers who are participating in the event.

#### **General:**

- None.

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### ***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.



**PROPOSAL 208 - 5 AAC 57.140. Kenai River guiding and guided fishing requirements in the Kenai River Drainage Area.** Prohibit guided sport fishing just above the king salmon sonar station downstream to Cunningham Park.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

#### **Support:**

- Unguided fisherman would benefit without pressure from guides.
- Would decrease the disparity in harvest potential between guided and unguided anglers.
- Would provide more time to fish without the presence of guides.

#### **Opposition:**

- Already too many restrictions.
- Maintain current regulations unless there is a conservation concern.

#### **General:**

- None.

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### ***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 209 - 5 AAC 57.140. Kenai River guiding and guided fishing requirements in the Kenai River Drainage Area.** Modify existing Kenai River guide hours from 6:00 a.m.- 6:00 p.m. to 7 a.m. - 7 p.m.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

#### **Support:**

- Attempt to equalize the harvest potential between guided and unguided anglers.
- Provides another hour for unguided anglers to fish without guide boats in the morning.
- Currently forcing local residents to get on the river earlier.
- Better light for fishing begins around 5:00 a.m. This would provide unguided anglers another hour under better fishing conditions.

#### **Opposition:**

- Current regulations allow for resident anglers to fish in the evenings without having to compete with guided anglers.
- Would remove an hour for unguided anglers to fish without guide boats in the evening.
- Reference comments from previous proposal 208.
- Allows anglers more opportunity to spend time and money in the community in the evening.
- Guides have been educated through the guide academy to minimize their impact on unguided anglers.
- Local anglers can fish 24 hours per day.

#### **General:**

- Guided anglers harvest the majority of fish.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 210 - 5 AAC 57.140. Kenai River guiding and guided fishing requirements in the Kenai River drainage area.** Allow fishing from a registered vessel on the Kenai River 24 hours per day during May.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- None.

**Opposition:**

- None.

**General:**

- Support withdrawn by proposer.

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### ***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No Action; support withdrawn by proposer (RC 115).

Board Committee Recommendation: No action.

Substitute Language: None.

**PROPOSAL 211 - 5 AAC 57.140. Kenai River guiding and guided fishing requirements in the Kenai River drainage area.** Allow fishing from a registered guide vessel on the Kenai River on Sundays during May.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

#### **Support:**

- Angler effort is low and few king salmon are harvested in May.
- Would provide more opportunity to guides in a short season.
- Guides are an avenue through which Alaska residents access the king salmon fishery on the Kenai.
- Very difficult water to catch a king salmon in May due to low water conditions and fish moving quickly upstream.

#### **Opposition:**

- May increase harvest disparity between guided and unguided anglers.
- The early-run king salmon stock may not be able to handle additional exploitation.
- Infringes on private anglers' ability to access the resource without guides.
- At this time of the year, king salmon abundance is low.
- King salmon are easy to harvest due to low water concentrating fish in certain holes.

#### **General:**

- None.

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***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 212 - 5 AAC 57.140. Kenai River guiding and guided fishing requirements in the Kenai River drainage area.** Allow fishing from a registered guide vessel on the Kenai River on Sundays during June.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

#### **Support:**

- Provide the department with the authority to EO this tool during years of high abundance.

#### **Opposition:**

- Do not want any regulation changes to occur in June.
- The early-run king salmon stock may not be able to handle additional exploitation.
- Would create a larger disparity of harvest potential between guided and unguided anglers.

#### **General:**

- Kenai River guides will submit an RC to establish a trigger point.

---

### ***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 213 - 5 AAC 57.140. Kenai River guiding and guided fishing requirements in the Kenai River drainage area.** Allow fishing from a registered guide vessel for coho salmon on Mondays during August – November.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

#### **Support:**

- Increase coho salmon fishing time from guided vessels.
- Guide boats would still be on the water during this time for trout fishing.
- Little conflict exists between guided and unguided coho salmon anglers as there is low angler effort at this time.
- Mondays are the only day some clients can fish.
- Currently, guided traffic targeting rainbow trout is concentrated on the upper Kenai River. If coho salmon fishing was allowed for guided anglers, this would disperse guided angler effort.

#### **Opposition:**

- Low coho salmon abundance.
- Increasing effort for rainbow trout has already created crowded conditions at access points.
- Greatly increase angler effort in August, but would likely diminish after early September.
- Fishery should be left alone.
- August and September are very desirable months for the private angler to fish the Kenai River.
- Rainbow fisherman appreciate being able to fish without guide boats on Mondays.

#### **General:**

- This was one action that was not repealed from the Coho Conservation Plan.
- This restriction was put in place to address a conservation issue. If it's kept in place, it should be for a conservation issue, not an allocative issue. The board should review allocation criteria.
- An RC will be submitted to allow guided fishing on Mondays for salmon after August (RC 135).



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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to support RC 135.

Substitute Language: None.

**PROPOSAL 214 - 5 AAC 57.140. Kenai River guiding and guided fishing requirements in the Kenai River Drainage Area.** Allow fishing from a registered guide vessel for coho salmon on Mondays during August and September.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

#### **Support:**

- See comments on Proposal 213.

#### **Opposition:**

- See comments on Proposal 213.

#### **General:**

- See comments on Proposal 213.

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### ***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: See proposal 213.

Board Committee Recommendation: No action based on action taken on 213.

Substitute Language: None.

**PROPOSAL 215 - 5 AAC 57.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area.** Prohibit barbed hooks when using beads in the Kenai River.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- The board does not have authority to exclude anyone from the state-managed fishery.

### **Support:**

- It could have less of an impact on trout.
- It's a catch-and-release trophy fishery that warrants the use of barbless hooks.
- Brings greater awareness and education to anglers in the resident species fishery.
- Trout being caught have old hook injuries.
- Would increase the quality of the fishery.
- Should limit action to upper Kenai River.

### **Opposition:**

- A study in Idaho to examine barbless hook efficacy examined time between releasing barbed versus barbless hooks proved inconsequential and ineffective in determining barbless hook use.
- The federal fishery would automatically revert to barbless hooks. There was one Dolly Varden harvested for subsistence in this fishery in 2010.
- Best available scientific data does not suggest the use of barbless hooks reduces catch-and-release mortality rates.
- Difficult to enforce and define.
- Hook injuries occur on trout from anglers targeting other species.

### **General:**

- The definition and use of a bead, barbless hook, and barb are needed to make this proposal effective.
- After August 20, most anglers in the upper river are fishing for trout. An RC will be submitted with revised language.
- Require manufactured barbless hooks.

- Would like to see a sunset clause if this were enacted.
- Factory barbless hooks are different from barbed hooks of similar size, causing people to buy barbed hooks and then bend the barb down.
- It is the belief that some guides are using barbless hooks.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 216 - 5 AAC 57.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area.** Increase allowable size limit of rainbow trout in the lower Kenai River.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

#### **Support:**

- Would provide harvest opportunity to anglers on an abundant stock.
- Harvest is currently low on these stocks.
- This stock has become more abundant.

#### **Opposition:**

- Conservation concern. Existing limit protects spawning-sized rainbow trout.
- The Kenai River has become a trophy rainbow fishery. This has the potential to decrease the average size over time.
- Angler effort has increased.
- There has been no assessment since 1999.
- Harvest could be large.
- A 24" rainbow trout is considered a trophy by many clients.
- Agree with department's comments on opposition.

#### **General:**

- None.

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***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 217 - 5 AAC 56.120. General provisions for seasons, bag possession, and size limits, and methods and means for the Kenai Peninsula Area.** Establish a bag limit for burbot in the Kenai Peninsula Area.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- None.

**Opposition:**

- None.

**General:**

- Can only access this lake (Juneau Lake) every other year due to U.S. Forest Service land use restrictions. The U.S. Forest Service closes Resurrection Trail every other year to motorized access.

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### ***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

**PROPOSAL 218 - 5 AAC 56.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area.**  
Establish a steelhead/rainbow trout spawning closure for all tributaries of Tustumena Lake.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

#### **Support:**

- Recent telemetry work identified locations where these species were spawning.
- Support department comments.

#### **Opposition:**

- None.

#### **General:**

- None.

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### ***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.



**PROPOSAL 219 - 5 AAC 57.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area.** Correct list of Kenai River Drainage Area rainbow trout stocked lakes.

**Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- None.

**Opposition:**

- None.

**General:**

- None.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

**PROPOSAL 220 - 5 AAC 57.123. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Upper section of the Kenai River Drainage Area.** Add Rainbow Lake to the list of Upper Kenai River drainage stocked lakes.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- None.

**Opposition:**

- None.

**General:**

- None.

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### ***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

**PROPOSAL 221 - 5 AAC 56.120. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area, and 5AAC 57.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area.** Correct list of Kenai River Drainage Area and Kenai Peninsula Area king salmon stocked lakes.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- None.

**Opposition:**

- None.

**General:**

- None.

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### ***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

**PROPOSAL 222 - 5 AAC 57.121. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area; and 5 AAC 57.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Middle Section of the Kenai River Drainage Area.** Repeal the special sport fishing gear regulations that apply to Arc Lake, Cisca Lake, and Scout Lake.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- None.

**Opposition:**

- None.

**General:**

- None.

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### ***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

**PROPOSAL 223 - 5 AAC 57.XXX. Invasive Northern Pike Management Plan; 5 AAC 60.XXX. Invasive Northern Pike Management Plan; and 5 AAC 61.XXX. Invasive Northern Pike Management Plan.** Add a new section to increase emergency order authority flexibility to address invasive northern pike.

**Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- None.

**Opposition:**

- None.

