

May 12, 2016

The attached on-time proposals were received by the Board of Fisheries for the 2016/2017 meeting cycle. The Board reserves the right to accept or reject these proposals based on its review of the responsiveness of each proposals. The board will make this determination through its 2016/2017 Proposals Book, anticipated to be published in August 2016.

Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC .**

No snagging beyond the six fish limit. Just take your fish home and eat it.

**What is the issue you would like the board to address and why?** I would like to see the stopping of the blood sport catch and release of salmon in Alaska streams. The taking of fish for pleasure must be stopped.

Just take your fish home and eat them. This would prevent guides from using the resource to stop fishing, there are boats by the hour instead of by the fish future, to spawn and live.

**PROPOSED BY:** Ron Carmon

(FF-F16-002)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC**

No more proxy cards. Plenty of ways to get fish without that too.

**What is the issue you would like the board to address and why?** I'd like to see different limits need to be put on the dip net fisheries as far as proxies are concerned.

Boats with four or five people should not be allowed to proxy fish for their church members. Plus the people catch limit in the boat when dip net boats are taking home 500 fish per day. Unregulated it become more of a commerical fishery.

This was experienced by a trooper at the Kenai dock. Quote from him was 500 to 600 fish by four people but legal because of proxy cards. He quoted skipper and boat took fish three days in a row. I believe the problem is substance rule used for dip net proxy cards this should not be legal.

Does it, I ask pertain to dipnetting on shore? People who own boats advertise this and are getting the cards for profit of some kind. This goes unregulated at this time

**PROPOSED BY:** Ron Carmon

(EF-F16-003)

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Original Proposal Currently Under Review

## **PROPOSAL XXX - 5 AAC .**

All season ending dates related to the Anchor River, Deep Creek, Ninilchik River, Stariski Creek changed from October 31st to November 15th as the last day you can fish. Example under Deep Creek Drainage currently states "Closed to all fishing from November 1st-May 15th" change to November 16th-May 15th"

**What is the issue you would like the board to address and why?** Extend the fishing season on the Anchor River, Deep Creek, Ninilchik River, and Stariski Creek for other species other than salmon from a closing date of November 1st to November 15th. Basically extend the season 2 weeks. The primary species targeted during this time frame are Steelhead and Dolly Varden. Historically the season had been open thru November 30th. The last Board cycle changed the season to the current regulation closing these rivers to all fishing on October 31st. The reasoning behind the change was to reduce pressure and stress on Steelhead during what is thought to be low water conditions and extremely cold temperatures during the month of November.

To my knowledge there hasn't been any biological studies on the Lower Kenai Peninsula streams related to Steelhead catch and release mortality and water temperatures to support this regulation. The fishery is already heavily restricted single hook, no bait and 100% catch and release in addition to non removal of fish out of the water. In addition anglers participating in the fishery are very self-policing and some of the most ethical anglers you will see on Alaska waterways. Whether its global warming or other unknown environmental factors it has become a noticeable later freeze up on these rivers. In the past few seasons the month of November has been mild and conditions have not warranted the October 31st closure this can be supported by weather records and water temperatures recorded by the USGS stream gauge located on the Anchor River. Fish and Game would still have the authority to close the fishery by Emergency Order at any time if conditions warrant it.

Additionally these stocks are not a concern of depletion/sustainability. If the department of Fish and Game was truly concerned about the status of Steelhead in these streams and or were concerned about their vulnerability current regulations would reflect that. Historically the legal use of bait and multiple hooks during King Salmon season during late may and early June coincides with the outmigration of Steelhead to the saltwater after spawning. Incidental Steelhead mortality due to bait, multiple hooks, and poor catch and release tactics can run quite high during the King Salmon seasons due to the poor condition the Steelhead kelts are in due to spawning and being in the river all winter. (Should be noted that bait and multiple hooks were not allowed last few years by emergency order due to low King Salmon numbers, however as King Salmon rebound bait and multiple hooks will be allowed.) Additionally bait and multiple hooks are allowed during the month of August to target Silver Salmon however Steelhead are present and caught at this time as well. In short one day of bait fishing for King Salmon will kill more Steelhead than the additional 2 weeks of catch and release in November.

Who will benefit: resident and non-resident anglers, all businesses from Girdwood to Homer especially those in the Anchor Pt. and Ninilchik area from an additional 2 weeks of anglers spending money in the communities. State of Alaska: more revenue from fishing licence sales and state park camping and parking fees. Kenai River anglers and fisheries will not see as much

pressure and crowded conditions from November 1-15th due to increased opportunities elsewhere.

Negative impacts: additional dolly varden char will be harvest in this fishery, and an unknown amount of Steelhead mortality will occur due to catch and release during these 2 weeks.

If nothing is done than angler opportunity will continue to have been unnecessarily taken away from resident and non-resident anglers to enjoy that was not based on sound science. Local economies, businessses and the State of Alaska will continue to lose out on additional revenues.

**PROPOSED BY:** Jon Madison

(EF-F16-005)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC .**

10 Dolly Varden/Arctic Char allowed per household in Cook Inlet Personal Use Fisheries

**What is the issue you would like the board to address and why?** Allow Dolly Varden/Arctic Char to be retained while dipnetting on the Kasilof and Kenai Rivers.

Every year I dipnet the Kenai river multiple days and hundreds of hours whether for myself or taking others. Every year we incidentally catch on average 20-30 dolly varden/artic char incidentally. In my estimate due to the size of the fish and the mesh size of the dipnets these fish are sustaining mortality rates up to 90%. Excessive bleeding from the gills and/or the body entanglement damaging internal organs is the most common injuries. Thru my angler experience of handling thousands of fish I know when a fish is more likely or not to survive a release and it doesn't take a study to know that thousands of dolly varden/artic char are being incidentally killed in this fishery as well as in the commercial setnet fishery off the beach.

Every year I get the same questions on board. I would love to eat a dolly varden why can't I keep it? If the fish is just gonna die why should we release it? This is such a waste why are we not allowed to keep it again? If flounder are ok to keep why isn't a Dolly? I explain to them that it is currently not legal to keep a dipnetted dolly varden/artic char but if you really want one you could try with a rod and reel in this same spot and it would be legal.

Like in many commercial fisheries wasted bycatch is thrown overboard to die this is what is happening to dolly varden in this personal use fishery. We can due better than this and allow residents to utilize these fish for food instead of throwing them unnecessarily overboard to die. Currently there is no evidence that the stock is in endanger or sustainability is an issue. I feel like a high percentage of dipnetters like myself if a dolly varden/artic char is not severely injured will voluntary release the fish back but if the fish appears to be bleeding/mortally wounded than will make the choice to keep the fish instead of wasting it overboard.

If nothing is done thousands of dying edible fish will continue to be wasted when they could have been put to good use by resident dipnetters as food. Additionally those dipnetters who morally and ethically decide to retain a mortally injured dolly varden/artic char illegally will continue to be cited by law enforcement.

Who will benefit: Alaska residents

Possible Negative impacts: An unknown additional number of dolly varden/artic char that were not mortally wounded that would have survived release will be harvested.

**PROPOSED BY:** Jon Madison

(EF-F16-006)

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**PROPOSAL XXX - 5 AAC .**

The solution we propose to the current regulation allowing individuals to keep one Rainbow Trout over 20 inches during the times in which it is permitted is to: reduce the authorized size to no longer than 16 inches, while still maintaining a 2 fish per day limit.

**What is the issue you would like the board to address and why?** We would like to address the issue of Rainbow Trout that are of maturity to reproduce, i.e. 16 inches or longer, being kept on Byers Creek. If changes are not made to the current regulations set in place, depletion of a **NATURAL** trout stock will be the consequence. Depletion being defined as: reduction of average size, a decrease in the overall population, as well as having an adverse effect on the genetics of the fishery (if a large fish is kept, the genetics go with it). There is an alternative solution we had considered, but rejected due to the fact it would not be correct. To make the creek catch and release would only infringe on the right to keep a fish if they choose to, something all fisherman have done. However keeping a fish over 16 inches in length is significant because when you remove such a specimen from the population, you are not only taking that fish, but of all its potential offspring, and their potential offspring..and so on.

**PROPOSED BY:** Todd Hallsten, Parker Wallace, Thys Grogan, Austin Gibbs (EF-F16-007)  
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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 5 AAC 57.150, 5 AAC 57.120 and 5 AAC 57.123.**

**5 AAC 57.150. Russian River Management Plan.** Amend the plan to include the following:

**5 AAC 57.150(g) (NEW)** The Department is authorized to set aside a section of the river (*e.g.*, above the Falls that has not been opened to salmon fishing previously) designated as a bow-fishing only area. For purposes of this provision, "bow-fishing" means that Sockeye salmon may be taken by bow and arrow; the arrow must have a barbed tip and be attached by a line to the bow; for the purposes of this provision, "bow" means a long bow, recurve bow or compound bow. (*See e.g.*, 5 AAC 57.120(9).) A struck fish shall be considered taken and be counted in the bow-fisherman's daily limit. In addition to a valid fishing license, a bow-fisherman must have passed a bowhunter certification course.

The Fisheries Board could further consider amending the following sport fishing sections as follows:

**5 AAC 57.120(a)(4)(A)(vi)** Sockeye salmon may be taken by bow and arrow in a section of the Russian River as designated by the Department in the Russian River Management Plan. For the purposes of this provision, "bow" means a long bow, recurve bow or compound bow; the arrow must have a barbed tip and be attached by a line to the bow.

**5 AAC 57.123 (9)** Russian River in a designated area, Sockeye salmon may be taken by bow and arrow in a section of the Russian River as designated in the Department's Russian River Management Plan. For the purposes of this provision, "bow" means a long bow, recurve bow or compound bow; the arrow must have a barbed tip and be attached by a line to the bow.

**What is the issue you would like the board to address and why?** The sport fishery of bow-fishing should be expanded to include salmon.

**Recreational value.** More than 21.6 million Americans of all ages enjoy archery. Young and old alike enjoy shooting their bows. Anchorage, Fairbanks, Eagle River, Wasilla, Juneau and Kenai and other communities offer static ranges for the public that are maintained by non-profit archery associations. Those in Southcentral include Screaming Eagle, Cook Inlet Archers, NW Archers, black Sheep (JBER) and Kenai Archers. Other regions have clubs as well : Golden North Archery Association (Fairbanks), Prince of Wales Archery (Thorne Bay), Prince William Sound College-Archery club (Valdez). This underscores the [popularity of archery throughout the state.

The State maintains shooting ranges at the Rabbit Creek Shooting Park, Fairbanks Indoor Shooting Range and Hunter Ed Facility and the Juneau Hunter Ed Facility and Indoor Shooting Range. These would likely experience greater use by archers of all ages, a benefit to the youth and adults of our communities.

**Educational value.** The National Archery in the Schools Program, (NASP) is a Nationwide Youth Archery program developed in Kentucky in 2002. Here in Alaska the program is a joint venture between NASP, the Department of Education and the Division of Wildlife Conservation. Several archery equipment manufacturers and local sportsman's organizations are also program

partners. The program promotes self-confidence, team work, discipline, physical fitness and participation in the life-long sport of Archery. The program provides Archery instruction in a physical education environment to *all* boys and girls grades 4 – 12. Millions of kids across America participate in this great program.

The Division of Wildlife Conservation offers Alaskan hunters opportunities to become certified bowhunters. Bowhunting classes certify more than 800 Alaskan hunters each year. Beginning July 1, 2016, an NBEF/IBEP bowhunter certificate will be required for all big game hunters in Alaska. The Alaska Bowhunter education program meets the National Bowhunter Education Foundation, (NBEF) and International Bowhunter Education Program, (IBEP) certification requirements. Bowhunter education classes are taught by dedicated volunteer instructors who commit valuable time and offer years of experience.

**Economic value. To the State:** The Pittman-Robertson Wildlife Restoration Act places an 11% excise tax on the sale of archery equipment including bow-fishing gear. This money is shared with Alaska and other states for use in Wildlife Restoration (i.e., building structures or improving lands or waters as wildlife habitat) and basic/enhanced hunter education and safety programs, as well as construction, operation and maintenance of archery ranges for public use. 50 CFR 80.50. In a Clarion newspaper report, the State has received more that \$38 million in Pittman-Robertson funds since 2000. It is submitted that this program could enhance sales of archery equipment – bowfishing as a form of hunting that supports stream enhancement programs - and add an element to the ADFG conservation plan that would help increase the State’s share of the Pittman-Robertson funds.

**To the local economy:** All major box stores sell archery equipment and larger communities have archery specialty stores. Allowing salmon to be bow-fished would likely increase sales of archery equipment significantly. Most major archery companies sell one or more models of specialty bows designed for bowfishing. Adopting this change in the regulations would likely be economically beneficial to these Alaska businesses and to local economies.

**PROPOSED BY:** J. Michael Robbins (EF-F16-008)  
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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC .**

From the downstream edge of the Warren Ames bridge upstream 300 yards to the department markers located on shore you are not required to record fish on your permit and you are not required to clip the tail fins unless fish are unloaded from your vessel.

**What is the issue you would like the board to address and why?** I would like to talk about the Warren Ames Bridge area during dipnetting season on the Kenai River. Current regulations state that the downstream edge of the bridge is the current boundary for the legal dipnetting area both from shore and boat. Any boater driving upriver that passes under the bridge with personal use caught fish without marking his personal use permit or clipping tail fins is in violation and could be ticketed. I am proposing a 300 hundred yard buffer exception to this area upstream of the bridge that would allow you to retain fish that have not been marked on your permit and the tail fins have not been clipped as long as no fish are removed from the vessel.

The Warren Ames Bridge area is a high use zone with the adjacent State Park Day Use Parking Area on the south side of the river off Bridge Access Road. Often times the parking lot is completely full and hundreds of people starting on the downstream side of the bridge line the shoreline during dipnetting season. Many boaters also use this area for a variety of important reasons picking up/dropping off passengers, using the bathrooms in the parking lot, unloading fish, getting needed supplies (gas, extra supplies, lunch, dealing with equipment breakdowns), and lastly many boaters use this area as a rest area in between tides or when fishing is slow. Due to the presence of shore based dipnetters it is impossible for boaters to pull into shore within the legal dipnetting zone within reasonable distance to the parking lot area without causing a major conflict between the 2 user groups. Most boaters choose to come to shore on the upstream side of the bridge where there are no shore based dipnetters in doing so they avoid conflicts and it is much more safer for everybody in the area.

However the problem is everytime you dirve under the bridge to be legal you need to have all your fish marked and permit marked even if you are just going to be there for a few minutes to use the bathroom or pick something or someone up. A boater may use this area several times a day with no intent of offloading fish and/or being done fishing for the day. I have witnessed Law Enforcement deal with this issue many times and it puts the Officer in a position of to use discretion or not: should he follow the letter of law and cite individuals or does he believe there was no intent to break the law and let the boater go with a verbal warning. We all know that the resource and fishery is stressed to the max with public access and use concerns; with safety the number one goal. By allow a buffer zone upsteam of the bridge for boaters to access without marking their permits and fish, unless fish are offloaded from the vessel, will reduce conflict, make the river safer, make it less burdensome for participants in the boat based fishery, and make it easier for law enforcement officers to enforce the true intent of the law and not cite those that never intended to break the law by just picking someone up or using the bathroom.

**PROPOSED BY:** Jon Madison

(EF-F16-009)

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**PROPOSAL XXX - 5 AAC 39.220 Management of Mixed Stock Salmon. 5.**

I recommend that there shall be mandatory "Pulse Fishing" in known migratory pathways. The management tool of "extended until further notice" shall no longer be used in Mixed Stock Fisheries. Pulse fishing is a "Precautionary Approach" that ensures the health and future Sockeye returns.

There shall be a minimum closure of 63 consecutive hours in every 7-day period for both the Westside Kodiak Salmon Management Plan and the Alitak District Salmon Management Plan.

Terminal harvest areas shall be allowed to fish "extended until further notice" as needed, if the harvest has a limited amount of non-target stock interception.

**What is the issue you would like the board to address and why?** The burden of conservation of Alitak bound Sockeye is placed solely on the end user group (Alitak District). The known Sockeye migratory pathway along the North West and South West coast of Kodiak Island has no conservation measures within its Management Plan for Alitak Sockeye. The Westside District Management Plan has included Olga Bay systems in there harvest strategy but has not included a conservation strategy. 5 ACC 18.362(b)

All users groups of Alitak bound Sockeye should have to reduce fishing time for the health and conservation of the fish that they are harvesting.

-Use all information and supporting data about the Alitak Sockeye Migratory pathway, including recent DNA sample results, past tagging studies from the 1950's and 1981.

**PROPOSED BY:** Eric Dieters

(EF-F16-010)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 57.122 (3) (D).**

In Hidden Lake, the bag and possession limit for lake trout is one fish **under 16 inches of length** [with no size limit}

**What is the issue you would like the board to address and why?** Lake Trout are an extremely slow growing fish with a long life span that need a substantial amount of time to naturally grow. These fish are easily susceptible to population declines through changes in the environment and over-fishing. Hidden Lake was a top destination on the Kenai Peninsula for Lake Trout fishing that is in a steady decline in fishing quality, especially with fish in the 24 to 30-inch classes during the last couple of decades.

There has been little biological data available to manage the Lake Trout population within Hidden Lake. It would be more prudent to manage this fishery conservatively until further research and studies can be done to more accurately measure the overall population and sustainability of this fishery.

With the continued harvest of the largest fish within Hidden Lake the breeding stock will continue to be heavily diminished. This hardship on the overall Lake Trout population has resulted in a lower sustainable yield for recreational sport fishing purposes.