**General:**

- None.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

## Alaska Board of Fisheries Committee Report

# COMMITTEE F

### **Kenai – Kasilof River Sport Salmon Fishing and Vessel Restrictions** February 26, 2011

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#### Board Committee Members:

1. Karl Johnstone, \*Chair
2. Bill Brown
3. John Jensen

#### Alaska Department of Fish and Game Staff Members:

1. David Bedford, Deputy Commissioner, Department of Fish and Game
2. Lisa Olson, Deputy Director, Division of Subsistence
3. Charlie Swanton, Director, Division of Sport Fish
4. Jeff Regnart, Director, Division of Commercial Fisheries
5. Tom Brookover, Deputy Director, Division of Sport Fish
6. Jim Hasbrouck, Regional Supervisor, Division of Sport Fish
7. Robert Clark, Fisheries Scientist, Division of Sport Fish
8. Tom Vania, Regional Management Biologist, Division of Sport Fish
9. Matt Miller, Regional Management Biologist, Division of Sport Fish
10. Robert Begich, Area Management Biologist, Division of Sport Fish
11. Tim McKinley, Area Research Biologist, Division of Sport Fish
12. Tom Taube, Regional Management Biologist, Division of Sport Fish
13. Dan Bosch, Area Management Biologist, Division of Sport Fish
14. Bob Chadwick, Regional Management Biologist, Division of Sport Fish
15. Jason Pawluk, Assistant Area Management Biologist, Division of Sport Fish
16. Jeff Perschbacher, Fishery Biologist, Division of Sport Fish
17. Daniel Teske, Assistant Area Management Biologist, Division of Sport Fish
18. Patrick Fowler, Assistant Area Management Biologist, Division of Sport Fish
19. Robert Massengill, Fishery Biologist, Division of Sport Fish
20. Sam Ivey, Acting Area Management Biologist, Division of Sport Fish
21. Sam Oslund, Fishery Biologist, Division of Sport Fish
22. Jenny Cope, Fishery Biologist, Division of Sport Fish
23. Steve Fleishman, Fisheries Scientist, Division of Sport Fish
24. Debbie Burwen, Fishery Biologist, Division of Sport Fish
25. Rick Merizon, Fisheries Biologist, Division of Sport Fish
26. Tony Eskelin, Fishery Biologist, Division of Sport Fish
27. Al Cain, Enforcement Specialist, Division of Sport Fish
28. Sue Aspelund, Deputy Director, Division of Commercial Fisheries
29. Kerri Tonkin, Regulations Program Coordinator, Division of Commercial Fisheries

## Alaska Department of Law Staff Members:

1. Lance Nelson, Senior Assistant Attorney General, Department of Law

## Advisory Committee Members:

1. Mike Crawford, Kenai-Soldotna AC
2. Dave Martin, Central Peninsula AC
3. George Hein, Cooper Landing AC
4. Jim Stubbs, Anchorage AC
5. Bruce Knowles, Susitna Valley AC
6. John Renner, Copper River/Prince William Sound AC

## Public Panel Members:

1. Tom Corr, Drift Boat Guide
2. Gary Sinnhuber, Wade and Walk Sport Guide
3. Kevin Delaney, Kenai River Sportfishing Association
4. Andy Szczeney, Kenai River Professional Guide Association
5. Mac Minard, Mayor's Blue Ribbon Sportsman's Committee, Matanuska/Susitna Borough
6. Dwight Kramer, Kenai Area Fisherman's Coalition
7. Roland Maw, United Cook Inlet Drift Association
8. Robert Williams, Kenai Peninsula Fisherman's Association
9. Steve McClure, Sport Fish Guide
10. Don Johnson, Sport Fish Guide
11. Joe Connors, Kenai Peninsula Tourism/Marketing/Sport/Commercial
12. Scott Eggemeyer, Sport Fish Guide
13. Paul Shadura, South K-Beach Independent Fishermen
14. David Goggia, President, Kenai River Professional Guide Association
15. Joe Haines, Sport Fish Guide
16. Mike Fenton, Sport Fish Guide

## Federal Subsistence Representative:

1. Rod Campbell, United States Fish and Wildlife Service, Office of Subsistence Management
2. Doug Palmer, United States Fish and Wildlife Service, Kenai Field Office

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The Committee met February 26, 2011 at 9:12 a.m. and adjourned at 4:15 p.m.

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PROPOSALS BEFORE THE COMMITTEE WERE: (40 total) 224, 225, 226, 227, 228, 229, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263 and 230.

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**PROPOSAL 224 - 5 AAC 57.121. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area.** Reduce effective dates for fly-fishing-only waters in Killey River Sanctuary Area from July 31 to July 15.

**Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- None.

**Opposition:**

- Current king salmon closures are appropriate.
- Trade-off for fish bound to the tributaries and fishing opportunity.
- Sanctuary is needed with current abundance concerns.
- 50% of king salmon stage in current closure area.
- Date extension in 2008 protects king salmon.

**General:** None.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.



**PROPOSAL 225 - 5 AAC 57.121. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area.** Reduce the Killey River king salmon sanctuary closure date from July 31 to July 15.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- See comments on proposal 224.

**Opposition:**

- See comments on proposal 224.

**General:**

- See comments on proposal 224.

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### ***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: See proposal 224.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 226 - 5 AAC 57.121. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area.** Reduce Killey River king salmon sanctuary closure date to June 25 - July 14.

**Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- See comments on proposal 224.

**Opposition:**

- See comments on proposal 224.

**General:**

- See comments on proposal 224.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: See proposal 224.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 227 - 5 AAC 57.121. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area.** Reduce Killey River king salmon sanctuary area to allow fishing at 3rd Hole.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- See comments on proposal 224.

**Opposition:**

- See comments on proposal 224.

**General:**

- See comments on proposal 224.

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### ***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: See proposal 224.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 228 - 5 AAC 57.121. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area.** Repeal the seasonal boating restriction at the confluence of the Moose River.

### **Narrative of Support and Opposition**

**Department:**

- King salmon hooking mortality averages 239 fish for the early run; late-run mortality averages 534 fish.

**Department of Law:**

- None.

**Support:**

- None.

**Opposition:**

- Current king salmon closures are appropriate.
- Sanctuary is needed given current population concerns.
- Proposal would allow boats into sanctuaries and king salmon will be caught; resulting hooking mortality expected to be high and precaution is needed.
- Trade-off for fish bound to the tributaries and fishing opportunity.
- Date extension in 2008 protects kings.

**General:**

- None.

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### ***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 229 - 5 AAC 57.121. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the lower Section of the Kenai River Drainage Area. Increase Slikok Creek king salmon sanctuary area.**

**Narrative of Support and Opposition**

Department:

- Proposed closure would encompass two popular fishing holes.

Department of Law:

- None.

**Support:**

- Conservation should come first.
- Precautionary measure as described in Sustainable Salmon Fisheries policy.
- Expanded area will improve escapement.
- Concerned about low king salmon returns to Slikok Creek as ADF&G foot surveys indicate decline over time; foot surveys counts were probably undercounted, recent weir data (2008–2010) shows recent king salmon returns have decreased.
- New data indicates fish holding in area.
- A lot of bear predation, further reducing abundance.

**Opposition:**

- Current closure is adequate.
- Reduction in abundance is not attributed to harvest.
- Sanctuary already too large.
- Refer to comment in proposal 224.
- Removes a significant portion of river to fishing.
- Haven't seen a return yet from the board action taken three years ago to extend the season closure through July 31.
- Low king salmon returns could be caused by marine environment.

**General:**

- ADF&G should continue to monitor return to creek.
- Author proposed to reduce lower end of boundary from one mile to ¾-mile below Slikok Creek to avoid two popular fishing holes and will be submitting an RC.
- Habitat improvements could help restore fishery.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 231 - 5 AAC 57.160. Kenai River and Kasilof River Early-run King Salmon Management Plan.** Return early run Kenai River king salmon escapement goal to pre-2005 level.

### **Narrative of Support and Opposition**

#### **Department:**

- The combination of net sampling and creel catch rates, along with sonar, will be used to assess run strength as the transition is made to DIDSON.
- The escapement goal will likely be recalculated in three or more years based on the DIDSON project data.

#### **Department of Law:**

- None.

#### **Support:**

- Should not lower escapement goal.
- Recent king salmon declines are a red flag and need addressing.
- The old goals were more appropriate.
- Old pre-2005 goal resulted in more restrictions and we have less fish now; therefore, old goal is more appropriate.

#### **Opposition:**

- Would not support if proposal results in an OEG change.
- Current OEG is appropriate.

#### **General:**

- Only one closure has occurred with current plan.
- East side setnet king harvest has increased since 2005.
- Escapement goal is supported by a strong BEG analysis.
- Should not reduce escapement goal to avoid taking conservation actions.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.



**PROPOSAL 232 - 5 AAC 57.121. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area.** Allow use of bait on May 1 or June 1 in the Kenai River early-run king salmon fishery.

### **Narrative of Support and Opposition**

#### **Department:**

- Run projection accuracy increases over time.
- Bait fishing liberalization is common; it occurred in 2003–2008.
- Proposal will likely result in restricting bait as frequently as liberalizing to bait has occurred.

#### **Department of Law:**

- None.

#### **Federal Subsistence Board:**

- Current regulation was designed to protect rainbow trout.
- Support the current management plan.
- 

#### **Support:**

- None.

#### **Opposition:**

- Management and restrictions can cause “ripple effect” in community.
- Current regulation was designed to protect rainbow trout.
- If bait is allowed then later removed, will have negative economic benefits later.

#### **General:**

- None.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 233 - 5 AAC 57.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area.** Repeal slot limit for Kenai River early-run king salmon.

### **Narrative of Support and Opposition**

#### **Department:**

- Slot limit has resulted in estimated 34% less harvest.
- Catch-and- release mortality is about 7%.
- Reason for loss of early-run big fish is unknown and is occurring in stocks elsewhere.
- Low abundance of 5-ocean early-run king salmon is persisting.

#### **Department of Law:**

- None.

#### **Support:**

- The cause is unknown for loss of the big fish.
- Current slot limit not working to bring big fish back.
- Significant economic impact to guides.
- Sport fishing starts very restrictive, but the commercial fishery does not.
- Decline in 5-ocean king salmon is not attributed to harvest. Selective harvest was addressed with extending sanctuary areas through July 31.

#### **Opposition:**

- Federal regulations would remain unchanged regardless of proposal, but no harvest has been reported so far.
- Concern exists over size of returns and size of fish.
- Slot limit addresses the issue inriver.
- More time is needed for effects of slot limit to be realized.
- Repealing slot limit would result in high-grading and associated catch-and-release mortality.
- Economic concerns should not trump conservation concerns.

#### **General:**

- Proposal is similar to proposal 234.
- East side setnet fishery is closed during most of the early run.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

**PROPOSAL 234 - 5 AAC 57.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area.** Repeal slot limit for Kenai River early-run king salmon.

**Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- See comments on proposal 233.

**Opposition:**

- See comments on proposal 233.

**General:**

- See comments on proposal 233.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: See proposal 233.

Board Committee Recommendation: No consensus.

Substitute Language: None.

**PROPOSAL 235 - 5 AAC 57.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area.** Extend king salmon slot limit through the end of July.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

Federal Subsistence Board:

- State regulations would diverge from federal regulations.

#### **Support:**

- Loss of 5-ocean king salmon is unknown, but reducing large fish exploitation is the one variable we can control.
- Current slot limit falls short of protecting females.
- Slot limit does not protect early-run fish above the bridge in July.
- Concerned about early-run returns.
- Poor lower river fishing can move anglers upstream and early-run fish get harvested above the bridge.
- Would serve as a precautionary measure.
- Large fish are declining in numbers.