By allowing current regulations to continue the Lake Trout population will have very unfavorable conditions for older fish to properly grow and propagate. Without changes to the current regulations there is almost no chance to have a positive outcome in future Lake Trout populations within Hidden Lake.

**PROPOSED BY:** Will Lee

(EF-F16-012)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 21.359 (f) KRLRKSMP.**

I would like to see (f) be deleted from the plan, but I don't think this will happen, therefore:

To err on the side of conservation, I would like the 22,500 number of projected king salmon escapement lowered to 16,500 in this regulation (f).

The regulation would read something like this:

(f) From August 1 through August 15, if the projected escapement of king salmon into the Kenai River is at least **15,000, but less than 16,500** [ 16,500, but less than 22,500], notwithstanding .....

**What is the issue you would like the board to address and why?** In the Kenai River Late-Run King Salmon Management Plan (KRLRKSMP) the sustainable escapement goal (SEG) is 15,000-30,000 king salmon. The mid point of the SEG is 22,500 king salmon. From August 1 through August 15 if the projected escapement of king salmon into the Kenai River is less than 22,500, the Upper Subdistrict set gillnet fishery can fish no more than 36 hours.

22,500 kings is far to liberal. There is no biological reason or data, that can justify for this number. 22,500 puts unnecessary restrictions on the ESSN fishery. In the Kenai-East Forelands sections, where in some years up to 25% of their harvest can occur in August, the current regulation is very devastating.

If 15,000 is the minimum goal, and the minimum escapement goal is projected, why are there any time restrictions put on the set net fleet?

**PROPOSED BY:** Gary L. Hollier (EF-F16-015)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 21.354. Cook Inlet Pink Salmon Management Plan.**

I would like to see the 50,000 pink salmon triggers in the CIPSMP go away. This most likely won't happen. So I would like to see the triggers lowered to 25,000.

The regulation would read something like this:

CIPSMP (b) ....., the daily harvest of pink salmon in the Upper Subdistrict set gillnet fishery exceeds **25,000** [50,000] fish or the cumulative harvest.... The second pink salmon commercial fishing period will occur only if **25,000** [50,000] or more pink salmon and no more than 2,500 coho salmon are harvested in the Upper Subdistrict set gillnet fishery during the first pink salmon commercial fishing period.

**What is the issue you would like the board to address and why?** The issue here, is lack of harvest opportunity of pink salmon in the ESSN fishery. There are literally millions of pink salmon, heading to the Kenai River that are virtually unharvested. There is very little opportunity, in the ESSN fishery to target these pinks.

In the CIPSMP there are two 50,000 fish triggers that equate to one or at best two additional days to harvest these pinks. These triggers occur after August 6 on even years. Many fishermen in the ESSN fishery, and more so in the Kasilof section, quit fishing earlier than the regularly scheduled closing date. It is very hard for the remaining setnetters to hit the 50,000 pink trigger that opens the pink fishery for one more period.

The fishermen that do stay and fish for pinks, are curtailed from further fishing, due to lack of participation, and therefore not hitting the 50,000 trigger. The fishermen that do target pinks, even with a smaller price than other species, can make good money. This pink fishery is very important economically, especially when sockeye runs to the Kenai and Kasilof Rivers are fair to poor.

**PROPOSED BY:** Gary L. Hollier

(EF-F16-016)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 5 AAC21.310 (ii) X Fishing Seasons.**

NKB, MAY have the opportunity to harvest with SELECT gear, ( 4 3/4 in maximum mesh size and can't be more than 29 meshes deep ), from July 8 on, when any portion of the Kasilof section is fishing. The set nets fished on NKB, cannot fish farther than 600 ft from the mean high tide mark.

Fishing within 600 ft, from mean high tide, using SELECT gear, with 29 mesh deep nets would make the king salmon harvest minimal. Additionally using, 4 3/4 in mesh or smaller, would be very efficient in harvesting Kasilof sockeye that are abundant on the beach, and those smaller size fish that make up 61% of the Kasilof River escapement. It is these two ocean and younger age classes that continually drive the Kasilof River over the top end of its BEG.

By fishing NKB, with SELECT gear, should cut down on the amount of time fished in the KRSHA.

The regulation would read something like this:

From July 8 on, when any portion of the Kasilof section is fishing; North Kalifonsky Beach, stat area 244-32, MAY open with set gill nets, restricted to fishing within 600 ft from the mean high tide mark. Nets cannot be more than 29 meshes deep and the mesh size cannot exceed 4 3/4 in.

**What is the issue you would like the board to address and why?** The issue here is lack of traditional and historic harvest of Kasilof sockeye on North Kalifonsky Beach (NKB), statistical area 244-32.

NKB since before Statehood was a traditional and historic harvester of Kasilof sockeye. With management changes that went into place in 1999, the opportunity to harvest Kasilof stocks were greatly diminished for NKB.

ADF&G staff has stated that Kasilof sockeye are predominately "beach orientated". The ESSN fishery catches 58% of the Kasilof harvest, while the Drift fleet harvests 27%.

A 2009 report from ADF&G- *Genetic Stock Identification of Upper Cook Inlet Sockeye Salmon Harvest*, showed that the harvest of Kenai and Kasilof sockeye on all NKB was close to a 50/50 split between the two stocks, ( page 52). This study was taken from samples of the entire NKB section. If samples were taken only from nets fishing 600 ft of mean high tide, Kasilof sockeye that are predominately " beach orientated", the Kasilof sockeye proportion would be undoubtedly higher.

From 1979 to 1999, the Kasilof River exceeded its BEG 12 out of 21 years, ( 57% of the time). During some of this time period the Kasilof River escapement goal was considerable less, 75,000 to 150,000 sockeye. During this time NKB was a traditional and historic harvester of Kasilof sockeye.

From 1999 the Kasilof River sockeye salmon escapement has exceeded its BEG, 15 out of the last 17 years, ( 88% of the time).

ADF&G harvest data, shows from 2008-2015, in the Kasilof section setnet fishery, two ocean and younger sockeye age classes (smaller fish) comprise 33% of the harvest.

ADF&G sockeye escapement data from 2008-2015, in the Kasilof River showed 61% of the sockeye escapement was made up of two ocean and younger age class sockeye.

In the Kasilof River Special Harvest Area (KRSHA), some years data, showed 73% of the harvest comprised of two ocean and younger age classes.

At BOF meetings since 2002, 2005, 2008, 2011, 2014, setnetters on NKB have been trying to get back fishing times on Kasilof stocks, that were a traditional and historic mainstay in out fishery for decades.

Kenai River sockeye salmon are the main stock harvested in the East - Forelands section ( which is a minimum 10 miles north of the Kenai River). Kenai River sockeye are harvested all the way to the Northern District. Common sense and genetic reports show that Kasilof sockeye are abundant on NKB, which is from 4 to 8 miles north of the Kasilof River.

**PROPOSED BY:** Gary L. Hollier (EF-F16-017)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 75.020. Sport fishing gear; 5 AAC 75.022. Fr.**

Prohibit the use of barbed hooks while fishing with beads, as follows:

While fishing with pegged beads above a bare hook, the hook must be a manufactured barbless hook or the barb must be crimped flush with the shank of the hook.

**What is the issue you would like the board to address and why?** The problem is barbed hooks tearing up the mouths of fish that are destined to be released. The state has created a number of trophy trout fisheries to allow anglers the chance to catch a magnificent trout or steelhead but some of those fish are injured by barbed hooks to the extent that they do not survive. Those that do survive have a diminished quality due to missing mandibles and other injuries around the mouth. This runs counter to the purpose of the catch & release trophy fisheries

**PROPOSED BY:** Cooper Landing AC - George Heim, chair (EF-F16-018)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 5AAC21.331.**

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(c) A drift gillnet may not be more than 150 fathoms in length and 45 meshes in depth. No person may operate more than one drift gillnet ,except as specified in 5AAC21.333

**What is the issue you would like the board to address and why?** This change/added language is necessary if the BOF adopts the changes requested to 5AAC21.333.

**PROPOSED BY:** Robert E Merchant (EF-F16-019)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 5AAC21.333.**

5AAC21.333 ....

(a) Except as specified in (e)-(g) of this section one person holding two Cook Inlet CFEC limited entry drift permits may fish up to 200 fathoms of drift gear from the same vessel under this section, or two Cook Inlet drift gillnet CFEC permit holders may fish concurrently from the same vessel and jointly operate up to 200 fathoms of drift gear under this section.

(b) Repealed 5/18/2014

(c) When one person holding two Cook Inlet drift gillnet CFEC permits, or when two Cook Inlet CFEC permit holders fish from the same vessel and individually or jointly operate additional drift gillnet gear under this section, ....

(d) When one person holding two permits or ....

(e) The individual or joint ....

(f) A vessel with a double permit holder or with ....

(g) Repealed 5/21/2011

**What is the issue you would like the board to address and why?** This proposal seeks to allow a single person to hold two CFEC Cook Inlet drift gillnet permits and operate both at the same time on one vessel as is permitted in 5AAC21.333. Presently as more and more salmon are allocated away from the commercial fishery to the sport fishery, the economic viability of individual drift fishers is negatively impacted. If adopted, this proposal will reduce the number of boats fishing, and over time, perhaps lowering the fleet to half its present number. Additionally, the number of nets fishing will be reduced significantly, resulting in more escapement to other users. Permit stacking in 5AAC21.333 requires two permit holders which is problematic, because it puts two skippers on the same vessel and makes them equally responsible for how the gear is fished, when to set, where to set, etc. This can create liability issues and conflicts between permit holders. If adopted this proposal will provide another option other than permit stacking.

**PROPOSED BY:** Robert E Merchant (EF-F16-020)

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**PROPOSAL XXX - 5 AAC 5AAC21.333.**

5AAC21.333 ....

(a) Except as specified in (e)-(g) of this section one person holding two Cook Inlet CFEC limited entry drift permits may fish up to 200 fathoms of drift gear from the same vessel under this section, or two Cook Inlet drift gillnet CFEC permit holders may fish concurrently from the same vessel and jointly operate up to 200 fathoms of drift gear under this section.

(b) Repealed 5/18/2014

(c) When one person holding two Cook Inlet drift gillnet CFEC permits, or when two Cook Inlet CFEC permit holders fish from the same vessel and individually or jointly operate additional drift gillnet gear under this section, ....

(d) When one person holding two permits or ....

(e) The individual or joint ....

(f) A vessel with a double permit holder or with ....

(g) Repealed 5/21/2011

**What is the issue you would like the board to address and why?** This proposal seeks to allow a single person to hold two CFEC Cook Inlet drift gillnet permits and operate both at the same time on one vessel as is permitted in 5AAC21.333. Presently as more and more salmon are allocated away from the commercial fishery to the sport fishery, the economic viability of individual drift fishers is negatively impacted. If adopted, this proposal will reduce the number of boats fishing, and over time, perhaps lowering the fleet to half its present number. Additionally, the number of nets fishing will be reduced significantly, resulting in more escapement to other users. Permit stacking in 5AAC21.333 requires two permit holders which is problematic, because it puts two skippers on the same vessel and makes them equally responsible for how the gear is fished, when to set, where to set, etc. This can create liability issues and conflicts between permit holders. If adopted this proposal will provide another option other than permit stacking.

**PROPOSED BY:** Robert E Merchant (EF-F16-020)

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**PROPOSAL XXX - 5 AAC 57.140(c).**

I recommend applying the hourly limitations to all guided fishing. Hence, guides would be limited to the hours of 6:00 am to 6:00 pm regardless of whether the fishing takes place from a guide vessel or on the bank. I suggest a regulation stating: All guided fishing shall be limited to the hours of 6:00 a.m. to 6:00 p.m.

Local residents and unguided non-guided anglers would then have a fair chance to access the sockeye salmon fishery before 6:00 a.m. or after 6:00 p.m.

**What is the issue you would like the board to address and why?** Commercial fishing guides are blocking access to the sockeye fishery for local residents and non-guided anglers. The sockeye fishery is primarily a bank fishery and excessive numbers of fishing guides are occupying all fishing spots in the Kenai Middle Section of the River from as early as 4:00 am until 10:00 pm. The 6:00 am to 6:00 pm limitation of 5 AAC 57140(c) only applies to fishing from guide vessels. Further, some guides actually use non-fishing personnel to hold spots while they bring up new clients. This prevents local residents and non-guided anglers from having a chance to access the fishery during reasonable hours..

**PROPOSED BY:** Ted Wellman

(EF-F16-021)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 18.330 Gear (d) (2).**

5 AAC 18.330. Gear (d) (2)

(d) In the Alitak District, salmon may be taken

(1) in the Humpy-Deadman and Cape Alitak Sections by purse seines and beach seines only;

*(2) in the Alitak Bay, Moser Bay, Olga Bay, Dog Salmon Flats, Outer and Inner Upper Station, and Outer and Inner Akalura Sections by set gillnets only, except that after September 4, salmon may be taken also by purse seines and beach seines. **Also after September 4 set gill net gear maybe used in the entire Alitak District.***

**What is the issue you would like the board to address and why?** Problem: Lack of fishing time for the Alitak District set net fishery.

The Alitak District set net fishery is a bankrupt fishery. It operates from retirement accounts, selling assets and cannery credit. The fishery is predominantly managed on sockeye returns to the Olga Bay systems on which fishing time has been severely restricted in recent years.

Many of the set netters have been totally disenfranchised from other healthy local stocks that transit the area during sockeye restrictions. Opening the entire Alitak District to set net gear after Sept. 4 would allow those with the fortitude and means an opportunity to regain some of the loss created by restrictions imposed for sockeye management.

**PROPOSED BY:** Rick Metzger, Pete Hannah (EF-F16-022)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 75 Bag Limit and Transport are defined as fo.**

**When defining transportation of fish include "Live fish and fish eggs are considered transported once they leave the body of water in which they originate."**

This would allow an angler to catch a fish, provide a suitable carry container to maintain fish's health, move fish to derby location on the lake, and release once measured.

**When defining bag limit, eliminate the term "immediately" so an angler can catch, measure and release a healthy fish.**

This allows an angler to catch, measure, and release a live, healthy fish without it be considered part of the bag limit.

**What is the issue you would like the board to address and why? The State of Alaska supports a Mandatory Kill Policy of all derby caught fish within its lakes. This does not support the conservation effort of the State, Angler or Derby Officials. Regardless of what some may say, the survivability of derby released fish is greater than the 100% mortality rate currently enforced by state officials. We want to build trophy fish lakes while maintaining the tradition of Derby fishing. Let us catch, measure and release live, healthy fish!!!**

Catch and Release opportunities should be available to anglers during fishing derbies either during the summer or winter seasons.

Currently there is a "mandatory kill" measure in place during fishing derbies because of unclear terminology in the regulations.

Anglers should have the right to release their catch if they choose too so long as the fish is maintained in water and able to swim under its own power.

Catch and Release doesn't guarantee 100% survivability / Current State regulations guarantee 100% mortality of all derby caught fish.

**PROPOSED BY:** Jason Perrego

(EF-F16-023)

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**PROPOSAL XXX - 5 AAC 21.363.**

5 AAC 21.363 Upper Cook Inlet Salmon Management Plan would be amended by adding (a)(7) as follows:

**(7) Where there is a management plan, and when the stock of concern is fully allocated among all user groups, the burden of conservation shall, to the extent practicable, be shared among all user groups in close proportion to their respective harvest on the stock of concern.**

**What is the issue you would like the board to address and why?** The BOF needs to be in compliance with past Supreme court rulings in Pullen verses Ulmer and the recent Supreme Court ruling Lieutenant Governor of the State of Alaska verses Alaska Fisheries Conservation Alliance. All users need to share in resource conservation in proportion to their use. The board already has direction on how to fairly conserve fish in the absence of a management plan (5 AAC 21.363(a)(6)), but this direction does not exist for the creation of new management plans. Without this language, the equitable allocation of fishery resources in Upper Cook Inlet is not ensured.

(6) consistent with 5 AAC 39.220(b), it is the intent of the board that, in the absence of a specific management plan, where there are known conservation problems, the burden of conservation shall, to the extent practicable, be shared among all user groups in close proportion to their respective harvest on the stock of concern.

**PROPOSED BY:** David Hillstrand

(EF-F16-025)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 18.350. Closed Waters.**

Amend 5 AAC 18.359.(a) (A) All waters within 1000 yard radius of terminus of Ayakulik(Red) River closed to Commercial salmon fishing June 1-July 15.

**What is the issue you would like the board to address and why?** I would like to address King salmon by catch in Kodiak Management Area Inner Ayakulik section. There needs to be a conservation measure to provide a buffer zone for King salmon escapement on the Ayakulik river. The run is severely depleted and has not made even the lower escapement for the last 3 consecutive years.

**PROPOSED BY:** Stig Yngve

(EF-F16-026)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 64.0022(b)(I).**

5 AAC 64.022.(b) (I) All moving waters of Buskin Drainage from lake outlet to Bridge #2 closed to sport fishing April 20-June 1st.

**What is the issue you would like the board to address and why?** I would like to address incidental and intentional catching of spawning steelhead/rainbow trout on the Buskin River Drainage. No one knows how many steelhead are actually in this system, there is little to no known information on abundance of this fish population. It is a unique resource that should be managed very conservatively in conjunction with the statewide sustainable trout abundance policy 5 AAC 75.222.

**PROPOSED BY:** Stig Yngve

(EF-F16-027)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 64.022.**

5 AAC 64.022.(a)(15) In Kodiak Area freshwaters, only single hook lures/hooks/ flies may be used.

**What is the issue you would like the board to address and why?** I would like to address the use of treble hooks versus single hooks on gear used in Kodiak Management Area freshwaters. This is an issue of importance because it is directly related to mortality rates on sport caught salmon and trout. The lure manufacturing companies like Blue Fox that makes Pixies and Vibrax lures are already providing a single hook in their lure packages anyway and ultimately encouraging it w. Numerous hooking mortality studies show that treble hooks have a correspondingly higher rate of mortality on sport caught fish, and no lower rate of fish lost when hooked. Ultimately a ban on treble hooks in fresh water would result in a similar amount of fish caught and harvested and more fish caught and released alive and well, benefiting both man and fish.

**PROPOSED BY:** Stig Yngve

(EF-F16-028)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 64.022.**

5 ACC 64.022.(a) (14) Use of bait prohibited in all freshwaters of Kodiak Archipelago from October 1-August 15

**What is the issue you would like the board to address and why?** I would like to address the issue of bait use in Kodiak freshwaters during salmon and steelhead season. Numerous hooking mortality studies show bait use to be a crucial factor in fish increased fish mortality . This is important because wild King salmon stocks on all Kodiak drainages are a stock of ongoing concern and are they highly responsive to bait. No known steelhead population on Kodiak has more than 8,000 steelhead while most systems have fewer than 500. These fish are also highly responsive to bait, especially during Coho fishing season. In the name of conservation -minded management and in accordance with statewide sustainable trout abundance policy, bait use should be strongly considered in managing of freshwater fish species.

**PROPOSED BY:** Stig Yngve

(EF-F16-029)

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Original Proposal Currently Under Review

**PROPOSAL XXX – 5 AAC 21.365 (f) (5) (X). Kasilof River Salmon Mana.**

Dual set net permit holders can fish two nets in the KRSMA. Each permit can fish one set net associated with its CFEC number.

**What is the issue you would like the board to address and why?** In Cook Inlet setnetters can own and operate two CFEC permits, since 2011.

The issue of fishing dual permits in the KRSMP was never addressed at the 2011 or 2014 BOF Upper Cook Inlet meetings. From 2011 to 2014 it was assumed and ALLOWED by Department of Public Safety that a dual permit holder could fish two set nets in this fishery.

In 2015, Department of Public Safety interpreted the management plan differently, in the plan, (f), stating a permit holder may not use more than one gillnet to take salmon at anyone time. This language has been in the KRSMP, since being put into regulation in the 1980s.

I believe that this issue was an oversight by the BOF, and that it should be clarified that dual permit holders can fish two nets in the Kasilof terminal fishery.

**PROPOSED BY:** Gary L. Hollier (EF-F16-030)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC Cook Inlet Fisheries.**

By extending the "Personal" use Dip Net fishing to the 2ed Sunday of August it would allow A better safer use of the Cook Inlet and river salmon fisheries.

**What is the issue you would like the board to address and why?** Safer dip net fishing.

**PROPOSED BY:** Ronald Jordan

(EF-F16-031)

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Original Proposal Currently Under Review

## **PROPOSAL XXX - 5 AAC Deshka River King Salmon Management Plan.**

Adopt a Deshka River King Salmon Management plan as follows:

**The purpose of this plan is to direct the Department to manage the Deshka River sport king salmon fishery to attain spawning escapements within the SEG range of 13,000 - 28,000 fish, while encouraging adaptive management to attain the escapement objective in a manner which avoids inseason closures and restrictions when possible, and thereby maximizes benefit as much as practical. If the Department's annual Deshka River king salmon outlook calls for a total return of less than 21,000 king salmon, then effective starting May 16, the Department may use, in preferential order, one or more of the following tools to precautionarily increase king salmon escapement through the sport fishery: restrict anglers to use of one single hook only, restrict the fishery to use of artificial lures only, restrict harvest to one bag limit per day (either personal or proxy, but not both), reduce the number of days per week king salmon may be harvested.**

**Once the Department can project a king salmon escapement of 7,000 king salmon past the Deshka River Weir or when 13,000 king salmon have swum past the weir (whichever comes first), the Department may return the fishery to normal fishing regulations the following day.**

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

**What is the issue you would like the board to address and why?**  
For 5 consecutive years (starting in 2012) the Deshka River sport king salmon fishery has been managed by preseason emergency orders setting the regulations to be used at the start of each season. From discussions the Commission has scheduled with the Alaska Department of Fish & Game it has come to our attention the Department seems to have no clear plan as to when and what emergency regulations may be appropriate at specific projected king salmon return levels. This creates several additional problems, a significant one of which is for the past 5 years regulations published in the Southcentral Alaska Sport Fishing Regulations Summary have been inconsistent with preseason emergency regulations issued by the Department. Every time this occurs the Department must spend considerable time and money (consequentially) to publicize these changes. We believe sport anglers may be better served with a Deshka River king salmon management plan printed in the regulations book, and clarifying what anglers might expect under specific king salmon outlook and return levels. This is even more appropriate during these times of state financial downturn.

In addition, when the fishery is managed by emergency regulation there is no clear way for the public to weigh in on an ineffective emergency regulation or propose a regulation change, since all emergency orders expire after 90 days. For example for the past two years ADF&G has been implementing emergency Little Susitna River and Susitna River drainage king salmon regulations starting May 1, but since there is no significant king salmon harvest until after May 15, the primary result of implementation on May 1 is to minimize benefit for hardly any, and in some years, zero biological gain.

Another dubious emergency regulation is the reduction in annual king salmon limit from 5 to 2 fish throughout the Susitna River drainage and Little Susitna River combined. On the Deshka River and Little Susitna River, in particular, there is enough angling effort that a reduction in annual bag limit likely has little positive affect on king salmon escapement — especially considering that many Alaskans simply take up proxy fishing to sidestep a decreased annual limit. In these times of state economic hardship wouldn't it be more cost effective if the Department simply kept the annual limit at 5 king salmon and, thereby, reduced the need for proxy permits and proxy fishing? During times of king salmon shortage, wouldn't king salmon escapements be more positively increased by restricting daily harvest to one bag limit (either personal or proxy, but not both)?

**PROPOSED BY:** Mat-Su Borough Fish and Wildlife Commission (BF-F16-032)  
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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 61.**

**~~Larsen Creek including all waters within a ¼ mile radius of its confluence with the Talkeetna River closed to fishing from 11:00 pm to 6:00 am from July 1 to August 15.**

**What is the issue you would like the board to address and why?** Establish a more organized fishery at the confluence of Larsen Creek and the Talkeetna River. Susitna River drainage sockeye salmon are currently designated as a Stock of Yield Concern. Larsen Creek is one of three indicator/ index lakes used to assess sockeye production in the Susitna Valley. ~Larsen Lake is the only monitored and index lake used by ADF&G to assess the sockeye production and spawning success on the main stream of the Susitna River. It has barely made escapement goals in the last 5 years and has had to be closed twice during that time due to low escapement numbers early on.

The area where people fish is a concentrated area at the confluence of the Talkeetna River and Larsen creek. Access into the mouth of Larson creek and the Talkeetna river confluence can be crowded with people wading shoulder to shoulder in the creek making fish passage difficult.

Rod and reel fishermen who would normally fish till 11:00 pm then sleep at the creek and fish at 1:00 am will be less likely to spend the night. Guides will still arrive at 6: 00 am to bring their clients through. This may intensify fishing during that period of the day, but it would allow a reprieve during the night for escapement.

**PROPOSED BY:** Mat-Su Borough Fish and Wildlife Commission (EF-F16-033)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 21.358 Northern District Salmon Management Plan.**

Amend section (d) of the Northern District Salmon Management Plan by adding a new provision:

**(3) when the Little Susitna River sport fishery is closed to use of bait, commercial fishing shall be closed within one mile of the Little Susitna River confluence with Knik Arm.**

**What is the issue you would like the board to address and why?** Although the Northern District Salmon Management specifies that:

The Department shall also manage the chum, pink, and sockeye salmon stocks to minimize the harvest of Northern District coho salmon, to provide sport and guided sport fishermen a reasonable opportunity to harvest these salmon resources over the entire run, as measured by the frequency of in river restrictions,

the Little Susitna River sport fishery is restricted to artificial lures only from October 1 - August 5 as a conservation measure to ensure adequate escapement of king salmon, coho salmon, and in river species. At the same time commercial fishing is allowed to within 500 yards of the Little Susitna River confluence with Knik Arm. While the sport fishery is restricted by a bait closure for most of the season, the commercial fishery enjoys a more liberal harvest opportunity than exists around the confluences of most other significant Upper Cook Inlet salmon streams. This occurs despite the fact that ADF&G only manages for abundance of king salmon and coho salmon in the Little Susitna River, with no established goals for other salmon species, and with annual sockeye salmon weir counts of less than 1,600 sockeye per year in 2013, 2014, and 2015. Liberal commercial fishing near the Little Susitna River confluence with Knik Arm should not cause or contribute to restriction of the sport king salmon and sport coho salmon fisheries, which according to management plans, are to be managed to provide sport and guided sport fishermen a reasonable opportunity to harvest salmon resources. Liberal commercial harvest opportunity near the Little Susitna River confluence should also not contribute to depressed Little Susitna River sockeye salmon escapements. .

**PROPOSED BY:** Mat-Su Fish and Wildlife Commission (EF-F16-034)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 21.366 Northern District King Salmon Management P.**

Amend the Northern District King Salmon Management Plan by adding the following provisions:

**(12) if more than half of the Northern District streams with king salmon escapement goals are closed to king salmon sport harvest; the commissioner shall close by emergency order, the Northern District commercial set net fishery until the first regular period after June 24.**

**(13) if the Little Susitna River sport fishery is restricted by emergency order: the commissioner shall close, by emergency order, commercial fishing within one mile of the Little Susitna River confluence with Knik Arm.**

**What is the issue you would like the board to address and why?** The purpose of this plan is to ensure an adequate escapement of king salmon into the Northern District drainages and to provide management guidelines to the department. The department shall manage the Northern District king salmon stocks primarily for sport and guided sport uses in order to provide sport and guided sport fishermen with a reasonable opportunity to harvest these salmon over the entire run as measured by the frequency of inriver restrictions.

During times of king salmon shortages in 2013, 2014, and 2015 the Matanuska Sustina Borough Fish & Wildlife Commission discovered the above preamble language within the Northern District King Salmon Management Plan did not adequately address how ADF&G shall manage the commercial fishery at times when: #1. More than half of the Northern District streams with ADF&G established king salmon es-capement goals were closed to king salmon sport harvest for the entire year, yet the Northern District commercial fishery was allowed to continue harvesting kings salmon bound for all drainages, and all emergency restrictions to the Northern District king salmon fishery were removed whenever bait fishing was allowed in the Deshka River. #2. the Little Susitna River sport fishery was restricted by emergency regulation but the commercial fishery was allowed to continue harvesting king salmon within a mile of the Little Susitna River confluence with Knik Arm. When the Little Susitna River sport fishery is restricted, why does the commercial fishery retain a liberal harvest opportunity on the same stock that the management plan stipulates be managed primarily for sport and guided sport uses?

**PROPOSED BY:** Mat-Su Borough Fish and Wildlife Commission (EF-F16-035)

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**PROPOSAL XXX - 5 AAC 5 AAC 21.350 Reg. Book Page No. 99, 100, 101.**

5 AAC 21.350. CLOSED WATERS.

(a) Salmon may not be taken in any of the waters listed in this section.

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(b) Central District

(1) within one statute mile of the terminus of any of the following salmon streams: Kasilof River, Deep Creek, Stariski Creek, and Anchor River;

(2) Crescent River: east of a line from an ADF&G regulatory marker located approximately one mile west of the terminus of the Crescent River to the northernmost tip of Chisik Island, south of the latitude of an ADF&G marker located approximately one mile north of the terminus of the Crescent River, and within a three-mile radius from the terminus of the Crescent River at mean high tide;

(3) Kenai River: waters enclosed by a line from the southern ADF&G regulatory marker at the mouth of the Kenai River (60° 30.32' N. lat., 151° 17.05' W. long.) to the Coast Guard channel marker 1 KE located at 60° 31.30' N. lat., 151° 20.50' W. long. To the northern ADF&G regulatory marker at the mouth of the Kenai River (60° 34.09' N. lat., 151° 19.30' W. long.); and, in the area between a line bearing 235° from the northern ADF&G regulatory marker and the Kenai River mouth, those waters within one mile of the mean high tide mark and, in the area between the southern ADF&G regulatory marker and the Kenai River mouth, those waters within one and one-half miles of the mean high tide mark;

(4) Ninilchik River,

(A) within one statute mile of the river terminus;

(B) between the latitude of an ADF&G regulatory marker located approximately one statute mile north of the Ninilchik boat harbor entrance and the latitude of Anchor Point Light (59° 46.15' N. lat.) and extending offshore for a distance of one statute mile from mean lower low water;

(5) on the west side of the Central District from the northern boundary of the district south to Harriet Point (60° 23.75' N. lat., 152° 14.00' W. long.),

(A) within one statute mile of the terminus, at **mean lower low water**, of the Kustatan

River and the Drift River;

(B) within one statute mile of the terminus, at mean lower low water, of Cannery Creek;

(C) within one statute mile of the terminus, at **mean lower low water of Big River and Bachatna Creek**;

(D) within 500 yards of the terminus, at mean high tide, of any anadromous fish stream;

(E) within 900 feet of the stream bed or channel of any anadromous fish stream throughout the intertidal portion of that stream out to the lower low water mark.

(6) Packers Creek: waters enclosed by a line from the south ADF&G regulatory marker located at 60° 26.11' N. lat., 151° 55.66' W. long., to 60° 25.33' N. lat., 151° 55.00'

W. long., to 60° 25.31' N. lat., 151° 52.68' W. long., to 60° 26.42' N. lat., 151° 51.71' W. long., to the north ADF&G regulatory marker located at 60° 26.42' N. lat., 151° 53.32' W. long.

(c) Northern District

(1) within one statute mile of the terminus of any of the following salmon streams: Swanson Creek, Bishop Creek, Three-mile Creek, Chuit River, Nikolai Creek, and McArthur River; COOK INLET AREA 101

(2) Turnagain Arm and Knik Arm: east of a line from 61° 02.35' N. lat., 150° 23.64' W. long., to the site of the old West Point light on Fire Island, along the eastern shore of Fire Island to North Point, to 61° 14.64' N. lat., 149° 59.55' W. long.

(d) Southern District

(1) northeast of a line from an ADF&G regulatory marker at 59° 44.50' N. lat., 151° 02.10' W. long., to an ADF&G regulatory marker on the shore one-half statute mile southwest of the terminus of Swift Creek at 59° 47.15' N. lat., 151° 05.45' W. long.;

(2) waters of China Poot Bay south and east of the Homer Electric Association power line;

(3) waters of Sadie Cove south of 59° 30.00' N. lat.;

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

(5) waters of Jakalof Bay south of 59° 28.07' N. lat.;

(6) waters of Seldovia Bay south of a line from an ADF&G regulatory marker located at 59° 25.09' N. lat., 151° 42.57' W. long., to an ADF&G regulatory marker located at 59°

24.84' N. lat., 151° 43.06' W. long.;

(7) waters of Port Graham Bay south of 59° 20.44' N. lat.;

(8) Northshore Subdistrict.

(e) Kamishak Bay District: waters of Cottonwood Bay west of a line from an ADF&G regulatory marker located at 59° 38.39' N. lat., 153° 39.41' W. long., to an ADF&G regulatory marker located at 59° 37.68' N. lat., 153° 39.51' W. long.;

(f) Outer District

(1) waters of Port Chatham east of a line from an ADF&G regulatory marker located at 59° 13.32' N. lat., 151° 43.41' W. long., to an ADF&G regulatory marker located at 59°

12.59' N. lat., 151° 43.55' W. long.;

(2) waters of Windy Bay west of 151° 32.85' W. long.;

(3) waters of Taylor Bay north of a line between ADF&G regulatory markers located approximately at 59° 18.00' N. lat.;

(4) waters of Tacoma Cove and Sunday Harbor east of 151° 01.15' W. long.

(g) Eastern District

(1) waters of Resurrection Bay west of a line from an ADF&G regulatory marker located at the old military dock pilings on the west shore of Resurrection Bay north of Caines Head at 60° 00.48' N. lat., 149° 24.20' W. long., to an ADF&G regulatory marker located near the Seward Airport at 60° 07.49' N. lat., 149° 24.72' W. long.;

(2) king and coho salmon may not be taken in waters of Resurrection Bay north of a line from Cape Resurrection to Aialik Cape;

- (3) waters of Aialik Bay north of 59° 53.47' N. lat.
- (h) In any bay, estuary, slough, or lagoon less than 300 feet in width at mean low tide.
- (i) In all other streams or rivers within 500 yards of the terminus or as posted.

**What is the issue you would like the board to address and why?** Coho salmon stocks on the west side of Cook Inlet (Area's 3 and 4) are being over exploited by commercial drift gillnets. Current regulations listing closed waters for commercial fishing on the West Side of Cook Inlet are not consistent and allow fishing too close the mouths of several rivers. All one statute mile fishing closures around all west side Cook Inlet river mouths should be designated from mean lower low water.