#### **Opposition:**

- Slot limit enforcement is a concern; determining a legal fish is difficult for anglers while floating down the river.
- Measuring fish may lead to higher mortality.
- People want a chance to harvest a large fish and the decision to release should be left to angler.
- Supports, but would like to keep slot limit only above the bridge in July.
- Current means and methods protect fish enough already.
- Would result in negative economic impact.

**General:**

- Anglers come to the Kenai River for the opportunity to catch a large king salmon.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 236 - 5 AAC 57.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area.** Modify size and annual limits for Kenai River king salmon.

**Narrative of Support and Opposition**

Department:

- Jack king salmon definition: males are 1-ocean age and less than 20 inches, but public commonly refers to larger fish as jacks.
- Jacks are included in escapement estimates.
- A 28-inch king salmon is a spawner.

Department of Law:

- None.

**Support:**

- None.

**Opposition:**

- References staff comments for proposal.

**General:**

- None.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.



**PROPOSAL 237 - 5 AAC 57.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area; and 5 AAC 57.124. Harvest record required; annual limits for the Kenai River Drainage Area.** Increase size and bag limits for jack kings in the late-run on the Kenai River.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

#### **Support:**

- Small fish are underutilized.
- Increasing size limit would increase opportunity.
- Small fish under 28 inches may not be enumerated in sonar counts.
- Balances conservation of large fish with opportunity to harvest a few smaller fish.
- Harvest of small fish should not affect decision to restrict a fishery.
- 28-inch king salmon are not what the river should be known for.
- Will help harvest in proportion to run composition.
- The current annual limit is two fish.

#### **Opposition:**

- Small fish are an important spawning component for tributaries.
- Currently, anglers can already harvest small fish.
- Gene pool diversity is important to conserve regardless of attributes for large/big fish.
- Department still has EO authority to liberalize fishery.
- Increase king salmon harvest.

#### **General:**

- Concern with sonar counting small kings as sockeyes.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: **5 AAC 57.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area.**

(2) king salmon 20 inches or greater in length, as follows:

(C) **from July 1-July 31**; a person, after taking and retaining a king salmon 20 inches or greater in length from the Kenai River, may not sport fish from a boat in the Kenai River downstream from Skilak Lake for any species of fish on that same day;

(i) **from January 1 –June 30**; person, after taking and retaining a king salmon 28 inches or greater in length from the Kenai River, may not sport fish from a boat in the Kenai River downstream from Skilak Lake for any species of fish on that same day;

**PROPOSAL 238 - 5 AAC 57.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area.** Allow the use of two hooks or treble hooks for Kenai River king salmon fishing.

**Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- None.

**Opposition:**

- Current EO tools are adequate; proposal is unnecessary and may result in more closures in the river.
- Precautionary concept works.

**General:**

- None.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 239 - 5 AAC 57.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area.** Allow anglers to continue fishing after daily bag limits are met on the Kenai River.

**Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- None.

**Opposition:**

- Hooking mortality on coho salmon can be higher than king salmon.
- Opposes as it relates to king salmon and as it relates to coho salmon caught in the lower river.

**General:**

- None.

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***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: No consensus.

Substitute Language: None.

**PROPOSAL 240 - 5 AAC 56.120. General provisions for the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area.** Prohibit anglers that are going to release fish from taking them out of the water.

### **Narrative of Support and Opposition**

#### Department:

- Handling-related mortality not an issue on for Kenai River rainbow trout sustainability.

#### Department of Law:

- None.

#### **Support:**

- Would decrease hooking mortality.
- Can still get adequate pictures when keeping fish in the water.
- 50% increase in mortality if fish is kept out of water 15 seconds.
- Ethical and responsible management.

#### **Opposition:**

- New rubber nets improve fish handling; guide academy educates guides on proper fish handling
- Refer to department comments.

#### **General:**

- Fishing from raised walkways may be problematic to avoid removing fish from the water for release.

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### ***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 241 - 5 AAC 57.121. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area.** Close Kenai River to sport fishing on Tuesdays and Fridays.

**Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- None.

**Opposition:**

- Business and local economy dependent on sport fishery and would be negatively impacted.
- No biological concern.

**General:**

- None.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 242 - 5 AAC 21.359. Kenai River Late-run King Salmon Management Plan.** Close large sections of the Kenai River to king salmon fishing on an annual rotational cycle.

**Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- None.

**Opposition:**

- None.

**General:**

- None.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No Action; support for proposal withdrawn by proposer. (RC 156)

Board Committee Recommendation: No action based on RC 156.

Substitute Language: None.

**PROPOSAL 243 - 5AAC 57.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Middle Section of the Kenai River Drainage Area.** Harvested fish must be closely attended in the Russian River area.

### **Narrative of Support and Opposition**

#### **Department:**

- None.

#### **Department of Law:**

- Troopers are concerned about enforcement of this proposal.

#### **Support:**

- Two who voiced support for proposal requested clarification.
- Would increase public awareness of federal regulations.

#### **Opposition:**

- Awareness of current federal regulations is poor amongst guides/anglers.
- Language of proposal, as written, could lead to citations and guides could lose their permits.
- Would restrict practical fishing movements.

#### **General:**

- Proposal would not align state with current federal regulations.
- As written, proposal may not be enforceable.
- Enforcement of current federal regulations is done by Kenai National Wildlife Refuge and U.S. Forest Service.
- Reference PC 50.
- Citations have been issued.



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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 244 - 5 AAC xx.xxx. New section.** Establish a tax for pike to sport fishing licenses and a bounty for pike turned in.

### **Narrative of Support and Opposition**

#### **Department:**

- Department is in the process of developing an invasive northern pike plan to control spread.

#### **Department of Law:**

- Board has authority to implement a bounty; however, funding must be secured by legislature before practical implementation.
- If a nonprofit organization could fund a bounty on pike it would depend if fish are sold (which is not allowable). The entity could form a cooperative agreement with department to fund bounty program.

#### **Support:**

- Would support if tax portion of proposal is removed.
- Addressing invasive pike issues now is important to prevent additional damage to fisheries.

#### **Opposition:**

- None.

#### **General:**

- Board suggests department approaches legislature to fund pike control.
- There is consultation with the federal government to establish a fine if caught transporting pike.

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### ***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus on bounty. No action on tax portion.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 245 - 5 AAC 57.121. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area.** Add an additional drift boat only day (Wednesdays) on the Kenai River.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- Board has authority to regulate gear types and boats are arguably a gear type.

**Support:**

- May ease habitat damage.
- 46 drift pullout options in lower river.
- Anchoring restrictions could be proposed for all types of vessels.
- Concerned about boat wake/erosion and crowding issues; also concerned about salmon rearing.
- Increased water turbidity in late July is a concern.

**Opposition:**

- Would affect subsistence users without a drift boat.
- Drift boat opportunity already allowed seven days a week.
- Bank damage from ice is primary cause of bank damage.
- Lack of infrastructure for drift boats.
- Drift boat anchor damage is a concern.
- Will cause an economic loss to community; proposal allocates opportunity and fish.
- Some anglers have physical inability to operate a drift boat.
- Will add to fishing congestion on remaining power boat days.
- Shifts fishing opportunity.
- Elderly anglers will be displaced, particularly the locals.
- Lower river only has three public access points for drift boats to pull out.
- Large expense to purchase a drift boat that will only be used 3-4 times a year.
- Plenty of opportunity to drift boat fish; in upper river and Kasilof, can use a drift boat anytime.

**General:**

- Drift boats predominately fish above Soldotna Bridge during July or in the lower river during the early season when water is low.
- State Parks information that says most users, except powerboat users, are in favor of this proposal; also referred to a Peninsula Clarion survey that suggests most river users are in favor of an additional drift day.
- Anchor-dragging concerns with drift boats are overstated.
- ADF&G and State Parks (KRSMA) are the primary agencies regulating boats for fishing use on Kenai River.
- Total subsistence harvest in Kenai River is very small.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

**PROPOSAL 246 - 5 AAC 57.121. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area.** Add an additional drift boat-only day (Thursdays) on the Kenai River.

**Narrative of Support and Opposition**

**Department:**

- 42 sockeye salmon were harvested in the Moose Range meadows subsistence fishery in 2010.

**Department of Law:**

- None.

**Support:**

- See comments on Proposal 245.
- Preferred Thursday to Wednesday based on current spacing of drift-only days.

**Opposition:**

- See comments on Proposal 245.
- Amending to only apply to lower river will displace anglers who like to fish in this area.

**General:**

- See comments on Proposal 245.
- Amend the proposal to read "...between the Moose River and the Soldotna Bridge for June and July on Thursdays".

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

**PROPOSAL 247 - 5 AAC 57.121. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the lower Section of the Kenai River Drainage Area.** Allow the use of a motor downstream of Cunningham Park to exit the fishery on drift-only Mondays.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

#### **Support:**

- Proposal is designed to be self-policing and is needed because there are poor pullout options at this time.
- Proposal mitigates some erosion/habitat concerns by being in tidal area.
- Logical approach to wind and tide issues.
- Kasilof River is good example of this working well.

#### **Opposition:**

- Concern about overall drift and powerboat conflicts.
- The board previously wanted drift/power separation in fisheries.
- Concern of powerboats being used as drift boats.
- Difficult to enforce.
- Blurs the line between powerboats and drift boats.
- Could increase congestion at city dock and in the personal use fishery.

#### **General:**

- Anglers currently getting around this by dropping off fishing equipment then mounting a motor on their boat and motoring downstream to city dock.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: **5 AAC 57.121. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area**

5 AAC 57.121.(3)(A)

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

(A) on any Monday in May, June, and July, except Memorial Day, in that portion of the Kenai River from the **Sterling Highway Bridge** [FROM ITS MOUTH] upstream to the outlet of Skilak Lake, except that unguided sport fishing from a non-motorized vessel is allowed on Mondays in May, June, and July as described in 5 AAC 21.359(b) (2); for the purposes of this subparagraph, "non-motorized vessel" is a vessel that does not have a motor on board;

**(B) not withstanding (A) of this paragraph; on any Monday in May, June, and July, except Memorial Day, in that portion of the Kenai River from its mouth upstream to the Sterling Highway Bridge, except that unguided sport fishing from a non-motorized vessel is allowed on Mondays in May, June, and July as described in 5 AAC 21.359(b) (2); for the purposes of this subparagraph, "non-motorized vessel" is a vessel that does not have on board more than one single motor that is more than 10 horsepower; a motor may only be used only between the mouth of the Kenai River and Cunningham Park, and only after fishing from the vessel has ceased for the day; a person may not deploy sport fishing gear from a vessel after a motor has been used to propel that vessel on the same day;**

**PROPOSAL 248 - 5 AAC 57.121. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area.** Prohibit fishing from drift boats after a motor has been used in the waters of the Kenai River from the outlet of Skilak Lake downstream to Bings Landing.