**PROPOSED BY:** Mark Glassmaker (EF-F16-036)  
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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 21.353 Reg. Book Page No. 101, 102, 103.**

5 AAC 21.353. CENTRAL DISTRICT DRIFT GILLNET FISHERY MANAGEMENT PLAN.

(a) The purpose of this management plan is to ensure adequate escapement of salmon into the Northern District drainages and to provide management guidelines to the department. The department shall manage the commercial drift gillnet fishery to minimize the harvest of [Northern District and Kenai River] coho salmon in order to provide sport and guided sport fishermen a reasonable opportunity to harvest these salmon stocks over the entire run, as measured by the frequency of inriver restrictions. The department shall manage the Central District commercial drift gillnet fishery as follows:

(1) weekly fishing periods are as described in 5 AAC 21.320(b);

(2) the fishing season will open the third Monday in June or June 19, whichever is later, and

(A) from July 9 through July 15,

(i) fishing during the first regular fishing period is restricted to the Expanded Kenai and Expanded Kasilof Sections; additional fishing time is allowed only in the Expanded Kenai and Expanded Kasilof Sections of the Upper Subdistrict;

(ii) fishing during the second regular fishing period is restricted to the Kenai and Kasilof Sections of the Upper Subdistrict and Drift Gillnet Area 1;

(iii) at run strengths greater than 2,300,000 sockeye salmon to the Kenai River, the commissioner may, by emergency order, open one additional 12-hour fishing period in the Kenai and Kasilof Sections of the Upper Subdistrict and Drift Gillnet Area 1;

(B) from July 16 through July 31,

(i) at run strengths of less than 2,300,000 sockeye salmon to the Kenai River, fishing during one regular 12-hour fishing period will be restricted to the Expanded Kenai and Expanded Kasilof Sections of the Upper Subdistrict;

(ii) at run strengths of 2,300,000 to 4,600,000 sockeye salmon to the Kenai River, fishing during one regular 12-hour fishing period per week will be restricted to either or both the Expanded Kenai and Expanded Kasilof Sections of the Upper Subdistrict or Drift Gillnet Area 1;

(iii) at run strengths greater than 4,600,000 sockeye salmon to the Kenai River, there will be no mandatory restrictions during regular fishing periods;

(C) from August 16 until closed by emergency order, Drift Gillnet Areas 3 and 4 are open for fishing during regular fishing periods;

(D) from August 11 through August 15, there are no mandatory area restrictions to regular periods, except that if the Upper Subdistrict set gillnet fishery is closed under 5 AAC

**(E) if coho salmon sport fishing is restricted or closed in the Little Susutna River**

**(i) All coho fisheries on the west side of Cook Inlet shall have a reduced bag limit from three coho to two coho.**

**(ii) All drift gillnet fishing in Areas 3 and 4 shall close for remainder of the season.** 21.310(b)(2)(C)(iii), regular fishing periods will be restricted to Drift Gillnet Areas 3 and 4.

(b) For the purposes of this section,

(1) "Drift Gillnet Area 1" means those waters of the Central District south of Kalgin Island at 60° 20.43' N. lat.;

(2) "Drift Gillnet Area 2" means those waters of the Central District enclosed by a line from 60° 20.43' N. lat., 151° 54.83' W. long. to a point at 60° 41.08' N. lat., 151° 39.00' W. long. to a point at 60° 41.08' N. lat., 151° 24.00' W. long. to a point at 60° 27.10' N. lat., 151° 25.70' W. long. to a point at 60° 20.43' N. lat., 151° 28.55' W. long.;

(3) "Drift Gillnet Area 3" means those waters of the Central District within one mile COOK INLET AREA 103 of mean lower low water (zero tide) south of a point on the West Foreland at 60° 42.70' N. lat., 151° 42.30' W. long. ;

(4) "Drift Gillnet Area 4" means those waters of the Central District enclosed by a line from 60° 04.70' N. lat., 152° 34.74' W. long. to the Kalgin Buoy at 60° 04.70' N. lat., 152° 09.90' W. long. to a point at 59° 46.15' N. lat., 152° 18.62' W. long. to a point on the western shore at 59° 46.15' N. lat., 153° 00.20' W. long., not including the waters of the Chinitna Bay Subdistrict.

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

**What is the issue you would like the board to address and why?** Coho salmon stocks on the west side of Cook Inlet (Area's 3 and 4) are being over exploited by commercial drift gillnets after August 11. Management of coho salmon on the west side of Cook Inlet should be managed for a sportfish priority as is the Northern District and Kenai River.

The Alaska Department of Fish and Game has failed to identify an adequate coho escapement goal for any west side Cook Inlet streams. Sportfish participation has increased dramatically in the last decade and these systems cannot continue to support commercial harvest without threatening sustainability

**PROPOSED BY:** Mark Glassmaker (EF-F16-038)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 5 AAC 21.353 .**

5 AAC 21.353 Central District Drift Gillnet Fishery Management Plan

(f) From August 16 until closed by emergency order, [DRIFT GILLNET AREAS 3 AND 4 ARE OPEN FOR FISHING DURING REGULAR FISHING PERIODS.], drift gillnetting will be open in all waters of the Central District, except in the Kenai and Kasilof sections, from 7:00 a.m. Monday until 7:00 p.m. Monday, and from 7:00 a.m. Thursday until 7:00 p.m. Thursday.

**What is the issue you would like the board to address and why?** The Upper Cook Inlet Salmon Management Plan (5 AAC 21.363 (a) (1)) states that the harvest of UCI salmon should be allowed in order to maximize the benefits of these resources. The current Central District drift gillnet management plan is too restrictive and does not allow ADF&G the tools it needs in order to harvest surplus Kenai and Kasilof river sockeye salmon stocks. An overly restrictive drift gillnet management plan can therefore result in over escapement of these stocks, which it has in two out of two years for both Kenai and Kasilof river sockeye salmon since the plan was modified in 2014. As ADF&G has shown in previous reports to the board, escapements above goals, and especially consecutive years of escapements above goals, results in an immediate yield loss to all harvesters in the year of the over-escapement, and it also poses unwarranted risks to these stocks through lower yields in the future.

In the current drift gillnet management plan, drifters are restricted to Drift Areas 3 & 4 on or before August 16. There is no significant reason to move the drift gillnet fleet out of the middle of the Central District after August 15. In previous reports to the board, ADF&G has shown that drifters are a very minor harvester of Kenai and Kasilof river coho salmon. That said, in order to provide additional protection to these stocks, this proposal seeks to allow drifting in the Central District, except for the Kenai and Kasilof Sections, for regular 12-hour fishing periods only after August 15. This would allow for additional harvest of Kenai and Kasilof sockeye salmon stocks while not posing threats to east-side coho salmon stocks or to northern bound coho salmon stocks, which are largely done with their migration through the Central District by this time of year. It would provide those drifters who wish to fish later in the season with additional economic opportunities, and it could help ADF&G with the issue of continued over-escapement of sockeye salmon in both the Kenai and Kasilof rivers.

**PROPOSED BY:** David Hillstrand

(EF-F16-041)

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**PROPOSAL XXX - 5 AAC 21.359(e)(3)(A)(i)(ii).**

(A) If the use of bait is prohibited in the Kenai River sport fishery under (1)(A) of this section, commercial fishing periods are open for no more than 36 hours per week, with a 36-hour continuous closure per week beginning between 7:00 p.m. Thursday and 7:00 a.m. Friday, [ , DURING WHICH THE NUMBER OF SET GILLNETS OPERATED MAY ALSO BE RESTRICTED TO EITHER

(i) THREE SET GILLNETS THAT ARE EACH NOT MORE THAN 35 FATHOMS IN LENGTH AND 29 MESH IN DEPTH OR TWO SET GILLNETS THAT ARE NOT MORE THAN 35 FATHOMS IN LENGTH AND 45 MESHES IN DEPTH; SET GILLNETS USED THAT ARE NOT MORE THAN 29 MESHES IN DEPTH MUST BE IDENTIFIED AT THE END OF THE GILLNET WITH AN ATTACHED BLUE BUOY THAT IS NOT LESS THAN NINE AND ONE HALF INCHES IN DIAMETER; OR

(ii) TWO SET GILLNETS THAT ARE EACH NOT MORE 35 FATHOMS IN LENGTH AND 29 MESHES IN DEPTH OR ONE SET GILLNET THAT IS NOT MORE THAN 35 FATHOMS IN LENGTH AND 45 MESHES IN DEPTH; SET GILLNETS USED THAT ARE NOT MORE THAN 29 MESHES IN DEPTH MUST BE IDENTIFIED AT THE END OF THE GILLNET WITH AN ATTACHED BLUE BUOY THAT IS NOT LESS THAN NINE AND ONE HALF INCHES IN DIAMETER ]

**What is the issue you would like the board to address and why?** Eliminate (i) and (ii) in 21.359(e)(3)(A). These restrictions were implemented using seriously flawed data as evidenced in the Department of Fish and Game's response to the Kintama conclusions. In the State of Alaska's Article titled "Oversimplification of complex harvest modeling issues outlined in Welch *et al.* (2014), the conclusions of Kintama ""paints an unrealistic picture of how simply changing gillnet dimensions would translate into a viable management approach to preserve or increase sockeye salmon harvests while minimizing catch of Chinook salmon"". It is worth noting that prior to these restrictions the department never, in the history of enumerating Chinook salmon on the Kenai River, has failed to achieve the minimum escapement goal. Manage with time and area restrictions instead.

**PROPOSED BY:** Anchorage Advisory Committee

(EF-F16-042)

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**PROPOSAL XXX - 5 AAC 75.XXX.**

Notwithstanding 75.011 (Sport Fishing by Proxy) In Upper Cook Inlet, once a bag limit is taken either on behalf of a person under AAC75.011 or under a resident fishing license, the next legal bag limit must be retained.

**What is the issue you would like the board to address and why?** Proxy Fishing abuse. In cases where regulation requires once a bag limit is taken fishermen must stop fishing, fishermen may continue catch and release fishing under the guise of proxy fishing. This change would end this abuse and allow the benefit of proxy fishing to continue.

**PROPOSED BY:** Anchorage Advisory Committee (AF-F16-043)  
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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 21.359(e)(3)(A).**

A) If the use of bait is prohibited in the Kenai River sport fishery under (1)(A) of this section, commercial fishing periods are open for no more than 36 hours per week in the combined Kenai/East Foreland Section or separately in the Kasilof Section, with a 36 hour continuous closure per week beginning between 7:00 p.m. Thursday and 7:00 a.m. Friday, during which the number of set gillnets operated may also be restricted to either (i), or (ii)

**What is the issue you would like the board to address and why?** Decouple The Kenai/East Foreland Section from the Kasilof Section in regards to 36 hour limit for fishing under 5 AAC 21.359. Allow each section to be managed independently so that when one section is open it does not count towards the other section's 36 hour limit. In order to manage to existing escapement objectives in both the Kenai and Kasilof rivers, ADFG should have more flexibility to fish the 36 hours independently in each section. There are approximately 35 miles of beach in the Kasilof Section and 25 miles of beach in the Kenai/E. Foreland sections. Localized concentrations of fish in the 60 miles of beach can occur, but if one section of beach is opened to harvest this abundance, the hours used count toward the 36 hour allotment for the entire beach. Allowing ADF&G to independently use the 36 hours in each beach will make meeting the objective of maximizing sockeye salmon harvest more effective, and thus, more efficient

**PROPOSED BY:** Anchorage Advisory Committee

(EF-F16-047)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 18-350 Closed waters.**

Restrict nets from being placed within 500 yards of the mouth of the Ayakulik River.

**What is the issue you would like the board to address and why?** Fir the past 15 years I have fished the Ayakulik River on the south tip of Kodiak Island. The increase in commercial fishing at the mouth now prevents any King salmon from entering the river. The nets are presently across the entire mouth of the river.thus blocking salmon from entering the river. This keeps King salmon from entering the river to spawn. If this continues there will soon be no salmon in the river!

**PROPOSED BY:** Kenneth Blackman (EF-F16-048)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 18.350 Closed Waters (a) (2) (A).**

**5 AAC 18.350 Closed Waters (a) (2) (A) all waters within 500 yards of the terminus of the Ayakulik River (Red River) [ALL WATERS EAST OF THE TERMINUS OF THE AYAKULIK RIVER (RED RIVER)]**

**What is the issue you would like the board to address and why?** Closed waters for the Ayakulik River only applies to waters east of the terminus. Commercial seine nets are allowed to place nets directly across the mouth of the Ayakulik River on the ocean waters. This practice greatly increases the mortality rate on the ever declining Ayakulik River king salmon. While the commercial seine fishery must release any king salmon over 28 inches in length, with the ever present seine nets across the mouth of the Ayakulik River, king salmon virtually have no chance of entering the river alive. The BEG of the the Ayakulik River king salmon has not been met for many years. Restriction of commercial salmon fishing within 500 yards of the Ayakulik River stream terminus would greatly help to ensure the king salmon BEG is achieved. I have worked on the Ayakulik River since 1990. Within the 1990's, the regulation of 500 yards within the stream terminus of the Ayakulik River for the commercial seine fishery applied. Would once again like to see this regulation apply to the Ayakulik River to help in anyway the ever declining wild Alaskan king salmon of the Ayakulik River, Kodiak Island.

**PROPOSED BY:** Tom Simkowski (EF-F16-050)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 57.121 (3) (B) and 5 AAC57.121 (3)(D).**

**Change 5 AAC 57.121 (3) (A) and 5 AAC 57.121 (3) (D) as follows:**

5 AAC 57.121 (3) a person may not sport fish from a boat

(B) from **May 2** [JANUARY 1] - July 31, in the following waters:

(D) from **May 2** [JANUARY 1] - July 31, in that portion of the Kenai River from an ADF&G regulatory marker located approximately three-quarters of a mile downstream from the mouth of the Lower Killey River, upstream to an ADF&G regulatory marker located approximately one mile upstream from the mouth of the Lower Killey River:

**What is the issue you would like the board to address and why?** The current regulations for three sections of the Kenai River currently restrict sport fishing from a boat from January 1-July 31. There does not appear to be any biological reason for these restrictions because sport fishing from shore for rainbow trout is allowed and king salmon are not present in the Kenai River until May. Changes to these regulations would not change the biological protections for king salmon or spawning rainbow trout. Aligning the proposed closure dates to be consistent with the rainbow trout closure dates, which are currently May 2 - July 31, would provide the same protections to spawning rainbow trout while simplifying the regulations.

**PROPOSED BY:** Mike Buntjer

(EF-F16-051)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 18.360. Cape Igvak Salmon Management Plan..**

The new regulation would read as follows:

5 AAC 18.360. Cape Igvak Salmon Management Plan. (a) In years when a harvestable surplus beyond escapement goals for the first (Black Lake) and second (Chignik Lake) runs of Chignik River system sockeye salmon is expected to be less than **1,000,000** (600,000), there will be no commercial salmon fishery allowed in the Cape Igvak Section, as described in 5 AAC 18.200(g)(8), until a harvest of **600,000** (300,000) sockeye salmon in the Chignik Area, as described in 5 AAC 15.100, is achieved. After July 8, after at least **600,000** (300,000) sockeye salmon have been harvested in the Chignik Area, and if escapement goals are being met, the department shall manage the fishery so that the number of sockeye salmon harvested in the Chignik Area will be at least **1,000,000** (600,000) and the harvest in the Cape Igvak Section will approach as near as possible 15 percent of the total Chignik sockeye salmon catch.

(b) In years when a harvestable surplus beyond escapement goals for the first and second runs of Chignik River system sockeye salmon is expected to be more than **1,000,000** (600,000), but the first run fails to develop as predicted and it is determined that a total sockeye salmon harvest in the Chignik Area of **1,000,000** (600,000) or more may not be achieved, the Cape Igvak Section commercial salmon fishery will be curtailed in order to allow at least a minimum harvest in the Chignik Area of **600,000** (300,000) sockeye salmon by July 9 if that number of fish are determined to be surplus to the escapement goals of the Chignik River system. After July 8, after at least **600,000** (300,000) sockeye salmon have been harvested in the Chignik Area, and if escapement goals are being met, the department shall manage the fishery so that the number of sockeye salmon harvested in the Chignik Area will be at least **1,000,000** (600,000) and the harvest in the Cape Igvak Section will approach as near as possible 15 percent of the total Chignik sockeye salmon catch.

(c) In years when a harvestable surplus beyond escapement goals for the first and second runs of Chignik River system sockeye salmon is expected to be more than **1,000,000** (600,000) and the department determines the runs are as strong as expected, the department will manage the fishery in such a manner whereby the number of sockeye salmon taken in the Cape Igvak Section will approach as near as possible 15 percent of the total Chignik sockeye salmon catch

**What is the issue you would like the board to address and why?** The argument made by the BOF in 1978 when they enacted the Cape Igvak Salmon Management Plan was that a 600,000 minimum sockeye harvest for Chignik was an adequate amount to “guarantee” Chignik fishermen, and that harvest amount should be assured prior to any opening of the Cape Igvak Section. In fact, the 15% allocation they settled on was justified by the 1978 BOF *because* the 600,000 Chignik sockeye harvest minimum was included in the Cape Igvak Salmon Management Plan. While the argument can be made that a 600,000 minimum sockeye harvest assurance for Chignik was inadequate even in 1978, it is indisputable that a minimum Chignik sockeye harvest assurance of 600,000 *today* is woefully inadequate due to the dramatic change in economic conditions since the Cape Igvak Salmon Management Plan was adopted *38 years ago*.

**PROPOSED BY:** Axel S. Kopun

(EF-F16-052)

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**PROPOSAL XXX - 5 AAC .**

If, based on historical escapement entry curve trends for either the early or late Karluk sockeye runs the Department determines that it is likely ( confidence of reaching the goal 90% of the time) that the escapement will be within 10% of their upper end annual Karluk escapement goal for either run, an "excess escapement" recovery fishery managed by the Kodiak Regional Aquaculture Association shall be established. Gear would be limited to no more than one vessel and a beach seine or purse seine of no more than 100 fathoms in length. To the extent practicable, revenue from the fishery would be used for research, enhancement and/or monitoring of the Karluk River.

**What is the issue you would like the board to address and why?** Biological escapement goals are scientifically established to ensure long term sustained yield for a discrete salmon stock. From time to time current management measures fail to limit escapement of sockeye into the Karluk River. Consequently, both early and/or late upper end escapement goals are exceeded -- sometimes in excess of 100,000 fish annually. Over-escapement substantially inhibits Karluk sockeye productivity. In addition, agency funding pushes the Department toward early removal of the Karluk weir. Early weir removal further inhibits accurate accounting of total seasonal sockeye escapement in the Karluk system. In fact, over-escape in Karluk and unreliable estimates of post wier escapements may be responsible for the current lower sockeye production from the Karluk river. Limiting Karluk River sockeye escapement within established escapement goals will likely result in higher sustained yields from the Karluk system over time. Optimum sustained yield is the constitutional mandate for Alaska's salmon fishery management.

**PROPOSED BY:** Duncan Fields

(EF-F16-053)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 18.355. Reporting Requirements..**

1. Require Igvak fishermen to register by phone or radio with the local ADF&G management staff prior to harvesting salmon in, and upon leaving, the Cape Igvak Section from June 1 – July 25; and / or
2. Require salmon tenders in the Cape Igvak Section to report commercial fish ticket harvest data to the local ADF&G staff within 12 hours after delivery from individual fishermen.

**What is the issue you would like the board to address and why?** An incentive to underreport sockeye salmon harvested in the Cape Igvak Section exists. With RSW now standard equipment in the seine fleet, the overall increase in vessel size of the seine fleet, the knowledge that the Cape Igvak fishery is regulated on the number of fish harvested, and concurrent fisheries taking place not limited by an allocation, there is ample opportunity and a strong economic enticement to misreport. The importance of accurate accounting of sockeye salmon harvested under the Cape Igvak Management Plan is clear. The Cape Igvak fishery is linked to the Chignik and the SEDM fisheries. All three work under a joint allocation scheme, and therefore it is important that no one area or fishery take the liberty of not completely reporting harvest numbers. There is also importance in determining early run timing and magnitude for Chignik, as the department has stated on record in the past that, “early season management actions (in Chignik) rely heavily on commercial harvest information from the Eastern District and other outlying locations as this is often the best indication of sockeye run timing and magnitude.” Ensuring accurate catch numbers in the Cape Igvak Section would allow the department to better document effort and obtain accurate and timely fishery performance data, which is necessary for effective management of the Black Lake sockeye run during June. Further, tightening catch reporting standards in the Cape Igvak Section is consistent with the Sustainable Salmon Fisheries Policy for the State of Alaska: 5 AAC 39.222, Section 3 salmon management (i)“management should ..... incorporate procedures to assure effective monitoring, compliance, control, and enforcement.”

**PROPOSED BY:** Axel S. Kopun

(EF-F16-054)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 21.363.**

Amend the Central District Drift Gillnet Fishery Management Plan as follows:

(e) from August 1 - 15, [THERE ARE NO MANDATORY AREA RESTRICTIONS TO REGULAR PERIODS,]

**(1) fishing during both regular 12 hour periods per week will be restricted to one or more of the following sections: (A) Expanded Kenai Section; (B) Expanded Kasilof Section; (C) Anchor Point Section; (D) Drift Gillnet Area 1,** except that if the Upper Subdistrict set gill net fishery is closed under 5 AAC 21.310(b)(2)(C)(iii), or the department determines that less than one percent of the season's total drift gill net sockeye salmon harvest has been taken per fishing period for two consecutive fishing periods in the drift gill net fishery, regular fishing periods will be restricted to Drift Gillnet Areas 3 and 4. In this subsection, "fishing period" means a time period open to commercial fishing as measured by a 24-hour calendar day from 12:01 a.m. until 11:59 p.m.

**(2) additional fishing time under this subsection is allowed only in one or more of the following sections; (A) Expanded Kenai Section; (B) Expanded Kasilof Section; (C) Anchor Point Section.**

**What is the issue you would like the board to address and why?** While changes to the drift management plan adopted by the Board in 2014 have proven more effective in increasing escapements of Northern District drainage salmon stocks during July and providing more reasonable harvest opportunities for Northern District user groups during July, management during 2015 proved the plan inadequate in continuing those benefits throughout August. As currently configured the plan allows unnecessary drift gillnet fishing in Drift Gillnet Area 2 during the first half of August, which jeopardizes both attainment of Northern District drainage salmon escapement needs and reasonable salmon harvest opportunities for Northern District and Northern District drainage user groups. As proven many times the drift fleet can harvest plenty of surplus Kenai River sockeye without corking off Northern District bound sockeye and coho salmon in Area 2. Therefore, to address Northern conservation concerns and to allow more reasonable Northern harvest opportunity for other user groups, this proposal seeks to amend the drift management plan in a manner that still maintains drift gill netters an extremely liberal opportunity to harvest surplus sockeye salmon during times of July and August abundance. Note: under this proposal even if the drift fishery was restricted under the 1% rule, the department could still allow the fleet to fish 7 days per week (5 days per week in the Expanded Kenai, Expanded Kasilof, and Anchor Point Sections and 2 days per week in Drift Gillet Area 3 and 4 during a portion of the season when sockeye salmon abundance is in decline and coho harvests makes up an increasing portion of the drift catch).

Considering restrictions on other user groups during the August 1 - 31 timeframe, this proposal, if adopted, should increase the likelihood of attaining Northern District escapement needs, provide more reasonable harvest opportunity for Northern and other user groups, while retaining significant drift gillnet harvest opportunity during August. In short, such changes would better align the plan provisions with it's stated purpose:

"The purpose of this management plan is to ensure adequate escapement of salmon into the Northern District drainages and to provide management guidelines to the department. The

department shall manage the commercial drift gill net fishery to minimize the harvest of Northern District and Kenai River coho salmon in order to provide sport and guided sport fishermen a reasonable opportunity to harvest these salmon stocks over the entire run, as measured by the frequency of inriver restrictions.”

**PROPOSED BY:** Matanuska Valley Fish and Game Advisory Committee (EF-F16-055)  
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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 5AAC 21.350.**

amend closed waters as follows:

(c) Northern District

(1) within one statute mile of the terminus of the following salmon streams:

(A) Swanson Creek

(B) Bishop Creek

(C) Three-mile Creek

(D) Chuit River

(E) Nikolai Creek

(F) McArthur River

**(G) Little Susitna River**

**What is the issue you would like the board to address and why?** The Little Susitna River sport fishery is without doubt one of the most heavily used and economically important coho salmon / king salmon sport fisheries draining into the Northern District of Upper Cook Inlet, yet sport fishing opportunities and the economic benefit from those opportunities must be restricted, in part, because of liberal commercial set net harvest area near the river terminus.

Other Northern District streams, of significantly less sport and economic importance than the Little Susitna River, have one statute mile closed waters around their terminus', and within the Northern District Salmon Management Plan direction is given that: "The department shall also manage the chum, pink, and sockeye salmon stocks to minimize the harvest of Northern District coho salmon, to provide sport and guided sport fishermen a reasonable opportunity to harvest these salmon resources over the entire run, as measured by the frequency of inriver restrictions, or as specified in this section and other regulations."

It should be noted:

#1 The use of bait is closed by regulation in the Little Susitna River sport fishery from October 1 through August 5, and this greatly reduces participation in the sport fishery, reduces sport harvest, and retards economic impact from the sport fishery.

#2 ADF&G manages the Little Susitna River for king salmon and coho salmon abundance, and both species are noted in management plans to be managed primarily for sport and guided sport users.

#3 Even with a salmon counting weir in Little Susitna River, the department has no Little Susitna River spawning escapement goal for any salmon species other than king and coho.

#4 Little Susitna River is located further up Cook Inlet, so salmon bound for the Little Susitna River must already swim past more commercial nets than all the other Central District and Northern District streams which have one mile closed waters around their terminus'.

#5 Management of Little Susitna salmon stocks is primarily paid for with funds collected from the sale of sport fishing licenses, king salmon stamps, and federal matching moneys collected from taxes on fishing tackle, outboard motors, and fuel. In times of state economic down turn it is fiscally important to maintain or grow this stream of funding.

Therefore, to better follow Northern District Salmon Management Plan direction, to more equally share the conservation burden of Little Susitna king salmon and coho salmon stocks, and consistent with closed waters around other Northern District streams, Susitna Valley Fish and Game Advisory Committee requests that the board establish a one statute mile closed waters around the terminus of Little Susitna River .

**PROPOSED BY:** Matanuska Valley Fish and Game Advisory Committee (EF-F16-056)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 21.366.**

**Repeal 5AAC 21.366 Northern District King Salmon Management Plan in its entirety.**

**What is the issue you would like the board to address and why?** The Northern District King Salmon Management Plan was drafted in 1986 in response to a projected return of Northern District king salmon so large that the sport fishery did not have the ability to harvest all the surplus king salmon using the regulations in place at the time. It is the only Upper Cook Inlet commercial fishery targeting early run king salmon, and the purpose of the plan is:

“The purpose of this management plan is to ensure an adequate escapement of king salmon into the Northern District drainages and to provide management guidelines to the department. The department shall manage the Northern District king salmon stocks primarily for sport and guided sport uses in order to provide sport and guided sport fishermen with a reasonable opportunity to harvest these salmon over the entire run as measured by the frequency of river restrictions.”

For the past 5 years, as evidenced by the department closing or severely restricting sport king salmon harvest in all Northern District drainages where the sport fishery targets wild king salmon, the plan provisions allowing targeted commercial openings to harvest surplus king salmon no longer fit the stated purpose of the plan. It simply does not make sense to allow extra harvest by a small special interest group (only 40 - 50 registered Northern District permit holders) at the expense of all other Alaskans and visitors who would like to harvest a few king salmon, but have been shouldering more severe conservation restrictions and total harvest closures. Having already gone 4 years or more with sport king salmon harvests closed by emergency order starting in May on 13 of the 17 Northern Management Area streams with established king salmon spawning escapement goals, and emergency restrictions on the remaining 4 streams with king salmon escapement goals as well, it is long past time to remove the commercial opportunity to target Northern District king salmon before June 24 at a time when few other salmon are available for harvest. This would more closely align the Northern District commercial season with most other commercial fisheries in Upper Cook Inlet. Northern District commercial fishermen could still participate in the sport and subsistence king salmon fisheries, and would still be able to harvest Northern District king salmon after June 24.

**PROPOSED BY:** Matanuska Valley Fish and Game Advisory Committee (EF-F16-057)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 18.332.XX.**

We recommend adding a new line under the Seine Specification and Operations. Specifically we recommend the following language be adopted:

(X) Seine mesh size shall be no less than 4-1/2 inches from June 1 to July 15 in all districts within the Kodiak Area.

Justification:

First: Adopting this proposal will allow the juvenile Chinook salmon and chums to pass through the increased mesh size of the seine nets, while allowing the commercial fishermen to more efficiently harvest their intended species and save them from discarding unwanted bycatch.

Second: We are requesting the Department conduct a thorough analysis of the bycatch data to further determine impacts and to recommend additional mitigating measures. The sustainability of the Chinook and chum salmon species into the future justifies positive action on this proposal by the Board of Fish.

**What is the issue you would like the board to address and why?** The issue this proposal addresses is the bycatch of juvenile Chinook and chum salmon during some commercial purse seine activities in the Kodiak district. Since the early to mid-1990's, fishermen have begun fishing off the outer capes while targeting Cook Inlet sockeye. However, by fishing there, they also intercept juvenile Chinook and chum salmon. The current mesh size of the purse seine nets, of around 2-1/2 inches to 2-3/4 inches enrap, as bycatch, the juvenile Chinooks that result in substantial amount of mortality to the juvenile Chinooks and Chum salmon. Significant numbers of juvenile fish are intercepted with each seine.

As a consequence of these bycatch activities, over the last 15 to 20 years, Chinook and chum salmon populations in areas within Alaska, such as the many watersheds within Cook Inlet, plus most recently the Karluk River and Ayakulik River, have failed to meet escapement goals and there is growing concern about the long-term population viability of these salmon populations.

We believe that we have reached a point of diminishing returns on these species that if mitigating measures are not taken and this practice is allowed to continue, it will have further detrimental effects on these struggling populations and could lead to their total collapse

**PROPOSED BY:** Jeff Peterson

(EF-F16-058)

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**PROPOSAL XXX - 5 AAC .**

I recommend a "step up" management philosophy whereas the sport fishery starts with a very conservative single-hook, no bait Catch and Release fishery that (1) provides opportunity but (2) ensures maximum sustainability. According to ADF&G data, specifically the 1991 Terry Bendock study on Hook and Release Mortality, the LR Kenai King survival rate was 94.1%,. Bear in mind that this study was conducted with multiple hooks, bait, and increased handling times (stress) thus it is fair to say that present H&R survival rates would be considerably better, although there is no hard data to support this claim. Still, the translation is that hook and release fishing, which is presently very underutilized by ADF&G, is a highly effective management tool that maximizes opportunity yet minimizes harvest. For this reason, STARTING our sport fishery with this conservative management should be a given. Then, step up, with "harvest" allowed if/when the run shapes up well. Then, should the resource allow it, "bait" could be added, increasing opportunity more.

**What is the issue you would like the board to address and why?** The issue I would like the BOF to address is ADF&G's lack of a Kenai river king salmon management plan "step up" policy that puts conservation and sustainability of the resource at the forefront yet still allows for some reasonable amount of sport fish opportunity when possible. Presently, backwards logic during the Late Run is utilized: the KR late run sport fishery opens with full harvest, on a fishery that we do not know run strength. Nobody knows if it is going to make escapement, yet harvest is allowed. thus, hundreds if not thousands of LR kings are taken BEFORE before managers can assess the health of the return. consequently, the sport fishery is often stepped-down abruptly or even suddenly closed, creating for one a very unpredictable fishery but more importantly, creating a scenario where jeopardizing the sustainability of the run becomes more probable since reaching the escapement goal after the fact becomes difficult or impossible. Basically, we can't go back and UN-kill what has already been killed. While I fully understand the Politics of the Sport vs. Commercial fisheries and the implications of restricting/liberalizing one particular fishery, the health of the Kenai King runs must be put as Priority ONE or declines will continue.

**PROPOSED BY:** Greg Brush (EF-F16-059)  
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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC .**

I recommend the reasonable and logical solution of implimenting an "over/under" annual bag limit for both early and late run kenai kings. Keep the bag limit at two per person annually, but only allow the possible harvest of ONE large chinook. Many anglers wish to harvest KR chinook for food fish and an over/under limit would allow for that. For example; anglers who harvest a 50 pounder and then days later harvest a 18 pounder have still provided for their table, but just as importantly, they have achieved several worthy goals. First, as mentioned above, they have possibly allowed a larger fish to reach the spawning beds but they have also spread the harvest across a broader range of age classes (thus stregthening the dynamics of the run) and potentially removing and NOT encouraging smaller fish to perpetuate the run. Precedent for this type of "over/under" management approach is already present in numerous fisheries. It is used in the relatively healthy Nushagak River king salmon sport fishery but not the struggling Kenai River king salmon sport fishery, which I find highly ironic. What legnth of fish would be allowed/protected is could be discussed and decided by The Board after the fact, once the proposal is adopted.

**What is the issue you would like the board to address and why?** An annual bag limit on Kenai kings that has not been changed for decades, despite suffering through what ADF&G calls a "period of low abundance" recently as well as trends whereas the legendary big fish of the Kenai River, specifically five ocean seven year old chinook, continue to decline. While managers may contend that they are not totally sure of the reasons for the decline of the big fish, one common sense fact remains: right now, every big fish that reaches the spawning beds improves our odds of this "big fish" resource rebounding.

**PROPOSED BY:** Greg Brush

(EF-F16-062)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 21.365(f)(5).**

5AAC 21 3.65(f) would be amended to read:

(5) a permit holder may not use more than one gillnet **per permit** to take salmon at any one time.

**What is the issue you would like the board to address and why?** In 1986 when the Kasilof Special Harvest Area was created, set gillnet gear was limited to one 35 fathom set gillnet per permit. In 2011 when the board allowed a person in Cook Inlet to hold and operate two permits the wording in 5AAC 21.365(f)(5) became ambiguous. The current wording is:

5AAC 3.65(f)(5) a permit holder may not use more than one gillnet to take salmon at any one time.

Enforcement is interpreting this to mean a dual permit holder can only fish one net in the KRSHA total, not one per permit as intended, for a total of two nets.

The intent of this proposal is to make it clear that when fishing in the KRSHA, a permit holder can fish no more than one 35 fathom set gillnet per permit, meaning a dual permit holder could fish two nets.

**PROPOSED BY:** Richard Person

(EF-F16-063)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC .**

I suggest the Board revisit this topic under "housekeeping" and repeal the restriction. The use of barbless hooks only penalizes a novice angler such as our youth who wishes to CATCH one Kenai River king during a Catch and Release Emergency Order. Restrictions that make it increasingly difficult to even catch a fish continue to be implemented. In the future, after correcting this dangerous precedent, I respectfully suggest that Board focus on restrictions that limit the HARVEST of said chinook, rather than hand-cuffing our future anglers with regulations that are not supported by hard data and studies. If ADF&G wishes to do a new study, and the data that the new study provides clearly shows that KR king salmon mortality is substantially reduced through the use of barbless hooks, then myself and other conservation minded anglers would support a regulation change.