### **Narrative of Support and Opposition**

#### **Department:**

- No studies conducted on wakes generated by drift boats powering upstream.

#### **Department of Law:**

- Definition for a drift boat is needed.

#### **Support:**

- Landowners have issue with larger wakes from drift boats powering upstream.
- The practice blurs the line between powerboat and drift-boat fishing.
- Intent for drift fishing should be floating downstream only.
- Safety concerns.
- Restricted powerboats to reduce boat wakes, but not drift boats powering upstream.

#### **Opposition:**

- The wake amplitude is high, but of low energy from drift boats due to slow speed.
- Ice scouring causes more erosion damage than drift-boat wakes.
- Wake problem overstated; not many anglers do this.

#### **General:**

- None.



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***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 249 - 5 AAC 57.121. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area.** Prohibit drift boats from using motors to travel upstream in the lower Kenai River.

**Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- See comments on Proposal 248.

**Opposition:**

- See comments on Proposal 248.

**General:**

- See comments on Proposal 248.

---

***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: See Proposal 248.

Board Committee Recommendation: No Action.

Substitute Language: None.

**PROPOSAL 250 - 5 AAC 57.121. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area.** Establish 3 areas in the lower Kenai River for drift fishing during July.

**Narrative of Support and Opposition**

Department:

- Need to define drift boat and backtrolling.

Department of Law:

- Board has authority to regulate fishing techniques and activities.

**Support:**

- Congestion is an ongoing feud between anglers on the Kenai River
- Three zones are already utilized by drift fishing and they are: 1) upper bluff area, 2) king sonar site, and 3) Eagle Rock.
- Guide association worked with Department of Natural Resources to provide signage in 2010 to alleviate backtrollers interfering with drifters; some backtrollers ignored signs.

**Opposition:**

- Concern of cutting the river into various use sections, resulting in more restrictions.
- Difficult to enforce.

**General:**

- None.

---

***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

**Substitute Language: 5 AAC 57.121. Special provisions and localized additions and exceptions to the seasons, bag possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area.**

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 marker located at approximately river mile 12, a person may sport fish for any species of fish with the aid of a motor by back-trolling.



Figure 250-2 from RC3. Map of Kenai River showing area proposed to be closed to backtrolling.

**PROPOSAL 251 - 5 AAC 57.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Middle Section of the Kenai River Drainage Area.** Prohibit boats on the Kenai and Russian River confluence back channel.

**Narrative of Support and Opposition**

Department:

- As written, enforcement would be difficult.

Department of Law:

- None.

**Support:**

- Would support if it relieves congestion.

**Opposition:**

- Walking around boats while fishing is a concern.
- Nobody transects the area due to number of shore anglers in this area.
- Problem described does not warrant restrictions.
- Vessels don't operate due to hazards in area.

**General:**

- None.

---

***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 252 - 5 AAC 57.121. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Lower Section for the Kenai River Drainage Area. Allow fishing for resident species from a motorized vessel on Mondays downstream of Skilak Lake.**

**Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- None.

**Opposition:**

- None.

**General:**

- None.

---

***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 253 - 5 AAC 57.121. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area.** Allow fishing for sockeye salmon from a boat in the Funny River king salmon sanctuary area.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- None.

**Opposition:**

- Currently, area is a bank fishery for sockeye salmon so boaters would be likely targeting kings.

**General:**

- Difficult to enforce.

---

### ***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.



**PROPOSAL 254 - 5 AAC 56.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area.**  
Allow fishing from powerboats during the king salmon season on the Kasilof River.

**Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- None.

**Opposition:**

- During this time it is not possible to use a powerboat in the river due to low water.
- Public decided through the board process this would be a drift boat fishery.

**General:**

- None.

---

***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 255 - 5 AAC 56.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area.**  
Prohibit fishing from a boat in the "People's Hole" area adjacent to Crooked Creek.

### **Narrative of Support and Opposition**

Department:

- None

Department of Law:

- None.

### **Support:**

- Stocking has been reduced so fewer fish are available; this affects shore anglers because they can't relocate like boat anglers.
- This area is the primary location for bank anglers, due to being the only state-owned property open to public access below the bridge.
- Current anchoring regulation has not worked well to prevent conflicts.
- Bank harvest is decreasing.

### **Opposition:**

- Would be a unnecessary restriction
- Hatchery fish need to be fully utilized.
- People's Hole is highly productive for bank anglers and boat anglers.
- River channel has moved resulting in changed fish movement and angler success.
- Current no anchoring regulation is sufficient.
- Conflicts can be resolved by shore and boat angler.
- Landing boat-caught fish at People's Hole is the issue.
- Bank anglers are sometimes wading out too far and fish are near shore.

### **General:**

- Coho Cove campground (private) also has bank access for bank anglers.

---

***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

**PROPOSAL 256 - 5 AAC 56.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area.**  
Allow boat anglers to land a fish while anchored across from the "People's Hole" area adjacent to Crooked Creek.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- Need clear language to enforce this regulation.
- Define or designate "distance" as from a point on the boat to a point on the shore.

### **Support:**

- Proposal would help prevent interference with bank anglers.
- Safety issue the way it is now.
- Alleviates safety concerns and would provide safer means of landing a fish.
- Many already landing boat-caught fish in the area.
- It is legal to land on rocks; just can't anchor.
- May reduce conflicts and make boat anglers more efficient.

### **Opposition:**

- Decrease in hatchery stocking causes the crowding issue.
- Proposal will defeat original intent of no anchoring regulation.
- Private property concerns.
- Will keep drift boats in People's Hole area longer with more congestion.

### **General:**

- Support if language is amended requiring boats to be within 10 feet of the waterline.

---

***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 257 - 5 AAC 56.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area. Change boundary marker location for seasonal motor use on lower Kasilof River.**

**Narrative of Support and Opposition**

Department:

- Planning has begun for new drift pullout in lower river.
- Department of Natural Resources requested CIP for purchase of land in the lower Kasilof River.

Department of Law:

- None.

**Support:**

- None.

**Opposition:**

- Reference previous drift vs. power comments.
- Would cause conflict as anglers fish down to the current regulatory motor-use boundary.
- Would contribute to erosion and noise pollution.

**General:**

- None.

---

***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 258 - 5 AAC 56.122. Special provisions and localized additions and exceptions to the seasons, bag, bag possession, and size limits, and methods and means for the Kenai Peninsula Area.** Rename boundary marker for seasonal motor use on lower Kasilof River.

**Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- None.

**Opposition:**

- None.

**General:**

- Housekeeping in nature.

---

***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

**PROPOSAL 259 - 5 AAC 56.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area.**  
Reduce bag limit for king salmon on the Kasilof River.

### **Narrative of Support and Opposition**

#### Department:

- Department has no inseason management tools for this fishery.
- Small number of hatchery fish are surviving and spawning in Crooked Creek, but there is an escapement goal for wild fish.

#### Department of Law:

- None.

#### **Support:**

- Crowding could be reduced with this proposal.
- Current regulation creates false expectations that anglers will catch a lot of fish.

#### **Opposition:**

- Full utilization of hatchery fish is important.
- The two-fish bag limit is attractive to anglers.

#### **General:**

- None.

---

### ***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.



**PROPOSAL 260 - 5 AAC 56.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area.**  
Repeal August 1-15 fishing closure on Kasilof River above Sterling Hwy Bridge.

**Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- None.

**Opposition:**

- Anglers would target king salmon that made it through the fishery.
- Anglers would catch spawning king salmon.
- Area serves as a spawning sanctuary.
- Current closure above bridge conserves the wild king salmon fishery.

**General:**

- None.

---

***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 261 - 5 AAC 56.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area.**  
Allow the use of bait in the Kasilof River for an additional two weeks in September.

**Narrative of Support and Opposition**

Department:

- Steelhead population could support mortality associated with additional catch and release.

Department of Law:

- None.

**Support:**

- No stock concern for steelhead.
- Allow locals to harvest more coho salmon.

**Opposition:**

- All streams should go to no bait on September 1<sup>st</sup>.
- May increase steelhead mortality.
- Too much pressure on resource.
- Upper river doesn't fill up with coho salmon until later. This may delay putting fish upriver even longer.

**General:**

- No problem enforcing date other than September 1<sup>st</sup>.

---

***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

**PROPOSAL 262 - 5 AAC 56.140(2). Kasilof River guiding and guided fishing requirements.** Allow guides to take more than one group of clients per day on the Kasilof River.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

#### **Support:**

- Would reduce how many guides would be needed to support angler demand.
- Would allow full utilization of hatchery fish.
- May promote opportunity for guided shore anglers.
- Would not be used very much because it takes 6-8 hours for each trip.

#### **Opposition:**

- Would add to congestion problems and displace local anglers.
- Would increase harvest disparity between bank and boat anglers.
- Allows time for locals to fish in the evening without guides present.
- Don't make the Kasilof River like the Kenai River.

#### **General:**

- None.

---

### ***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

**PROPOSAL 263 - 5 AAC 56.140. Kasilof River guiding and guided fishing requirements.** Limit guided sport fishing hours and days on the Kasilof River.

**Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- Would serve as a compromise if other boat liberalizations are enacted.
- Would relieve congestion.

**Opposition:**

- Would reduce angler opportunity to utilize guides.
- Tidal influences can prevent boat pullouts; different than dictated by time-specific regulation.
- Would concentrate boats at pullout.
- Would congest People's Hole around 6:00 a.m.
- Guided bank anglers can't get to fishing holes before unguided bank anglers.
- Guided use is currently spread out in space and time, and this regulation would concentrate them.

**General:**

- None.

---

***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 230 - 5 AAC 57.160. Kenai River and Kasilof River Early-run King Salmon Management Plan.** Revise the Kenai River Early-run King Salmon Management Plan.

**Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- See comments on proposals 231–239, 241, and 245.

**Opposition:**

- None.

**General:**

- Author agreed to address their proposal issue during other proposals.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: Tabled.

Board Committee Recommendation: Consensus to take no action.

Substitute Language: None.

## Alaska Board of Fisheries Committee Report

# COMMITTEE G

**Sport Fisheries**  
February 25, 2011

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### Board Committee Members:

1. Karl Johnstone, \*Chair
2. Bill Brown
3. Mike Smith

### Alaska Department of Fish and Game Staff Members:

1. Tom Brookover, Deputy Director, Division of Sport Fish
2. Tom Vania, Regional Management Biologist, Division of Sport Fish
3. Matt Miller, Regional Management Biologist, Division of Sport Fish
4. Rick Merizon, Fish Biologist, Division of Sport Fish
5. Dan Bosch, Area Management Biologist, Division of Sport Fish
6. Patrick Fowler, Assistant Area Management Biologist, Division of Sport Fish
7. Sam Ivey, Acting Area Management Biologist, Division of Sport Fish
8. Jenny Cope, Fishery Biologist, Division of Sport Fish
9. Samantha Oslund, Fishery Biologist, Division of Sport Fish
10. Bob Chadwick, Regional Management Biologist, Division of Sport Fish
11. Al Cain, Enforcement Specialist, Division of Sport Fish
12. Dan Teske, Assistant Area Management Biologist, Division of Sport Fish
13. Tom Taube, Regional Management Biologist, Division of Sport Fish
14. Krissy Dunker, Fish Biologist, Division of Sport Fish
15. Pete Cleary, Fishery Biologist, Division of Sport Fish

### Alaska Department of Law

1. Lance Nelson, Assistant Attorney General

### Advisory Committee Members:

1. Ben Allen, Mat-Su AC
2. Mike Crawford, Kenai / Soldotna AC
3. Gary Dimond, Central Peninsula AC
4. Jim Stubbs, Anchorage AC
5. Steve Runyan, Susitna AC

### Public Panel Members:

1. John Bitney, Kenai River Sportfishing Association
2. Aaron Cooper, Kenai River Professional Guide Association

3. Andy Couch, Self / Guide
4. Howard Delo, Mat-Su Blue Ribbon Committee
5. Don Johnson, Self / Guide
6. Todd Kingery, Self / Guide
7. Bob Merchant, Upper Cook Inlet Drift Association
8. Bruce Morgan, Self / Guide
9. Steve Tvenstrup, Upper Cook Inlet Drift Association

Federal Subsistence Representative:

1. None.

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The Committee met February 25, 2011 at 9:15 a.m. and adjourned at 4:50 p.m.

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PROPOSALS BEFORE THE COMMITTEE WERE: (35 total) 264-298.

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**PROPOSAL 264 – 5 AAC 61.114. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for Unit 2 of the Susitna River Drainage Area.** Increase area open to king salmon fishing on the Kashwitna River.

**Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- None.

**Opposition:**

- None.

**General:**

- None.

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***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: No Action; proposer withdrew support for. (RC 126)

Board Committee Recommendation: No Action.

Substitute Language: None.



**PROPOSAL 265 – 5 AAC 61.114. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for Unit 2 of the Susitna River Drainage Area.** Standardize Willow Creek salmon fishing regulations upstream to Deception Creek.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

#### **Support:**

- None.

#### **Opposition:**

- Would like to see consistent regulations between all east Parks Highway streams for the purpose of enforcement and public understanding.
- Not appropriate to open additional area when this stock is being considered as a Stock of Concern.

#### **General:**

- The public panel recommends the board make consistent the area open to king and coho salmon fishing.
- Willow Creek king salmon spawn above the Parks Highway.
- Proposing AC submitted prior to the Stock of Concern designation. May have reconsidered having known SOC.

---

### ***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 266 – 5 AAC 61.114. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for Unit 2 of the Susitna River Drainage Area.** Prohibit fishing from boats at the mouth of Willow Creek and the Susitna rivers.

### **Narrative of Support and Opposition**

#### **Department:**

- This is likely a mixed-stock king salmon fishery, but to an unknown extent.
- Staff suspects 70% of the king salmon harvest occurs at the first mouth.
- Enforcement officers are repeatedly called each season to respond to fights and disruptions of an orderly fishery.
- Boaters displace shore-based fisherman.
- This is a social issue. Conflicts could be reduced if boat anglers were removed.
- The second and third mouths are within one-quarter mile of the first mouth.

#### **Department of Law:**

- The board does have authority to determine where a boat can fish; however, it is outside board authority whether or not an angler can fish from a beached or anchored boat.

#### **Support:**

- This is a social issue and the proposal could reduce angler conflicts.

#### **Opposition:**

- There is more conflict among shore versus shore anglers each season than between shore and boat-based anglers.

#### **General:**

- An angler can arrive by boat immediately before the fishery opens and displace a shoreside angler that has been waiting for several hours for their opportunity to fish.
- This issue is focused on the most downstream mouth of Willow Creek (“First” mouth) that is adjacent to the DNR campground/small boat launch.
- The Willow Creek fishing facility was designed as a shoreside fishery; some of the other Parks Highway systems were designed for boat anglers (i.e., Kashwitna Public Use Facility).

- This is an issue relative to king salmon fishing. Once king salmon season ends the likelihood of conflict is reduced dramatically.
- Not allowing fishing from anchored boats would not be effective due to back-trolling issues.
- Boat anglers could fish other mouths of Willow Creek.

---

***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to support substitute language.

Substitute Language: Close mouth Willow Creek king fishing from boat at furthest downstream mouth.

**5 AAC 61.114. Special provisions and localized additions and excetions to the seasons, bag, possession, and size limits, and methods and means for Unit 2 of the Susitna River Drainage Area.**

(11) in the Willow Creek drainage flowing waters and all waters within a one-half mile radius of its confluence with the Susitna River,

**(x) fishing for king salmon from a boat is prohibited in that portion of the Susitna River from an ADF&G regulatory marker located at the mouth of Willow Creek on the upstream bank of the furthest downstream confluence of Willow Creek and the Susitna River, to an ADF&G regulatory marker located approximately 300 yards downstream from the mouth of Willow Creek;**

**PROPOSAL 267 – 5 AAC 61.118. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for Unit 4 of the Susitna River Drainage Area.** Restrict passenger limits, anchoring, horsepower, boat length and air boat use on Lake Creek.

### **Narrative of Support and Opposition**

#### **Department:**

- King salmon spawning occurs much further upstream on Lake Creek.
- This is a boating safety issue, not an issue under the authority of the Board of Fisheries.
- Local lodges use large freight boats to transport people, food, and supplies up Lake Creek.

#### **Department of Law:**

- The board does not have the authority to regulate boat horsepower. However, the board does have the authority to ban 2-stroke motors.
- Same issue regarding anchoring boats at Willow Creek in Proposal 266.

#### **Support:**

- Possibility of riparian habitat degradation.

#### **Opposition:**

- Safety concerns and too restrictive to allow easy access to the mouth of Lake Creek.
- Proposal is too broad.
- This is a boating safety issue that should be regulated through DNR, not a fishing issue.

#### **General:**

- Legislature passed the Recreational River Act (RRA) providing management authority to DNR. This proposal seems most appropriately dealt with under the RRA.
- Bankside erosion may be a concern.
- Smaller horsepower boats have reduced access to Lake Creek due to the 60-mile boat ride.
- Overwhelming amount of boat traffic around the mouth is composed of small (>40hp) lodge boats.

---

***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 268 – 5 AAC 61.118. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for Unit 4 of the Susitna River Drainage Area.** Prohibit fishing for king salmon after retaining a king salmon on the Talachulitna River.

### **Narrative of Support and Opposition**

Department:

- Anglers at the mouth are targeting king salmon.
- More difficult to enforce for just one species. Suggest language to prohibit fishing or specify that anglers stop fishing for “salmon”, not just king salmon, once one king salmon is retained.

Department of Law:

- None.

#### **Support:**

- Appropriate considering the Stock of Concern issues in Northern Cook Inlet.

#### **Opposition:**

- Could be some conflict with anglers choosing to continue fishing for trout after retaining one king salmon.

#### **General:**

- None.

---

### ***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

**PROPOSAL 269 – 5 AAC 61.120. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for Unit 5 of the Susitna River Drainage Area.** Extend use of bait for an additional week in Unit 5 of the Susitna River.

### **Narrative of Support and Opposition**

#### Department:

- The likelihood of catching rainbow trout increases using bait at that time of year.
- The bait closure September 1<sup>st</sup> is consistent across the Susitna drainage to provide protection as trout leave systems in the fall.

#### Department of Law:

- None.

#### **Support:**

- Increase harvest opportunities for coho salmon fishing at time in the year where opportunities are more limited in other areas.

#### **Opposition:**

- Coho salmon harvest would increase by an unknown amount.
- At this time of year, most coho salmon would not be desirable to consume.
- Could create a bycatch issue on rainbow trout, counter to the rainbow trout management policy.
- This could set a precedent to open other streams for similar issues.
- Could add further confusion and complication to already complex regulations.
- Effort would likely be very low as most sport anglers have stopped fishing for the coho salmon season.

#### **General:**

- None.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.



**PROPOSAL 270 – 5 AAC 61.112. General provisions for seasons, bag, possession, and size limits, and methods and means for the Susitna River Drainage Area.** Restrict sport, commercial, and subsistence fishing for Alexander Creek king salmon.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

#### **Support:**

- Unanimous support existed for no fishing of any kind within ¼ mile of the mouth of Alexander Creek from May through July 13.
- Support all measures to get rid of pike.

#### **Opposition:**

- This proposal is very broad and parts of this proposal are being dealt with through other proposals.
- The use of jug lines could impact nontarget species (i.e., burbot).

#### **General:**

- Author will submit an RC to deal with just the northern pike portion of this proposal.

---

***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No action; proposer withdrew support for portion of proposal dealing with commercial fishing and subsistence issues.

Board Committee Recommendation: Consensus to support substitute language

Substitute Language:

**5 AAC 61. 112. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, an methods and means for Unit 1 of the Susitna River Drainage Area.**

(5) in the Alexander Creek drainage, and all waters within a one-half mile radius of the confluence of Alexander Creek with the Susitna River,

(A) sport fishing for king salmon is closed from January 1—December 31;

**(x) sport fishing for all finfish is closed within a one half mile radius of the confluence of Alexander Creek and the Susitna River through July 13;**

**PROPOSAL 271 – 5 AAC 62.122(7) and (11). Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the West Cook Inlet Area.** In Lewis and Theodore rivers, prohibit catch and release of kings or require barbless hooks, and determine impact of invasive species.

### **Narrative of Support and Opposition**

#### **Department:**

- No study is conclusive enough to adequately determine if barbed hooks cause higher mortality. The department does not use the restriction of barbless hooks when reducing harvest in a fishery.

#### **Department of Law:**

- None.

#### **Support:**

- If a catch-and-release fishery exists, barbless hooks would reduce impact to king salmon stocks currently considered as Stocks of Concern.
- Barbless hooks are considerably easier to remove from fish. Anglers believe that barbless hooks cause lower mortality.