**What is the issue you would like the board to address and why?** I would like the Board to address the highly alarming adoption of a new sport fishery regulation during the last BOF cycle that was based on emotion rather than data. Three years ago, a particular Board member stated that he desired a barbless hook restriction on Kenai River kings to be "his legacy that he left behind". Those are powerful words. The problem with the adoption of this policy is not "the legacy" per se but the precedent that this type of action sets, namely passing restrictive regulation without data or a specific study to support the change. In this particular instance, there is no data that shows that the survival rate of Hook and Release Kenai River king salmon is increased by utilizing barbless hooks. Rather, the ADF&G September 1991 Hook and Release Mortality study by Terry Bendock shows numerous variables impacting a KR kings survival rate, the foremost being the location of the hook, not the presence of a barb.

**PROPOSED BY:** Greg Brush

(EF-F16-064)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 28.350 (B) (2).**

My solution would replace subsection 2 with the following.(2) waters of Kachemak Bay enclosed by the lines from the point east of Gull Island at 59 34.68N 151 19.27W to the southern most point of Gull Island at 59 35 .05N 151 19.9W south to a point at 59 33.4N 151 28.5W then south to 59 30.45N 151 40.0W then north to 59 33.0N 151 40.0W then northeast to 59 34.7N 151 30.0W then north along that latitude to the point that intersects with the mainland.

**What is the issue you would like the board to address and why?** Closed waters Kachemak Bay.This proposal would reduce closed water area to allow smaller boats to fish during winter months when the prevailing north wind make the outer bay hazardous.It will open up more area around the perimeters of known crab abundance without putting undo pressure on Tanner crab stocks

**PROPOSED BY:** AlRay Carroll

(EF-F16-065)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC .**

The solution is that the Board require ADF&G managers to (1) embrace the all to under-utilized management tool of hook and release fishing, (2) implement a reasonable management philosophy that "minimizes mortality yet maximizes opportunity" and (3) put in place a clear "step up" plan that begins with single hook, no bait, hook and release fishing and monitors the run daily either liberalizing or restricting it based on how the run shapes up. Presently, the ER king fishery is completely closed for its duration, whereas NO chinook sport fishing is allowed during May and June. this is a terrible loss of opportunity to both resident and non-resident anglers, but one that is worth enduring IF (capital IF!) the hardship actually produces substantial savings. Sadly, this is not the case: by utilizing ADF&G's own data and multiplying total angler effort in May/June with angler success rate and then Hook and Release mortality averages (5-8%) the data shows that 25-50 total fish were saved by a complete closure over a two month period. Now, if the run is so dire that escapement numbers were clearly going to fall under the current goal, then the sport fishery must be closed. Sustainability of the resource must remain as priority above anglers needs or desires. However, if and when the ER is projected to be ONE single fish over the minimum, a step-up process from 'hook and release' to harvest to full bait should be implemented. Presently, with The Departments reluctance to utilize the proven effective tool of Hook and Release fishing, it seems that ADF&G's management philosophy is to create maximum hardship that produces minimal gains. While I am sure this is not intentional, the fact remains that NOT allowing Hook and Release fishing is providing for extremely minimal savings.

**What is the issue you would like the board to address and why?** I would like the board to address the repeated complete closures of the Early Run Kenai River king salmon sport fishery so that anglers can once again enjoy this remarkable resource, this quiet time, and thereby take some pressure off of the Late Run KR king salmon fishery.

**PROPOSED BY:** Greg Brush (EF-F16-066)  
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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 39.222 ; 5AAC 39.223; 5AAC 18.361 .**

A plan should be in place which would effectively guarantee that the jacks comprise nothing greater than 15% of the total escapement into Frazer Lake. This percentage would more closely resemble several systems in the surrounding areas, where jack components of 2% to 5% are the norm. A system could be devised to trap and cull any excess jacks to be used as added nutrients into the lake should an overage occur. Results will be documented in the Kodiak Management Area Commercial Salmon Annual Report. The program will continue for 4 years until 2019 when a full evaluation will take place.

**What is the issue you would like the board to address and why?** During the last 14 years, the Alitak Bay District has seen almost doubling of jacks escaping into Frazer Lake. This has contributed to weak returns of mature male and female sockeye salmon. The harvestable surplus for setnetters during this same time period has gone down 70% when compared to the previous 14 years. Since jacks have a tendency to make more jacks and have a much greater ability to fertilize eggs than previously thought, this development is likely playing a significant part in the overall weakness of a harvestable surplus, making it difficult to reach maximum sustainable yield. If this is not addressed we will likely continue to see big swings in the jack population and difficulties reaching lower end escapement goals. Other considered options would be to do nothing. This is not desirable as there is potential for long term harm to the run.

**PROPOSED BY:** Brad Underwood

(EF-F16-068)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 21.310 (b) (6).**

(6) OUTER DISTRICT: Opens waters east of a line from Gore Point. July 1st on 2 40 hour periods a week from 6 am Monday to 10 pm Tuesday and from 6 am Thursday to 10 pm Friday till further notice.

**What is the issue you would like the board to address and why?** Open waters east of gore point for commercial harvest of salmon effective July 1st.

Because of ADF&G budget cuts there have been inconsistent openings for commercial harvest east of gore point, streams are being over escaped. and never opened on a timely basis. Causing poor quality of product and lost revenue.

**PROPOSED BY:** Thomas Buchanan (EF-F16-069)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 21.310 (b) (7).**

(6) EASTERN DISTRICT: Opens waters of Aialik Bay. July 1st on 2 40 hour periods a week from 6 am Monday to 10 pm Tuesday and from 6 am Thursday to 10 pm Friday till further notice.

**What is the issue you would like the board to address and why?** Open waters of Aialik Bay for commercial harvest of salmon effective July 1st.

Because of ADF&G budget cuts there have been little to no surveys, streams are being over escaped. and never opened on a timely basis. Causing lost revenue.

**PROPOSED BY:** Thomas Buchanan (EF-F16-070)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 21.350 (j).**

Eliminate it completely it flows into Fourth of July creek and into Resurrection Bay at 60 04.74N 149 20.74W

**What is the issue you would like the board to address and why?** Correct the lat. and long. of Godwin Glacier creek outlet from 60 05.82N 149 21.86 to 60 04.76N 149 20.74W

There is no creek at the original coordinates Godwin Glacier creek joins into Fourth of July creek.

**PROPOSED BY:** Thomas Buchanan (EF-F16-071)  
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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC .**

Bear Lake Management Plan which addresses the returning sockeyes to Resurrection Bay. Will be divided 50/50 between cost recovery and common property.

**What is the issue you would like the board to address and why?** Reinstate the Bear Lake Management Plan. Which divides the sockeyes returning to Resurrection Bay. 50/50 between cost recovery and common property.

The BOF gave CIAA 2 years to get finances in order they have had 100% for more than 5 years. There is no cap on the amount of cost recovery, and they have only met there goal one time.

**PROPOSED BY:** Thomas Buchanan (EF-F16-072)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC .**

Sockeye, Chum, Pink or Coho less than 16 inches in length and King salmon less than 20 inches in length.

10 per day, 10 in possession in combination.

**What is the issue you would like the board to address and why?** There is no regulations on small salmon in Resurrection Bay.

Make consistent with the rest of the Kenai Peninsula.

**PROPOSED BY:** Thomas Buchanan (EF-F16-073)

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Original Proposal Currently Under Review

## **PROPOSAL XXX - 5 AAC 18.360. Cape Igvak Salmon Management Plan.**

5 AAC 18.360. Cape Igvak Salmon Management Plan. (a) In years when a harvestable surplus beyond escapement goals for the first (Black Lake) and second (Chignik Lake) runs of Chignik River system sockeye salmon is expected to be less than 600,000, there will be no commercial salmon fishery allowed in the Cape Igvak Section, as described in 5 AAC 18.200(g)(8), until a harvest of 300,000 sockeye salmon in the Chignik Area, as described in 5 AAC 15.100, is achieved. After July 8, after at least 300,000 sockeye salmon have been harvested in the Chignik Area, and if escapement goals are being met, the department shall manage the fishery so that the number of sockeye salmon harvested in the Chignik Area will be at least 600,000 and the harvest in the Cape Igvak Section will approach as near as possible 15 percent of the total **pre-July 9** Chignik sockeye salmon catch.

(b) In years when a harvestable surplus beyond escapement goals for the first and second runs of Chignik River system sockeye salmon is expected to be more than 600,000, but the first run fails to develop as predicted and it is determined that a total sockeye salmon harvest in the Chignik Area of 600,000 or more may not be achieved, the Cape Igvak Section commercial salmon fishery will be curtailed in order to allow at least a minimum harvest in the Chignik Area of 300,000 sockeye salmon by July 9 if that number of fish are determined to be surplus to the escapement goals of the Chignik River system. After July 8, after at least 300,000 sockeye salmon have been harvested in the Chignik Area, and if escapement goals are being met, the department shall manage the fishery so that the number of sockeye salmon harvested in the Chignik Area will be at least 600,000 and the harvest in the Cape Igvak Section will approach as near as possible 15 percent of the total **pre-July 9** Chignik sockeye salmon catch.

(c) In years when a harvestable surplus beyond escapement goals for the first and second runs of Chignik River system sockeye salmon is expected to be more than 600,000 and the department determines the runs are as strong as expected, the department will manage the fishery in such a manner whereby the number of sockeye salmon taken in the Cape Igvak Section will approach as near as possible 15 percent of the total **pre-July 9** Chignik sockeye salmon catch.

(d) The total **pre-July 9** Chignik sockeye salmon catch constitutes those sockeye salmon caught **prior to July 9** within the Chignik Area plus 80 percent of the sockeye salmon caught in the East Stepovak, Southwest Stepovak, Stepovak Flats, Balboa Bay, and Beaver Bay Sections, as described in 5 AAC 09.200(f), plus 90 percent of the sockeye salmon caught in the Cape Igvak Section **prior to July 9**. The harvest in the Cape Igvak Section at any time before July 25 may be permitted to fluctuate above or below 15 percent of the cumulative **pre-July 9** Chignik sockeye salmon catch **in order to approach as near as possible 15 percent of the total pre-July 9 Chignik sockeye salmon catch.**

(e) This allocation method will be in effect through July 25. The first fishing period of the commercial salmon fishing season in the Cape Igvak Section will not occur before the first **24 hour** fishing period of the commercial salmon fishing season in the Chignik Area.

**What is the issue you would like the board to address and why?** The Cape Igvak Salmon Management Plan is based on the interception of 15 percent of the *total* Chignik sockeye salmon catch when the Cape Igvak fishery is focused almost exclusively on the interception of the pre-July 9 return of sockeye to Chignik. While the plan is based on the total sockeye catch in Chignik over the course of the *entire* season, Igvak fishermen are really only intercepting first (Black Lake) run Chignik sockeye and therefore disproportionately impacting the first (Black

Lake) run. Igvak fishermen generally do not have the ability to intercept a significant number of second (Chignik Lake) run Chignik sockeye. Therefore, the Cape Igvak Management Plan should not have an allocation encompassing the entire Chignik sockeye salmon harvest.

**PROPOSED BY:** Jamie Ross

(EF-F16-074)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 21.359(e)(3)(A)(i).**

A change of wording along the following lines.

5 AAC 21.359 (e)(3)(A)

(i) [THREE SET GILLNETS THAT ARE EACH NOT MORE THAN 35 FATHOMS IN LENGTH] **up to four set gillnets that are each not more than 35 fathoms in length with more than 105 fathoms in the aggregate and 29 meshes in depth or two set gillnets that are each not more than 35 fathoms in length** and 45 meshes in depth; set gillnets used that are not more than 29 meshes in depth must be identified at the end of the gillnet with an attached blue buoy that is not less than nine and one-half inches in diameter; or ...

Alternatively as some have thought the above confusing

(i) [THREE SET GILLNETS THAT ARE EACH NOT MORE THAN 35 FATHOMS IN LENGTH AND] **a full complement of gear with a maximum** 29 meshes in depth or two set gillnets that are each not more than 35 fathoms in length and 45 meshes in depth;...

Both are functionally the exact same as "a full complement of gear" is described elsewhere

**What is the issue you would like the board to address and why?** When the King Salmon Conservation Plan was introduced at the 2014 BOF meeting, I believe it was the original intent of the regulation in question to allow for fishing a full complement of 29 mesh deep nets during the first tier of "step-downs". This is generally three 35 fathom gillnets as listed. However, there are provisions elsewhere in the regulations for breaking your gear group into "shorter nets".

5 AAC 21.331

(d) A set gillnet may not be longer than 35 fathoms in length... ...A person may not operate more than four set gillnets with more than 105 fathoms of set gillnet in the aggregate...

There are fishermen in the Cook Inlet East Side set net fishery that utilize this option to fish four "short" nets rather than three 35 fathom nets. In the case where the king salmon management plan is instituted in this fashion, as was done in 2014, they were forced to take a further 25% gear reduction even when fishing "shallow" 29 mesh deep nets and fish only three of their "short" nets. This was pretty clearly unintended when the board action was taken and is merely the result of poor wording of the RC/proposal that produced the new regulation and a reluctance to tamper with it further. It appears unavoidable that in the further step-downs of the plan (the ones that actually reduce the number of nets) "short" net users will take a larger restriction than those who fish standard 35 fathom nets and I am willing to accept this being a consequence of choosing to break your gear up this way, but in the initial tier that exists solely to incentivize fishing shallow nets for king salmon conservation it seems appropriate that they be able to fish a full complement of gear like everyone else when making the sacrifice of fishing 29 mesh deep nets.

**PROPOSED BY:** Joseph Person

(EF-F16-075)

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**PROPOSAL XXX - 5 AAC 21.360 & 5 AAC 21.365.**

Change management of the East Side Setnet Fishery from the current two section system to a three section system with the natural separations of the Kasilof and Kenai river mouth closed areas.

Salamatof and East Forelands section opening July 8th.

North and South Kalifonsky Beach section opening July 1st.

Ninichik and Coho section opening June 20th.

The regulations effected are widespread but current management plans could be rewritten to accommodate this division without changing the majority of their substance.

**What is the issue you would like the board to address and why?** Currently, the East Side Setnet Fishery is managed by the department essentially in two areas. The "Kasilof Section", made up of the Ninilchik, Coho, and South K-Beach statistical areas; and the "Kenai and East Forelands Section", made up of the North K-Beach, Salamatof, and East Forelands statistical areas. The dividing line being roughly midway between the mouths of the Kasilof and Kenai Rivers.

These areas are quite separated and both sections include widely separate regions both in geographical location and fishing conditions. I believe that the fishery could be better served by breaking management into the three areas that are naturally separated by the Kasilof and Kenai Rivers as both have a significant closed area around the mouth. This has several apparent advantages and I believe change in this direction is important for the long term sustainability of the fishery.

First and foremost, this would greatly increase the potential flexibility of the department to deal with all of the many issues addressing the complex management of the fishery. Specifically, some of the immediate issues that it could help and the primary effects on the three proposed sections are:

The Northern "Salamatof" Section. Functionally, I propose very little change in the management of this area. The starting date would remain the same and the department would gain the flexibility of having the option of fishing these Northern beaches during some situations, primarily late in the season.

The Middle "Kalifonsky" Section. Currently North and South K-Beach despite being adjoining geographic areas are managed completely separately and in conjunction with areas that have much less similarities than they share with each other. Primary change I propose is a July 1 starting date for this section. If managed jointly it would allow for targeted management allowing the entire K-Beach the opportunity to participate in its historical harvest of kasilof river stocks early in July. The inequalities in opportunity of adjoining areas and sites currently existing would be addressed.

The Southern "Kasilof" Section. Separating out the southern beaches and managing them independently would primarily have the benefit of allowing the department to fish them early in order to not fall behind Kasilof sockeye goals while reducing the potential concerns of Early Run Chinook harvest that exist currently. I propose a June 20th starting date for this area. Much of this area is widely separated from the rest of the fishery and functions in a different way. Managing sites north of the kasilof river in conjunction with ones as far south as the Ninilchik line has a number of drawbacks.

The transition to a three area management system would change the fishery entirely, but these proposed areas make much more sense than the current division and would certainly allow the department and the board greater flexibility in managing this fishery in the future.

**PROPOSED BY:** Joseph Person

(EF-F16-076)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 28.365(b).**

5 AAC 28.365

(b) A vessel fishing in the North Gulf District may not land or have on board more than [4000] **6000** pounds (round weight) of all rockfish species within 5 consecutive days.

**What is the issue you would like the board to address and why?** Currently the directed rockfish fishery has a 4000lb 5day trip limit for the North Gulf District. This is primarily a small boat jig fishery, and due to concerns of over harvest a trip limit is warranted. However the current trip limit is very restrictive and in practical terms makes the financial viability of the fishery borderline and as a consequence it is currently very under utilized. I would like the board to consider a slight increase in trip limit to encourage participation.

**PROPOSED BY:** Joseph Person

(EF-F16-077)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 18.360. Cape Igvak Salmon Management Plan..**

5 AAC 18.360. Cape Igvak Salmon Management Plan. (d) The total Chignik sockeye salmon catch constitutes those sockeye salmon caught only within the Chignik Area [PLUS 80 PERCENT OF THE SOCKEYE SALMON CAUGHT IN THE EAST STEPOVAK, SOUTHWEST STEPOVAK, STEPOVAK FLATS, BALBOA BAY, AND BEAVER BAY SECTIONS, AS DESCRIBED IN 5 AAC 09.200(F), PLUS 90 PERCENT OF THE SOCKEYE SALMON CAUGHT IN THE CAPE IGVAK SECTION]. The harvest in the Cape Igvak Section at any time before July 25 may be permitted to fluctuate above or below 15 percent of the Chignik Area sockeye salmon catch.