#### **Opposition:**

- To barbless portion of this proposal.

#### **General:**

- Issues were addressed by discussion of RC 111.
- A definition of barbless would be needed. “A hook manufactured without a barb” would be the easiest to enforce.
- This is more of a social issue as there is little evidence to support or refute higher hook mortality due to barbed hooks; anecdotal evidence does support the use of barbless hooks.
- Current regulations are only unbaited, single-hook artificial lures.
- Would rather see a fishery closure if enough concern exists to warrant only barbless hooks.

---

***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 272 – 5 AAC 60.170. Little Susitna River Coho Salmon Management Plan.** Repeal the Little Susitna River Coho Salmon Management Plan.

### **Narrative of Support and Opposition**

Department:

- The department will manage for escapement goals whether they are in regulation or not.

Department of Law:

- None.

#### **Support:**

- This is a department housekeeping proposal.

#### **Opposition:**

- Would like to have the escapement goal remain in regulation so that the escapement goal is readily available in the written regulations for the public.

#### **General:**

- If adopted this stock would be managed under “General Regulations”.

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### ***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

**PROPOSAL 273 – 5 AAC 60.122(9)(f). Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Knik Arm drainages Area.** Prohibit fishing for coho salmon after retaining bag limit in the Little Susitna River.

### **Narrative of Support and Opposition**

#### Department:

- In the Unalakleet River, the department found catch-and-release mortality in freshwater ranges from 0-21%, averaging 15%, with no correlation to distance from saltwater.
- Coho salmon mortality rates may be stream-dependent.
- In one study on the Little Susitna River below river mile 32.5, coho salmon catch-and-release mortality averaged 69%. Above river mile 32.5 it is believed to be 7-13%.

#### Department of Law:

- None.

#### **Support:**

- This would improve consistency in regulation for anglers.

#### **Opposition:**

- A coho salmon study at Little Susitna River weir observed approximately 10% release mortality.
- There is no conservation concern.

#### **General:**

- Ask for correction from the board to insert “below the Parks Highway”.

---

### ***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

**PROPOSAL 274 – 5 AAC 60.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Knik Arm drainages Area.** Allow harvest of king salmon in the Little Susitna River above Parks Highway Bridge in Houston.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- None.

**Opposition:**

- Sport fishery is at maximum capacity.
- 90% of king salmon spawning occurs above the Parks Highway Bridge.
- The Parks Highway is an easy demarcation for sport anglers.
- Considering Stock of Concern designation, this is not a warranted expansion.
- Approximately 80-90 miles of below the Parks Highway bridge open to salmon fishing.

**General:**

- None.

---

### ***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 275 – 5 AAC 60.122(a). Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Knik Arm drainages Area.** Limit boat motors to no more than 25 HP on the Little Susitna River.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

#### **Support:**

- None.

#### **Opposition:**

- None.

#### **General:**

- Reference comments to proposal 270.
- Water quality is currently being monitored and evaluated by the Department of Environmental Conservation.
- This is a boating safety issue and is handled best in a different venue.
- There has been significant opposition to horsepower restriction on the Little Susitna River.

---

### ***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.



**PROPOSAL 276 – 5 AAC 60.122(5)(A). Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Knik Arm drainages Area.** Create a youth-only fishery on Fish Creek.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

#### **Support:**

- Provides opportunity to children.
- Would not add significant coho salmon harvest.

#### **Opposition:**

- Was more in favor of supporting Proposal 277 and 278 to provide more opportunity to all anglers.

#### **General:**

- RC will be submitted will reflect advisory committee flexibility in terms of days, regarding youth fishery.

---

### ***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

**PROPOSAL 277 – 5 AAC 60.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Knik Arm drainages Area.** Allow sport fishing for sockeye salmon in Fish Creek during July if escapement will be met.

### **Narrative of Support and Opposition**

#### Department:

- The department does not have the authority to open a fishery that occurs during a closed season in regulation.
- Would not allow a youth fishery if escapement goal will not be met.

#### Department of Law:

- None.

#### **Support:**

- Was designed to provide a sockeye sport fishery during years the dip net fishery is closed.
- This would provide additional opportunity when the return meets the lower end of the sustainable escapement goal (20,000).

#### **Opposition:**

- If both sport and dip net fishery occurred simultaneously there would very likely be conflict between user groups.

#### **General:**

- 2011 is the final year hatchery-reared sockeye will be returning. The department is uncertain whether or not this fishery will be able to sustain this effort when it becomes purely a wild stock return.
- The youth fishery would be sandwiched in between this increased opportunity and the coho salmon fishery.
- Could switch the youth only fishery to the first weekend in August to target coho salmon.
- Cook Inlet Aquaculture Assoc. has no plans to continue stocking Big Lake.
- Author will submit an RC rewording proposal.

---

***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: No consensus.

Substitute Language: None.

**PROPOSAL 278 – 5 AAC 60.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Knik Arm drainages Area.** Allow sport fishing for sockeye salmon in Fish Creek if escapement will be met.

### **Narrative of Support and Opposition**

Department:

- By the second weekend in August, sockeye salmon may not be satisfactory for consumption.

Department of Law:

- None.

**Support:**

- None.

**Opposition:**

- None.

**General:**

- This is a more restrictive proposal than 277 in the event that 277 does not pass.
- Author will submit an RC rewording proposal.

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### ***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: No consensus.

Substitute Language: None.

**PROPOSAL 279 – 5 AAC 60.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Knik Arm drainages Area.** Increase area open to king salmon fishing in the Knik River for the Eklutna Tailrace stocked fishery.

### **Narrative of Support and Opposition**

Department:

- Will have additional opportunity once stocking levels are restored when the new state hatchery comes online.

Department of Law:

- None.

**Support:**

- Should allow additional area to harvest hatchery fish.

**Opposition:**

- May intercept wild stock king salmon destined to the Knik River.

**General:**

- Hatchery-produced king salmon straying into other areas within the Knik and Matanuska rivers needs to be examined.

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### ***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 280 – 5 AAC 60.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Knik Arm Drainage Area.** Extend area open to king salmon fishing in the Knik River.

**Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- None.

**Opposition:**

- None.

**General:**

- None

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***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: No action; proposer withdrew support for. (RC 142)

Board Committee Recommendation: No action.

Substitute Language: None.

**PROPOSAL 281 – 5 AAC 61.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for Unit 6 of the Susitna River Drainage Area.** Allow king salmon fishing in the Matanuska River.

**Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- Declining harvest opportunity in the Mat-Su valley.

**Opposition:**

- Could create conservation concern on stocks that may be unable to sustain additional harvest pressure.

**General:**

- None.

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***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 282 – 5 AAC 60.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Knik Arm drainages Area.** Repeal duplicate motor restriction regulation in Wasilla Creek drainage, including Rabbit Slough.

**Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- Housekeeping proposal for the department.

**Opposition:**

- None.

**General:**

- None

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.



**PROPOSAL 283 – 5 AAC 61.114. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for Unit 2 of the Susitna River Drainage Area.** Establish catch and release for trout on Little Willow Creek of Susitna River drainage.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

#### **Support:**

- Takes a long time to rebuild a trophy fishery.

#### **Opposition:**

- It's nice to be able to keep a fish if it's injured.
- Unless there is a conservation concern, the fishery should allow opportunity as provided under current regulations.

#### **General:**

- None.

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### ***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 284 – 5 AAC 61.110. General provisions for seasons, bag, possession, and size limits and methods and means for the Susitna River Drainage Area; and 5 AAC 61.112. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits and methods and means for Unit 1 of the Susitna River Drainage Area.** Repeal size and bag limits, and liberalize methods and means for northern pike in Alexander Lake.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- None.

**Opposition:**

- None.

**General:**

- None.

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### ***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

**PROPOSAL 285 – 5 AAC 61.110. General provisions for seasons, bag, possession, and size limits, and methods and means for the Susitna River Drainage Area.** Liberalize bag limits and gear allowed for northern pike fishing in Alexander Lake and eliminate salvage requirements.

### **Narrative of Support and Opposition**

#### **Department:**

- The department remains opposed to the wanton waste of sport-caught pike.
- Wanton waste is prohibited under sport fishing regulations in Alaska.

#### **Department of Law:**

- The board does have the authority to establish a bounty, but does not have the authority to fund a bounty. It would have to be funded by the state legislature to be implemented or by another appropriate funding source.
- There would need to be a statute to allow the waste of pike.

#### **Support:**

- There was support for the use of gillnets and pond nets.

#### **Opposition:**

- Possibly attracting bears in locations where pike are piled along the bank if nonretention is allowed.

#### **General:**

- This will be a drainagewide issue.
- No consensus on netting or nonretention.
- Will RC a definition of “pond net”.

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***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

**PROPOSAL 286 – 5 AAC 60.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Knik Arm drainages Area.** Allow 5 lines and bait to fish for northern pike in Big Lake.

### **Narrative of Support and Opposition**

#### Department:

- Pike spawn at ice-out until about May 15.
- It's difficult to allow fishing for other species during spawning closures for burbot.

#### Department of Law:

- None.

#### **Support:**

- A way of fishing on Big Lake without impacting burbot or char stocks.

#### **Opposition:**

- None.

#### **General:**

- Submit an RC to get rid of Swede hook and add quick-strike rig language.

---

***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support substitute language.

Substitute Language:

**5 AAC 60.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Knik Arm Drainages Area.**

(5) in the Fish Creek drainage,

**(x) in Big Lake, from November 1 – March 15 from 8 a.m. – 5 p.m., five lines may be used to take northern pike through the ice; allowable gear is limited to standard ice fishing gear as specified in 5 AAC 60.120(7)(B); hooks must be single hooks with a gap between the point and the shank at least three-fourths of an inch or larger; each hook must be set above the bottom of the lake; only a whole and intact bait fish for which no seasonal or harvest limit exists as described in 5 AAC 75.026(b) may be used as bait; fishing gear must be closely attended as specified in 5 AAC 75.033; all other species of fish caught must be released immediately unharmed;**

5 AAC 60.122

(10) in Nancy Lake Recreation Area Lakes, as follows;

(B) all Nancy Lake Recreational Area lakes[, EXCEPT NANCY LAKE,] are open to sport fishing through the ice for northern pike using five lines; allowable gear is limited to standard ice fishing gear as specified in 5 AAC 60.120(7); the fishing gear must be closely attended, and all other fish caught must be released immediately;

**(C) in Nancy Lake, from November 1 – March 15 from 8 a.m. – 5 p.m., five lines may be used to take northern pike through the ice; allowable gear is limited to standard ice fishing gear as specified in 5 AAC 60.120(7)(B); hooks must be single hooks with a gap between the point and the shank at least three-fourths of an inch or larger; each hook must be set above the bottom of the lake; only a whole and intact bait fish for which no seasonal or harvest limit exists as described in 5 AAC 75.026(b) may be used as bait; fishing gear must be closely attended as specified in 5 AAC 75.033; all other species of fish caught must be released immediately unharmed;**

**PROPOSAL 287 – 5 AAC 60.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Knik Arm drainages Area.** Allow 5 lines to fish for northern pike in Nancy Lake.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- None.