**What is the issue you would like the board to address and why?** The Cape Igvak Salmon Management Plan provides for a 15 percent allocation of the total Chignik sockeye catch, defined as “those sockeye salmon caught within the Chignik Area plus 80 percent of the sockeye salmon caught in the East Stepovak, Southwest Stepovak, Stepovak Flats, Balboa Bay, and Beaver Bay Sections, as described in 5 AAC 09.200(f), plus 90 percent of the sockeye salmon caught in the Cape Igvak Section.” Management errors in the Igvak and SEDM fisheries in the past have resulted in higher allocations of Chignik bound sockeye salmon than provided for in regulation. The problem is that when an allocation overage occurs in one or both of the two intercept areas, the amount of overage is used in calculating the in-season allocation for Igvak, which effectively increases the allocation to Igvak fishermen. Any allocation overages in SEDM or Igvak itself trigger even more overages for Igvak simply because of the way the allocation is defined. For every Chignik bound sockeye Igvak harvests, they get to harvest 15 percent more; for every sockeye SEDM harvests, Igvak fishermen get to harvest 15 percent more. Plain and simple, if any allocation overage happens, the result is increased harvests for Igvak. Related to but beyond this problem, is the simple fact that the Cape Igvak Management Plan as written allows for a greater allocation to Igvak for sockeye salmon harvested before they ever even get into the Chignik Area – the more Chignik bound sockeye that get intercepted (in SEDM & Igvak), the more Igvak fishermen get to intercept! The Board fixed this issue with the SEDM Salmon Management Plan in 2007. It is perfectly reasonable that the Board correct this issue with the Cape Igvak Salmon Management Plan as well.

**PROPOSED BY:** Axel S. Kopun

(EF-F16-078)

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**PROPOSAL XXX - 5 AAC 18.360. Cape Igvak Salmon Management Plan.**

The Board is requested to repeal the Cape Igvak Salmon Management Plan in its entirety, and close the Cape Igvak Section to commercial salmon fishing through July 25.

**What is the issue you would like the board to address and why?** The Cape Igvak Salmon Management Plan was established in 1978 as an interception fishery targeting Chignik-bound sockeye salmon. At the time Kodiak sockeye stocks were depressed, with Kodiak fishermen harvesting on average fewer than 500 thousand sockeye salmon annually in the 10 years prior to the implementation of the plan. In contrast, the two Chignik sockeye runs were healthy, and the Board decided Chignik fishermen should “share the wealth” with Kodiak. Not surprisingly, things have changed dramatically in Chignik and Kodiak since 1978.

Chignik has gone from supporting several shore-based processors to none, and we are almost solely dependent on our sockeye salmon fishery. There just aren't any jobs available outside of fishing, our villages are losing residents and we are on the verge of losing our schools as well. Every sockeye lost to interception at Cape Igvak heavily impacts the well-being of the five Chignik villages.

Kodiak on the other hand, has several shore based processors, multiple fisheries in which fishermen can engage in, and a myriad of jobs available outside of fishing. Kodiak's sockeye harvests have rebounded dramatically as well, with an average harvest of 2.2 million sockeye per year in the past 10 years, despite an average harvest of “only” 158, 607 sockeye at Igvak in the same time period. In fact, in 2015, according to the preliminary figures provided by ADF&G in a report titled “2015 Alaska Commercial Salmon Harvests and Ex-vessel Values,” the Kodiak sockeye harvest was worth more than double that of Chignik (\$13.4 million vs. \$6.6 million), despite the fact the Igvak fishery only accounted for a sockeye harvest of under 7,000 sockeye total. According to the same report, the Kodiak pink salmon harvest provided an additional \$20+ million to Kodiak fishermen in 2015. It is clear that the Cape Igvak Salmon Management Plan is not necessary to the success of the Kodiak salmon fishery.

**PROPOSED BY:** Michael Macaluso, spokesperson for Chignik Seiners Association

(EF-F16-079)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 72.XXX.**

Amend Jim Creek drainage fishing season as follows:

Daily limits are the same as shown under general season and limits on page 43, except that from **July 20 - December 31, fishing is only open from 5 a.m. until 10 p.m. daily, and from August 10 - December 31,** [THE SECOND SATURDAY IN AUGUST (AUGUST 13) THROUGH DECEMBER 31,] sport fishing for any species is closed on Mondays and Tuesdays.

**What is the issue you would like the board to address and why?** Inadequate escapement opportunity for salmon migrating up the Jim Creek system throughout the coho and sockeye salmon runs should be addressed. Even though the Board adopted regulations that closed two days to all fishing in the Jim Creek drainage later in August, the coho salmon spawning escapement goal was, once again, not attained in 2014. In 2015 the McRoberts Creek / Jim Creek goal was attained, but only after a sport fishing season closing emergency order was issued. Although sockeye salmon provide an important component of sport harvest, the Department has no established sockeye salmon spawning escapement goal.

The Jim Creek system is an extremely productive salmon producer, that provides a 7 - day per week sport salmon fishery until the August reduction to a 5-day per week fishery. Participation and harvests are amongst the highest in the Knik Arm Management Unit. In light of recent low spawning escapements of coho (and possibly sockeye) salmon, it appears a more precautionary management approach may be appropriate in order to ensure adequate spawning escapements of both coho and sockeye salmon. It would be advantageous to consider more precautionary management that also maintains the 7-day per week sport fishing opportunity during the earlier portion of the season.

Although a member of the public expressed his concerns of declining Jim Creek salmon returns to the Matanuska Valley Fish and Game Advisory Committee, neither he nor the advisory committee developed a proposal to submit before the submittal deadline. This proposal provides an opportunity for the public and the advisory committee to consider and develop an acceptable precautionary management option(s) that better ensures sustainability of highly valued Jim Creek salmon runs.

Reducing fishing hours would create a more orderly fishery, while providing a daily opportunity for salmon to migrate unmolested through the shallow Jim Creek flats. Perhaps better options may also be developed.

**PROPOSED BY:** Andy Couch

(EF-F16-080)

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**PROPOSAL XXX - 5 AAC 72.XXX.**

Amend the daily hours where salmon fishing is allowed as follows:

. . . , but fishing is allowed only on Saturdays and Sundays and only between the hours of [6:00 A.M. AND 6 P.M.] **5 a.m. and 10 p.m.**

**What is the issue you would like the board to address and why?** Silver and sockeye salmon stocks in Cottonwood Creek are healthy enough that they can once again support a few more hours fishing time in the sport fishery. The fishery is currently open to salmon fishing only in a small section nearly all of which is intertidal. Longer hours of daily fishing time allow anglers to fish throughout the day under less crowded fishing conditions. This fishery is currently open only two days per week, so there is adequate time for salmon to migrate upstream into waters closed to salmon fishing.

**PROPOSED BY:** Frede Stier

(EF-F16-081)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 77.**

Dip nets operated from a boat may not in any way be physically attached to the boat. They must be operated by hand.

**What is the issue you would like the board to address and why?** Clarify hand operated dip net. Stop dip nets being turned into trawl nets. The definition of a trawl net is "a bag shaped net towed through the water to capture fish..." The dip net regulation states "the frame ( of a dip net must be attached to a single rigid handle and **Operated by Hand.** When it is attached to a boat it is not being operated by hand.

**PROPOSED BY:** steve vanek (EF-F16-082)  
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Original Proposal Currently Under Review

**PROPOSAL XXX - 5AAC77.**

The personal use dip net fishery in the Kenai River is paired with the LR king salmon sport fishery. If the LR king salmon sport fishery in the Kenai River is completely closed then the personal Use dip net fishery in the Kenai River is completely closed.

**What is the issue you would like the board to address and why?** Dip netters should have paired restrictions with the sport fishery for LR king salmon in the Kenai River. The mortality for king salmon tangled in the gill net of a PU dip net and then released has not been determined. Using the precautionary principle, if the LR king salmon sport fishery in the Kenai River is completely closed then the PU dip net fishery is completely closed.

**PROPOSED BY:** steve vanek (EF-F16-083)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 77.**

In the Kenai and Kasilof Rivers boats carrying personal use dip netters must be anchored, Otherwise they are trawling.

**What is the issue you would like the board to address and why?** Stop trawl fishing with PU dip nets in the Kenai and Kasilof Rivers. The definition of a trawl is "a bag shaped net towed through the water to capture fish..." This is how dip netting on the rivers is done. Trawl fishing results in a higher mortality for king salmon. King salmon released from a trawl are more likely to die because they are tangled in the gill net of a dip net. This also gives an unfair advantage over beach dip netting.

**PROPOSED BY:** steve vanek

(EF-F16-084)

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Original Proposal Currently Under Review

**PROPOSAL XXX – 5 AAC 77.**

No portion of the bag of a personal use dip net may be constructed of webbing that exceeds a stretched measurement of 2.5 inches.

**What is the issue you would like the board to address and why?** The use of gill nets in the PU dipnet fishery in the Kenai and Kasilof fisheries. The majority of responders opposed gill nets in these rivers. 4.5 inch mesh size is a gill net. The Board of Fish sanctions the use of gill nets in these rivers. Many people oppose this. The dip net should have the same size mesh as a landing net.

**PROPOSED BY:** steve vanek (EF-F16-085)  
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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 1. 72.XXX .**

Amend hours in both general and youth only fishery to read:

Fishing is allowed only on Saturday and Sundays and only between hours of (6 A M. and 6 P.M.) to **5 A.M. and 10 P.M.**

**What is the issue you would like the board to address and why?** According to the last few years of Alaska Department of Fish and Game weir escapements, Fish Creek coho salmon are abundant enough to allow a few more hours of daily fishing time. The area where sport salmon fishing is allowed on Fish Creek is extremely short, and the salmon fishery is only open two days per week, so there is plenty of time for salmon to swim through the area when fishing is closed.

**PROPOSED BY:** Julie Busch

(EF-F16-086)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 72.XXX.**

Amend hours in the area below the Alaska Railroad Bridge to read:

. . . , but fishing is allowed only on Saturdays and Sundays and only between the hours of [6 A.M. AND 6 P.M.] **5 a.m. and 10 p.m.**

**What is the issue you would like the board to address and why?** Wasilla Creek / Rabbit Slough drainage coho salmon are abundant enough to allow a few more hours of daily fishing time. The area where sport salmon fishing is allowed is a small portion of the drainage located on the Palmer Hay Flats. The salmon fishery is only open two days per week, so there is plenty of time for salmon to swim through the area when fishing is closed. Having more hours of daily fishing time on the two days per week when the fishery is open allows more participation to occur without crowding other anglers. For people that have other commitments on Saturdays and Sundays this would give more time to participate earlier and later.

**PROPOSED BY:** Paul Warta

(EF-F16-087)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 72.xxx.**

**All King Salmon fishing will be closed in the Parks Highway Streams Of Unit 2 of the Susitna River any time retention of King Salmon is not allowed.**

**What is the issue you would like the board to address and why?** The issue I would like the board to address is that the retention of King Salmon has been denied on the Parks Highway streams in unit two of the Susitna river, yet, catch and release has been allowed. If nothing is done this tactic will increase the period of time until the run is restored and retention allowed.

**PROPOSED BY:** Paul Warta

(EF-F16-088)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 5 AAC 58.022 (A) KING SALMON (iii).**

(iii) in the salt waters south of the latitude of the mouth of the Ninilchik River (60\_ 03.99' N. lat.) to the latitude of Bluff Point (59\_ 40.00' N. lat.), and within one mile of shore, a person may not, after taking a king salmon 20 inches or greater in length, fish for any species of fish on that same day as specified in [5 AAC 58.055](#)(e) **Non-motorized vessels are exempt from this provision.;**

**What is the issue you would like the board to address and why?** Board of Fish, Please consider an exemption, for non-motorized vessels, from the rule that states: "*(iii) in the salt waters south of the latitude of the mouth of the Ninilchik River (60\_ 03.99' N. lat.) to the latitude of Bluff Point (59\_ 40.00' N. lat.), and within one mile of shore, a person may not, after taking a king salmon 20 inches or greater in length, fish for any species of fish on that same day as specified in [5 AAC 58.055](#)(e);*"

The reason is safety. There are a small but dedicated group of anglers who choose to fish Cook Inlet from more traditional non motorized methods such as drift boats and kayaks. The days are often limited by weather and the unique fishery off of Lower Cook Inlet where this regulation applies is one area where halibut can be targeted closer to shore. Allowing halibut harvest after a king has been retained allows for maximum opportunities to fish the tides and maximizes safety for those wishing to participate in a more economical and environmentally friendly methods.

The terrain and geography of the area often create calmer waters near shore while areas further offshore have unfishable waters. The fast currents of Cook Inlet on many days restricts the number of hours that are fishable. Both waves and current action are significantly reduced near the shorelines allowing for a safer fishery for non-motorized vessels.

My personal motivation is to expose my 11 year old son further to kayak angling. Having him for only half of the time, my opportunities when combined with weather often limit the opportunity to fish. This requested rule change would allow for greater and safer participation in the world of non-motorized sport angling.

The impact to the resources would be negligible. The limits would remain the same. If a king is caught first, switching over to halibut gear minimizes the likelihood of a king being hooked. Though effort from non-motorized platforms could increase, by their nature, the catch per unit effort off of non-motorized platforms are likely far below those off of powered vessels.

The current number of non-motorized anglers I would estimate to be less than 30 that currently utilize this area via non-motorized means. Though growing, it will continue to be a very tiny fraction of the total effort in the area for the foreseeable future.

**PROPOSED BY:** Ryuichi Rudy Tsukada (EF-F16-089)

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**PROPOSAL XXX - 5 AAC 59.120.**

**5 AAC 59.120. (14) in the Ship Creek drainage,**

**(X) A person 16 years of age or older may not sport fish in the Ship Creek youth fishery zone, established by ADF&G regulatory markers to include a portion of the Ship Creek between the upstream side of the C Street Bridge and upstream to the downstream side restaurant bridge, during designated youth fishery days, which occur from 6:00 a.m. until 6:00 p.m. on the third Saturday in June.**

**What is the issue you would like the board to address and why?** Establish a youth-only fishery on a section of Ship Creek to allow anglers 15 years of age and younger the ability to fish for king salmon.

**PROPOSED BY:** Dustin D. Slinker (EF-F16-090)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 57.120(2)(A).**

Move the finish line for chinook salmon sport fishing from the outlet of Skilak Lake (river mile 50) down to the lower boundary of the Kenai National Wildlife Refuge (river mile 45.5).

**5 AAC 57.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Kenai River Drainage Area** (a) Unless otherwise specified in 5 AAC 57.121 - 5 AAC 57.123 or by an emergency order issued under AS 16.05.060, the following are the general seasons, bag, possession, annual, and size limits, and methods and means that apply to sport fishing for finfish in the Kenai River Drainage Area:

- (1) salmon may be landed only with the aid of a landing net or by hand;
- (2) king salmon 20 inches or greater in length, as follows:

A) may be taken only from January 1 - July 31, in the Kenai River from its mouth upstream to an ADF&G regulatory marker located at **the lower boundary of the Kenai National Wildlife Refuge at river mile 45.5** [THE OUTLET OF SKILAK LAKE], with a bag and possession limit of one fish, as follows:

**What is the issue you would like the board to address and why?** The Middle Kenai River from the outlet of Skilak Lake downstream to the Kenai National Wildlife Refuge boundary is a known spawning area for both early and late-run chinook salmon on the Kenai River. The early-run chinook using this area to spawn are a small, biologically unique, and sensitive species group. The chinook salmon species in the Kenai River are facing a critical juncture in vitality and viability. Since Kenai River king salmon are experiencing a period of low productivity and, since 2009, below average run strength, a conservation effort to protect these fish on their spawning grounds is warranted.

**PROPOSED BY:** Heather Pearson (EF-F16-091)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC .**

Create a subsistence only harvest area in Ouzinkie Harbor from July 10th to August 10 north of a line that would run from Ouzinkie point on Ouzinkie Island to Parokoda Is. and then from Paroka Is. to the old ADF&G marker on Spruce Island in proximity to Black Point.

**What is the issue you would like the board to address and why?** Ouzinkie is a small village on the southwest corner of Spruce Island just north of Kodiak Island. The Ouzinkie harbor is a small cove that encompasses an area about the size of Kodiak's small boat harbor. Kodiak Regional Aquaculture Association has been imprinting and releasing sockeye salmon in Ouzinkie Harbor adjacent to the Ouzinkie Small Boat Harbor for several years. The first return from the stocking program was 2015. Ouzinkie residents enjoyed expanded subsistence harvest opportunities in proximity to their community. As imprinted sockeye continue to return to Ouzinkie Harbor, perhaps in greater numbers in the future, Ouzinkie residents are concerned that a single seine vessel could come in and "scoop up" all of the sockeye the community would anticipate using for subsistence purposes. Ouzinkie understands that these fish are a "common property" resource. Nevertheless, the Kodiak commercial salmon fishery has ample opportunity to intercept and harvest fish returning to Ouzinkie Harbor throughout both Marmot and Kizhuyak Bay. Consequently, it is likely that a high percentage of these fish are already utilized commercially. Surviving fish congregating in Ouzinkie's Harbor are significant for subsistence use, however they remain susceptible to commercial capture as they move in and out with the tide, often beyond current fishing markers. Ouzinkie believes it is better to anticipate the conflict that will occur if Ouzinkie's subsistence fish are taken by a few errant commercial fishermen and to provide a subsistence only use area for a limited time.