**Opposition:**

- None.

**General:**

- Will RC to eliminate Swede hooks and add quick-strike rig language similar to Proposal 286.
- As amended with RC language there was no opposition.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support substitute language.

Substitute Language:

**5 AAC 60.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Knik Arm Drainages Area.**

(5) in the Fish Creek drainage,

**(x) in Big Lake, from November 1 – March 15 from 8 a.m. – 5 p.m., five lines may be used to take northern pike through the ice; allowable gear is limited to standard ice fishing gear as specified in 5 AAC 60.120(7)(B); hooks must be single hooks with a gap between the point and the shank at least three-fourths of an inch or larger; each hook must be set above the bottom of the lake; only a whole and intact bait fish for which no seasonal or harvest limit exists as described in 5 AAC 75.026(b) may be used as bait; fishing gear must be closely attended as specified in 5 AAC 75.033; all other species of fish caught must be released immediately unharmed;**

5 AAC 60.122

(10) in Nancy Lake Recreation Area Lakes, as follows;

(B) all Nancy Lake Recreational Area lakes[, EXCEPT NANCY LAKE,] are open to sport fishing through the ice for northern pike using five lines; allowable gear is limited to standard ice fishing gear as specified in 5 AAC 60.120(7); the fishing gear must be closely attended, and all other fish caught must be released immediately;

**(C) in Nancy Lake, from November 1 – March 15 from 8 a.m. – 5 p.m., five lines may be used to take northern pike through the ice; allowable gear is limited to standard ice fishing gear as specified in 5 AAC 60.120(7)(B); hooks must be single hooks with a gap between the point and the shank at least three-fourths of an inch or larger; each hook must be set above the bottom of the lake; only a whole and intact bait fish for which no seasonal or harvest limit exists as described in 5 AAC 75.026(b) may be used as bait; fishing gear must be closely attended as specified in 5 AAC 75.033; all other species of fish caught must be released immediately unharmed;**



**PROPOSAL 288 – 5 AAC 60.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Knick Arm drainages Area.** Liberalize methods and means for pike fishing in Big Lake and Nancy Lake.

**Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- None.

**Opposition:**

- None.

**General:**

- None.

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***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No Action based action taken on proposals 286 and 287.

Board Committee Recommendation: No action based on action taken on proposal 286 and 287.

Substitute Language: None.

**PROPOSAL 289 – 5 AAC 62.122 (13) and (15). Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the West Cook Inlet Area.** Liberalize methods and means of harvesting northern pike in Threemile/Tukhalla, and Chiutbuna lakes.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

#### **Support:**

- Recommendation made to use a suspended longline with the use of anchored jugs.

#### **Opposition:**

- There is a risk of harvesting non-target species.

#### **General:**

- Recommended to have one set of fishing methods and means across all lakes for pike fishing to ease enforcement concerns.

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### ***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 290 – 5 AAC 56.xxx. New section; 5 AAC 57.xxx. New section; 5 AAC 59.xxx. New section; 5 AAC 60.xxx. New section; 5 AAC 61.xxx. New section; and 5 AAC 62.xxx. New section.**  
Allow for two fishing rods per single person craft on all stillwaters.

### **Narrative of Support and Opposition**

**Department:**

- This proposal, as written, is completely unenforceable.

**Department of Law:**

- None.

**Support:**

- The bag limit would not change.

**Opposition:**

- May increase catch and harvest of fish in lakes by an unknown amount.
- Would create inconsistency and complexity in statewide sport fishing regulations.

**General:**

- The intent of the proposal was directed at Mat-Su valley lakes, but text of proposal specifically refers to entire Southcentral Alaska area.
- An RC may be submitted to revise the language.

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### ***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 291 – 5 AAC 56.xxx. New section; 5 AAC 57.xxx. New section; 5 AAC 59.xxx. New section; 5 AAC 60.xxx. New section; 5 AAC 61.xxx. New section; and 5 AAC 62.xxx. New section.**  
Stock more rainbows than silvers in lakes.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- The board does have the authority to specify quantity of fish per lake, but refers to the department regarding this issue.

**Support:**

- None.

**Opposition:**

- Already stocking four times as many rainbows as coho salmon.
- Would take several years to change current hatchery stocking plans.

**General:**

- None.

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### ***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 292 – 5 AAC 59.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Anchorage Bowl drainages Area; and 5 AAC 59.122. Special provisions and localized additions and exceptions to the seasons, bag, possession and size limits, and methods and means for the Anchorage Bowl drainages Area.** Remove Symphony Lake from list of stocked lakes and reduce bag limit for Arctic grayling.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

#### **Support:**

- Greater than anticipated abundance in 2010.

#### **Opposition:**

- None.

#### **General:**

- None.

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### ***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

**PROPOSAL 293 – 5 AAC 59.122(15). Special provisions and localized additions and exceptions to the seasons, bag, possession and size limits, and methods and means for the Anchorage Bowl drainages Area.** Prohibit retention of rainbow trout and require only one unbaited, single-hook lure year round on Upper and Lower Six Mile lakes.

**Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- None.

**Opposition:**

- Would require future action by the board to reopen.

**General:**

- None.

---

***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

**PROPOSAL 294 – 5 AAC 59.122. Special provisions and localized additions and exceptions to the seasons, bag, possession and size limits, and methods and means for the Anchorage Bowl drainages Area.** Establish a seasonal spawning closure for rainbow trout in Campbell and Chester creeks.

**Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- None.

**Opposition:**

- None.

**General:**

- None.

---

***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

**PROPOSAL 295 – 5 AAC 59.122. Special provisions and localized additions and exceptions to the seasons, bag, possession and size limits, and methods and means for the Anchorage Bowl drainages Area.** Establish a seasonal spawning closure for rainbow trout in Ship Creek.

**Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- Creates uniform dates for fishing that reduces regulation complexity for anglers.

**Opposition:**

- None.

**General:**

- None.

---

***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.



**PROPOSAL 296 – 5 AAC 59.122. Special provisions and localized additions and exceptions to the seasons, bag, possession and size limits, and methods and means for the Anchorage Bowl drainages Area.** Standardize opening date for coho salmon fishing in Campbell Creek.

**Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

**Support:**

- Creates clarity and consistency for sport anglers.
- Staggered dates are ineffective.
- Would increase harvest opportunity on coho salmon.

**Opposition:**

- None.

**General:**

- None.

---

***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

**PROPOSAL 297 – 5 AAC 59.122. Special provisions and localized additions and exceptions to the seasons, bag, possession and size limits, and methods and means for the Anchorage Bowl drainages Area.** Close Bird Creek to all sport fishing between January 1 and July 14.

### **Narrative of Support and Opposition**

Department:

- None.

Department of Law:

- None.

#### **Support:**

- Would protect very small (average 100 per year) wild stock runs of king salmon.
- Is currently illegal to fish for king salmon.
- Provides enforcement tool.

#### **Opposition:**

- Would like to see some fishing opportunity between January 1 and July 13 when king salmon show up.

#### **General:**

- None.

---

### ***POSITIONS AND RECOMMENDATIONS***

---

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

**PROPOSAL 298 – 5 AAC 59.122(14). Special provisions and localized additions and exceptions to the seasons, bag, possession and size limits, and methods and means for the Anchorage Bowl Drainage Area.** Prohibit walking up and down the middle of Ship Creek prior to high and low tides.

### **Narrative of Support and Opposition**

Department:

- This is a social issue, not a fishing issue.

Department of Law:

- The board could ban fishing while wading in a creek, but could not ban wading outright. Would need to evaluate the purpose of the ban.

**Support:**

- None.

**Opposition:**

- This causes fights and great social disruption.

**General:**

- This is a very difficult enforcement issue. Fisherman chase king salmon downstream to a pool where they then step out of the creek and begin fishing.

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### ***POSITIONS AND RECOMMENDATIONS***

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Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

RC102

David Nyman  
911 W. 8<sup>th</sup> Ave.  
Anchorage, AK  
99501

February 22, 2011

Alaska Board of Fisheries

Re: PU Fishery

Dear Board of Fish:

My neighbor growing up in Anchorage used to take me fishing. He schooled me on the ethics of sport fishing and respect for the resource and the habitat. One of our governors borrowed his original quote that sort of went.. " the highest and best use of Alaska fish is on the Alaskan family's dinner table". My neighbor became a silent partner with the resource by buying up prime Kenai River properties and selling them at cost to the State of Alaska so many of the key access parks we now enjoy were created. In short, I agree with his statement that the Alaska Family dinner table is the number one priority.

But, this priority must be balanced with other user groups including Commercial Fishers and subsistence user groups with the protection of habitat and escapement being critical.

My Father used to take all of our family on a 10 minute boat ride across Cook Inlet to subsistence fish within view of downtown Anchorage. As upper Cook Inlet runs diminished, this fishery was closed down. While many may argue what is causing the demise of upper Cook Inlet stock we absolutely know that Commercial Fishing in Lower Cook Inlet has and will continue to reduce genetic stock of upper Cook Inlet fish.

Now our family is squeezed along strips of beaches near Kasilof. It is a far cry from our spacious set net sites that we used to enjoy and we also recognize that the concentration of subsistence users can stress locals and the environmental quality of the beachfront.

In summary, I believe that the subsistence use should be broadened with a July opening and implementation of any additional reasonable rules or enforcement to protect habitat and address legitimate sanitation concerns. The Board should also provide for less interception of Upper Cook Inlet stock to help rebuild those historic runs. Habitat management and even restriction of means and methods and guide pressure should also be considered for Upper Cook.

We appreciate the skill and the tradition of our hard working Commercial fisherman much as we appreciate the skill and tradition of Grandma at the set net site. Providing for good progressive and pro active management of the resource from a habitat standpoint and allowing for additional escapement to Upper Cook Inlet can be embraced by all! And a few more set net dates would be appreciated!

Thanks for your time!

David, Frank, Marge, Tristan, Lola, and Eve Nyman

RC# 103

Gary Clayton  
3431 N Tampa Ct  
Wasilla, AK  
99654

Alaska Board of Fisheries

Re: Kasilof Set Gillnet PU Fishery

Dear Board Members:

I am a 37 year Alaskan resident, who has been hunting and fishing since I was old enough to do so, it's one of reason's I came to Alaska in the first place. Those of you that go back 30 year's or more, can remember that getting your quota of subsistence fish and game to fill the freezer for the winter in those day's was no problem and everybody was happy.

We used to go out of the port of Anchorage across to Pt.McKenzie to set our net's, until the Fish creek run started getting pour return's and it was understandably closed to personal use fishing.

We then started going to Kasilof river for our fish. I have been to the Copper river at Chitna to dip net and have also, dip netted fish at the Kenai & Kasilof both off the bank and out of a boat, but I like to get my fish with a personal use gill net. For one thing we make a camping trip out of it. It's the Great Alaskan Summer Adventure for all of us and a great oppportunity for the kid's to learn skills that can't be learned at home or school and to just simply spend quality time with each other.

One of the problems is that a lot people want to do the same thing, at the same time, causing the beach to become very overcrowded. This problem is caused by the short time frame that is given to harvest our fish.

I urge you to give us more time and with a good run, we will all be happy again. Thanks.

Sincerely,

Gary Clayton

RC104

John Christensen  
PO Box 3184  
Palmer, Alaska 99645  
ph# 354-3019

February 22, 2011

Alaska Board of Fisheries  
Upper Cook Inlet Meeting

Re: PU Fishery

My name is John Christensen. My children and I participate in the Kasilof personal use fishery as do my parents, my siblings and their families, and my grandmother. Our families all live in the Matsu Valley. We all depend on this fishery as an economical way for us to put a winters supply of fish in our freezers. Every year we see more and more people utilizing this fishery. This has led to overcrowding on the small portions of beach where personal use setnetting is currently allowed.

I see two solutions to the overcrowding problem. One: Open more rivers and more stretches of beach for personal use fishing. Two: Extend the current personal use set net fishery season.

In truth there is no reason why both of these solutions can't be implemented. The fish and game in this state are a resource that is supposedly owned by all the residents of this state. That being the case, priority for fish allocation should first be for escapement to ensure future runs, second personal use fish including: sport caught, dip net, and set net, final allocation should be for commercial use.

Thank you for accepting feedback on this issue!

John Christensen

RC105

George Stuart  
721 Northshore Dr.  
Wasilla, Alaska  
99654

Feb. 19, 2011

State of Alaska, Board of Fisheries

RE: Changes to personal use fishery in Cook Inlet

Dear Board Members,

I support opening another personal use gillnet period on the Kasilof River. In the 80's my family caught salmon on the same beaches as the commercial fishers during days that they did not fish. This arrangement worked well for us and didn't appear to damage the commercial fishery.

However, over the past thirty years an increasing number of personal use fishers have been pushed into a smaller stretch of beach and given a shorter period of time to fish. The result is a mess of people fishing on top of each other, fighting for beach spots and trampling the beach plants to death.

This is not acceptable to those of us who value this unique, Alaskan experience. Please consider opening another period of fishing to preserve this fishery for future generations.

Sincerely,

George Stuart

RC106

Romie & Patricia Deschamps  
15271 E Outer Springer Loop  
Palmer, AK  
99645

Re: Another opening in July for the Kasilof personnel use gillnet fishery

Dear Board of Fish:

Our family has lived in Alaska since 1974 and have enjoyed the hunting and fishing experiences that this great state has to offer. We have taken advantage of personal use subsistence for several years. Initially we could go across Cook Inlet and there were several areas to choose from, thereby not severely impacting any one area.

We now enjoy going to Kasilof. It is a big family event with the parents staying and the adult children coming and going as their work permits. Having done this for several years it is our summer tradition and each time we have salmon for a meal during the winter we remember our summer fun at "fish camp".

We recognize the impact to the area as the camp sites have gotten closer and closer. Adding another opening in July for the personnel use gillnet fishery would reduce the overcrowding we have experienced in recent years. Thanks for considering this and hopefully it will happen.

Sincerely,

Romie, Patricia, Marci, Romie IV, Randy, Staci and Noelle Deschamps



*The Council adopts the below purpose and need statement and revised alternatives for initial review in April, anticipating the selection of a preliminary preferred alternative in April.*

**Problem statement:**

*Magnuson-Stevens Act National Standards require balancing optimum yield with minimizing bycatch and minimizing adverse impacts to fishery dependent communities. Chinook salmon bycatch taken incidentally in GOA pollock fisheries is a concern, historically accounting for the greatest proportion of Chinook salmon taken in GOA groundfish fisheries. Salmon bycatch control measures have not yet been implemented in the GOA, and 2010 Chinook salmon bycatch levels in the area were unacceptably high. Limited information on the origin of Chinook salmon in the GOA indicates that stocks of Asian, Alaska, British Columbia, and lower-48 origin are present, including ESA-listed stocks.*

*The Council is considering several management tools for the GOA pollock fishery, including a hard cap and cooperative approaches with improved monitoring and sampling opportunities to achieve Chinook salmon prohibited species catch (PSC) reductions. Management measures are necessary to provide immediate incentive for the GOA pollock fleet to be responsive to the Council's objective to reduce Chinook salmon PSC.*

**Alternatives:**

Alternative 1: Status quo.

Alternative 2: Chinook salmon PSC limit and increased monitoring.

Component 1: PSC limit: 15,000, 22,500, or 30,000 Chinook salmon PSC limit.

The PSC limit may be exceeded by up to 25 percent one out of three consecutive years. If the PSC limit is exceeded in one year, it may not be exceeded for the next two consecutive years.

Apportion limit between Central and Western GOA

- a) proportional to the historical pollock TAC (2006-2010 or 2001-2010 average).
- b) proportional to historical average bycatch number of Chinook salmon (2006-2010 or 2001-2010 average).
  - Option: drop 2007 and 2010 from both regulatory time series.
- c) as a combination of options (a) and (b) at a ratio of a:b equal to
  - Suboption i: 25:75
  - Suboption ii: 50:50
  - Suboption iii: 75:25

Central and Western GOA PSC limits and the 25 percent buffer would be managed by area (measures to prevent or respond to an overage would be applied at the area level, not Gulf-wide).

Chinook salmon PSC limits shall be managed by NMFS in-season similar to halibut PSC limits.

**FINAL COUNCIL MOTION**  
**C-3(b) GOA Chinook Salmon Bycatch**  
February 5, 2011

If a Chinook salmon PSC limit is implemented midyear in the year of implementation, an amount should be deducted from the annual PSC limit in that year. The deduction should be equal to the contribution that would have been made based on historical averages (selected above) in the seasons preceding implementation.

Component 2: Expanded observer coverage:

Extend existing 30% observer coverage requirements for vessels 60'-125' to trawl vessels less than 60' directed fishing for pollock in the Central or Western GOA.

Alternative 3: Mandatory salmon bycatch control cooperative membership.

To be eligible to participate in the Central Gulf of Alaska or Western Gulf of Alaska pollock fishery, the holder of an appropriately endorsed License Limitation Program license would be required to join a Chinook salmon bycatch control cooperative.

Each cooperative would be formed for participation in a single regulatory area (e.g., Central Gulf of Alaska or Western Gulf of Alaska).

To form, a cooperative is required to have more than:

- a) 25 percent; or
- b) 33 percent;

of the licenses that participated in the applicable regulatory area in the preceding year.

Any cooperative is required to accept as a member any eligible person, subject to the same terms and conditions that apply to all other cooperative members. In addition, the cooperative agreement shall not disadvantage any eligible person entering the fishery for not having an established Chinook salmon bycatch history in the fishery.

Each cooperative agreement shall contain:

A requirement that all vessels retain all salmon bycatch until the plant observers have an opportunity to determine the number of salmon and collect scientific data and biological samples.

Vessel reporting requirements to be used to identify salmon hotspots and an appropriate set of measures to limit fishing in identified hotspots.

A system of information sharing intended to provide vessels with timely information concerning Chinook salmon bycatch rates.

A monitoring program to:

- ensure compliance with the full retention requirement,
- catalogue gear use and fishing practices and their effects on Chinook bycatch rates,
- ensure compliance with vessel reporting requirements and limits on fishing under the system of salmon hotspots,
- determine compliance with any measures that require use of fishing gear or practices to avoid Chinook salmon PSC, and
- verify vessel performance and implement any system of rewards and penalties related to vessel performance.

A set of contractual penalties for failure to comply with any cooperative requirements.

**FINAL COUNCIL MOTION**  
**C-3(b) GOA Chinook Salmon Bycatch**  
February 5, 2011

Cooperative agreements may also contain the following measures:

Measures to promote gear innovations and the use of gear and fishing practices that contribute to Chinook salmon avoidance.

A system of vessel performance standards that creates individual incentives for Chinook salmon avoidance, which could include rewards or penalties based on Chinook salmon bycatch.

Cooperatives may have no measures except those specifically authorized by this action (and shall not include any measures that directly allocate access to any portion of the total allowable catch or any PSC limit).

Each cooperative shall annually provide a report to the Council that includes the cooperative agreement and describes the cooperative's compliance with the specific requirements for cooperatives and the cooperative's performance with respect to those requirements (including salmon retention, gear innovations and fishing practices, vessel reporting requirements and hotspot identification and fishing limitations, vessel performance standards, information sharing, and monitoring). Cooperative reports shall also document any rewards or penalties related to vessel performance and any penalties for failure to comply with the cooperative agreement. The cooperative report should also describe the Chinook salmon bycatch seasonally, identifying any notable Chinook salmon bycatch occurrences or circumstances in the fishery. As a part of its report, a cooperative shall describe each measure adopted by the cooperative, the rationale for the measure (specifically describing how a measure is intended to serve the objective of addressing Chinook salmon PSC, while ensuring a fair opportunity to all participants in the fishery), and the effects of the measure.

In the event more than one cooperative is created within a regulatory area, those cooperatives will be required to enter an intercooperative agreement prior to beginning fishing. The intercooperative agreement will establish rules to ensure that no cooperative (or its members) are disadvantaged in the fishery by its efforts to avoid Chinook salmon.

The parties to any intercooperative agreement shall annually provide a report to the Council including the intercooperative agreement and describing each measure in the agreement, the rationale for the measure (specifically describing how a measure is intended to serve the objective of addressing Chinook salmon PSC, while ensuring a fair opportunity to all participants in the fishery), and the effect of the measure.

The requirement for salmon PSC to be discarded at sea would not apply to directed GOA pollock fishing.

*The Council intends to advance both a PSC limit and mandatory bycatch cooperatives as a preliminary preferred alternative and requests the agency begin scheduling to accommodate both alternatives as quickly as practicable.*