**PROPOSED BY:** Ouzinkie Native Corporation (EF-F16-092)  
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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 72.XXX.**

Amend the season, bag, and annual limits for king salmon caught in all Cook Inlet salt waters South of the Anchor Point Light (except for Conservation Zone waters) as follows:

**January 1 - December 31, one king salmon per day, 5 king salmon per year.**

**What is the issue you would like the board to address and why?** While there have been restrictions and closures of Upper Cook Inlet sport, guided sport, personal use, and commercial fisheries over the past 5 years caused by king salmon shortages, in salt water South of the Anchor Point Light from October 1 - March 31 the sport limits are 2 king salmon per day with no annual limit. There are currently 7 king salmon stocks of concern in Northern District drainages with the possibility that more could be added at the 2017 Upper Cook Inlet Board of Fisheries meeting. Kenai River king salmon shortages have created hardships for thousands of users. I do not know how many October - March king salmon caught South of the Anchor Point line are destined to Upper Cook Inlet drainages, however, in light of the hardships to Upper Cook Inlet user groups caused by king salmon shortages I believe it may be time to adjust daily and annual king salmon bag limits South of the Anchor Point line. Such a change should be considered, because of uncertainty, and for precautionary reasons, in light of well-documented Upper Cook Inlet king salmon shortages.

This proposal is also a call to hear and consider the most recent and best available science on the harvest numbers and origin of king salmon stocks caught in this fishery. With public involvement perhaps better solution(s) may be reached. Another solution could be to somehow adjust the October - March bag limit in response to emergency orders issued for stocks North of the Anchor Point Light. If solid and recent science shows hardly any harvest of Upper Cook Inlet king salmon stocks, it could be best to leave this fishery unchanged.

**PROPOSED BY:** Andy Couch

(EF-F16-095)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 21.330 (6)(3).**

5AAC21 330 (f)(9) would be amended to read:

**At the end of each closure of the KRSHA, permit holders shall remove all nets, buoys, ropes and anchoring devices from the waters within the boundaries of the KRSHA.**

**What is the issue you would like the board to address and why?** The Kasilof Special Harvest Area is intended to be a open access fishery for Cook Inlet permit Holders.

In the Set Gillnet section of the fishery a situation has developed that precludes this. Some Set gillnet permit holders are establishing net locations on the south and north regulatory boundaries by anchoring or staking buoys and lines far in advance of the KRSHA opening. This practice gives them great advantage over other permit holders the day of an opening guaranteeing them the most profitable locations for their nets. Most cook Inlet set gillnet permit holders fish miles away from the KRSHA and do not have easy access and opportunity to pre-stake locations prior to the openings.

A simple solution that would level the playing field for all set gillnet permit holders would be to require all fishing gear and related equipment i.e. buoys, anchor lines, anchors and stakes to be removed from the KRSHA when the area is closed to commercial fishing.

**PROPOSED BY:** Richard Person

(EF-F16-097)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 21.353.**

Amend sections (a) and (e) of the Central District Drift Gillnet Fishery Management Plan:

(a) The purpose of this management plan is to ensure adequate escapement of salmon into the Northern District drainages and to provide management guidelines to the department. The department shall manage the commercial drift gill net fishery to minimize the harvest of [NORTHERN DISTRICT AND KEANI RIVER] coho salmon in order to provide sport and guided sport fishermen a reasonable opportunity to harvest these salmon stocks over the entire run, as measured by the frequency of inriver restrictions. The Department shall manage the commercial drift gillnet fishery as described in this section.

(e) from August 1 - 15, [THERE ARE NO MANDATORY AREA RESTRICTIONS TO REGULAR PERIODS,]

**(1) fishing during both regular 12 hour periods per week will be restricted to one or more of the following sections: (A) Expanded Kenai Section; (B) Expanded Kasilof Section;**

**(C) Anchor Point Section; (D) Drift Gillnet Area 2,** except that if the Upper Subdistrict set gillnet fishery is closed under 5 AAC 21.310(b)(2)(C)(iii), or the department determines that less than one percent of the season's total drift gill net sockeye salmon harvest has been taken per fishing period for two consecutive fishing periods in the drift gill net fishery, regular fishing periods will be restricted to Drift Gillnet Areas 3 and 4. In this subsection, "fishing period" means a time period open to commercial fishing as measured by a 24-hour calendar day from 12:01 a.m. until 11:59 p.m.

**(2) additional fishing time under this subsection is allowed only in one or more of the following sections; (A) Expanded Kenai Section; (B) Expanded Kasilof Section; (C) Anchor Point Section.**

**What is the issue you would like the board to address and why?** The plan allows unnecessary drift gillnet fishing in Drift Gillnet Area 2 during the first half of August, which jeopardizes attainment of Northern District drainage salmon escapement needs and reasonable salmon harvest opportunities for other Upper Cook Inlet user groups. Looking at a map of Upper Cook Inlet that shows Drift Gillnet Area 2 and the Northern District, a person can visualize how effectively salmon can be blocked from Northern District waters by concentrated drift gillnet fishing in Area 2. Even if no drift gill netting were allowed in Area 2, individual drift gillnet permit holders would still get first harvest opportunity, in a much larger harvest area, using considerably more gear, fishing in a more mobile fashion, and with more commercial openings to harvest Northern District bound salmon compared to Northern District users.

As proven many times the drift fleet can harvest plenty of surplus Kenai River sockeye without corking off Northern District bound sockeye and coho salmon in Area 2. While addressing Northern conservation issues (Jim Creek coho salmon and stock of concern Susitna River sockeye salmon) and allowing more reasonable Northern harvest opportunity for all other user groups, this proposal also seeks to maintain drift gill netters a liberal opportunity to harvest surplus sockeye salmon during times of July and August abundance. Note: Even if the drift fleet was restricted under the 1% rule, the department could still allow the fleet to fish 7 days perweek

(5 days per week in the Expanded Kenai, Expanded Kasilof, and Anchor Point Sections and 2 days per week in Drift Gillet Areas 3 and 4 during a portion of the season when sockeye salmon abundance is in decline and coho harvest makes up an increasing portion of the drift catch). Just as the importance of sockeye salmon is recognized for commercial users throughout Upper Cook Inlet, so should the importance of coho salmon, throughout Upper Cook Inlet, be recognize for sport and guided sport users in a management plan.

Considering restrictions on other user groups during August, this proposal, if adopted, would increase the likelihood of attaining Northern District escapement needs, provide more reasonable harvest opportunity for other user groups, while retaining significant drift gillnet opportunity. Such changes would better align the plan provisions with it's stated purpose: "The purpose of this management plan is to ensure adequate escapement of salmon into the Northern District drainages and to provide management guidelines to the department. The department shall manage the commercial drift gill net fishery to minimize the harvest of Northern District and Kenai River coho salmon in order to provide sport and guided sport fishermen a reasonable opportunity to harvest these salmon stocks over the entire run, as measured by the frequency of inriver restrictions."

**PROPOSED BY:** Alaska Outdoor Council

(EF-F16-099)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 72.XXX.**

**When the Kenai River sockeye salmon escapement can be projected to exceed 1,200,000 fish, the Commissioner may open, by emergency order, the Kenai River personal use dip net season through August 10, and the Kenai River personal use limit may be increased by 10 salmon. During August all king salmon must be immediately released.**

**What is the issue you would like the board to address and why?** Allow personal use dip netting during August when the Kenai River sonar count is projected to exceeds 1,200,000 sockeye salmon. This allows all Alaskan residents longer opportunity to harvest their personal use fish during times of large abundance. It also provides an additional tool for keeping Kenai River sockeye salmon spawning escapements within the escapement goal range. Harvest of all species except king salmon should be allowed. This would give anglers a choice of dip netting or sport fishing. Dip netting is a valued opportunity to those who are poor at or don't have the time for lining sockeye. If there is enough salmon to have emergency commercial fishing, there is also enough salmon to allow additional dip netting opportunity for all Alaskans.

**PROPOSED BY:** Alaska Outdoor Council

(EF-F16-101)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 39.645(d)(4)(A)(ii) and (iii).**

The best solution would be for the onboard observer requirement to be determined annually by the department in consultation with the fleet such that the total coverage is 30 to 50% of the total weight of golden king crab harvested. The following regulatory language is suggested:

**5 AAC 39.645 (d)(4)(A)(ii) the department in consultation annually with the fleet will determine the most effective means to observe the harvest of 30-50% of the total golden king crab weight harvested by each catcher vessel while operating fishing gear east of 174 degrees W. Long., during each of the three trimesters dated August 1 through October 31, November 1 through January 31, and February 1 through April 30, during each registration year. [DURING THE HARVEST OF 50 PERCENT OF THE TOTAL GOLDEN KING CRAB WEIGHT HARVESTED BY EACH CATCHER VESSEL WHILE OPERATING FISHING GEAR EAST OF 174 DEGREES W. LONG., DURING EACH OF THE THREE TRIMESTERS DATED AUGUST 15 THROUGH NOVEMBER 15, NOVEMBER 16 THROUGH FEBRUARY 15, AND FEBRUARY 16 THROUGH MAY 15, DURING EACH REGULATORY YEAR; AND]**

**5 AAC 39.645 (d)(4)(A)(iii) the department in consultation annually with the fleet will determine the most effective means to observe the harvest of 30-50% of the total golden king crab weight harvested by each catcher vessel while operating fishing gear west of 174 degrees W. Long., during each of the three trimesters dated August 1 through October 31, November 1 through January 31, and February 1 through April 30, during each registration year. [DURING THE HARVEST OF 50 PERCENT OF THE TOTAL GOLDEN KING CRAB WEIGHT HARVESTED BY EACH CATCHER VESSEL WHILE OPERATING FISHING GEAR WEST OF 174 DEGREES W. LONG., DURING EACH OF THE THREE TRIMESTERS DATED AUGUST 15 THROUGH NOVEMBER 15, NOVEMBER 16 THROUGH FEBRUARY 15, AND FEBRUARY 16 THROUGH MAY 15, DURING EACH REGULATORY YEAR;]**

This approach would allow the department to adjust the observer coverage requirement as needed based on periodic review of the observer program as well as changes to the fishery over time.

**What is the issue you would like the board to address and why?** Current requirements governing onboard observers in the Aleutian Islands golden king crab fishery are specified in regulation and are therefore not readily subject to change as changing conditions may require. For example, current regulations call for observer coverage during the harvest of 50% of the total golden king crab weight harvested by catcher vessels during each trimester. Because of the way the regulations are written and the fishery is conducted, the actual observer coverage for each vessel has been nearer to 70 percent, rather than 50 percent.

This extra coverage costs money that could be better used to fund additional research. This is especially true since this fishery has very low bycatch of female or sublegal crabs or other species. These regulations were adopted after crab rationalization when observer data was the primary source of data for the fishery and stock. The department and the fleet are currently

conducting a golden king crab survey (carried out by the fleet with ADF&G scientists onboard) that should decrease the need for data collected by observers. Additionally, the trimesters dictated in the regulation no longer match the season opening and closing dates of the fishery.

Ideally, new regulations would give the department the flexibility to work with the fleet on an annual basis to establish observer requirements that provide the needed information without the unnecessary cost of observing a larger proportion of the harvest.

**PROPOSED BY:** Aleutian King Crab Research Foundation (EF-F16-102)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 21.359(e) and (f).**

Repeal 5 AAC 21.359 (e) and (f)

**What is the issue you would like the board to address and why?** Delete provisions (e) and (f) from the Kenai River Late-Run King Salmon Management Plan.

The current provisions in 5 AAC 21.359(e) and (f), which were adopted in 2014, have essentially created an optimal escapement goal (OEG) for Kenai River late-run king salmon bore disproportionately by the Upper Subdistrict set gillnet fishery. For example, the current management plan places the entire burden of conservation for this stock in August solely on the set gillnet fishery.

The sustainable escapement goal (SEG) for Kenai River late-run king salmon is 15,000–30,000 fish. The current management plan states that from July 1 through July 30, both the commercial fishery and the inriver sport fishery are managed to the same objectives. Specifically, if the Kenai River king salmon inriver run exceeds 22,500 fish, both fisheries are prosecuted without restrictions; however, if the inriver run is projected to be less than 22,500 fish, restrictions to both fisheries are required. Beginning August 1, however, the inriver sport fishery for king salmon closes and the management target for king salmon switches from achieving a projected inriver run of 22,500 fish to achieving a projected escapement of 16,500 to 22,500 fish. The restrictions triggered by being below a projected escapement of 22,500 fish falls exclusively on the Upper Subdistrict set gillnet fishery. To change a management target from a projected inriver run to a projected escapement objective, and then to have that higher burden of conservation fall completely on one user group, is highly unusual and even draconian in nature.

The late-run of Kenai River king salmon has never failed to meet its minimum escapement objective since enumeration began in 1986. Furthermore, the upper end of the escapement goal has been exceeded in 15 of 28 years. This proposal simply advocates for the department to do what they have already shown they will, that is, use their emergency order authority to adjust harvest rates of the sport and commercial fisheries on Kenai River late-run king salmon in order to meet the SEG for this stock. Mandated restrictions on the Upper Subdistrict set gillnet fishery in order to achieve the mid-point of the SEG for Kenai River king salmon puts management of the sockeye salmon fishery in jeopardy. In the past 10 years (2006-2015), the Kenai River sockeye salmon inriver goal has been exceeded 7 times, while the Kasilof River sockeye salmon BEG has been exceeded 9 times. This proposal seeks some balance in managing these two very important stocks of fish. Why is managing to the mid-point of the escapement goal for king salmon more important than not exceeding the upper end of sockeye salmon management objectives? This proposal seeks to provide ADF&G with more flexibility to allow for the harvest of surplus sockeye salmon while still achieving the SEG for late-run Kenai River king salmon.

**PROPOSED BY:** Joel Doner

(EF-F16-103)

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**PROPOSAL XXX - 5 AAC 21.310 Fishing Seasons.**

Amend the Northern District season to read:

(b) salmon may only be taken as follows:

(1) Northern District: from June 25 until [CLOSED BY EMERGENCY ORDER] **August 15;**

**What is the issue you would like the board to address and why?** The Northern District commercial fishing season should be more aligned with the Central District

Eastside. A season that runs through August 15 provides plenty of opportunity to harvest Northern District salmon stocks, identified in management plans, to be managed primarily for commercial uses. A season through August 15 would still allow a substantial Northern District commercial coho salmon harvest, but would be more consistent with intent language contained at in the Northern District Salmon Management Plan:

“(a) The purposes of this management plan are to minimize the harvest of coho salmon bound for the Northern District of Upper Cook Inlet and to provide the department direction for management of salmon stocks. The department shall manage the chum, pink, and sockeye salmon stocks primarily for commercial uses to provide commercial fisherman with an economic yield from the harvest of these salmon resources based on abundance. The department shall also manage the chum, pink, and sockeye salmon stocks to minimize the harvest of Northern District coho salmon, to provide sport and guided sport fisherman a reasonable opportunity to harvest these salmon resources over the entire run, as measured by frequency of inriver restrictions, or as specified in this section and other regulations.” Consistent with the Eastside Central District set net seasons, a Northern District season through

August 15 would allow harvest of commercial stocks through the heart of the Northern District runs. Closing after August 15, would better minimize coho salmon harvest with less economic impact on harvests of primary commercial species.

If the Board is concerned about reasonable yields for ALL Upper Cook Inlet user groups, wouldn't it be more consistent with Upper Cook Inlet management plans and seasons to pass more salmon of all species into Northern District waters for harvest, rather than running Northern commercial harvests into September and taking a high proportion of coho?

**PROPOSED BY:** Alaska Outdoor Council (EF-F16-105)

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**PROPOSAL XXX - 5 AAC 77.525 Upper Cook INlet Personal Use Salmon**

5 AAC 77.540 (c)(1)(A) from July 10 through July 31, seven days per week, from 6:00 a.m. to 11:00 p.m.;

**What is the issue you would like the board to address and why?** Eliminate the Commissioner's authority to extend, by emergency order, the personal use fishery to 24 hours per day on the Kenai River.

The City of Kenai undertakes a substantial effort to respond to the personal use fishery, most of which takes place on or over the uplands, tidelands, and submerged lands owned by the City of Kenai. A component of the City's efforts to respond to the personal use fishery includes utilizing heavy equipment to rake fish-waste from tidelands, and to service beach-located solid waste dumpsters, during the period that the fishery is closed, 11PM - 6AM. There are inherent safety conflicts between personal use fishery participants and the operation of heavy equipment in a confined area during a dark period of the night/morning, during 24 hour openings of the fishery.

**PROPOSED BY:** Rick Koch - City of Kenai (EF-F16-106)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 28.466 (B).**

We the undersigned request the mandatory five day "NO FISHING" stand-down between trips be removed. The first two safeguards in place do what is needed to manage black rockfish harvesting. Moreover, black rockfish season takes place during some of the most inclement weather windows here in Alaska during the months of January through April. With the addition of the mandatory 5-day stand-down, the fleet is forced to fish during bad weather putting our lives and small vessels in danger. Please consider this amending this regulation to shut down fishing for five days between trips- it is unfair and hurting our family's livelihood to thrive.

Additionally, we would like you to consider the time it takes to transit from port to fishable areas. From January through April it takes approximately 16 hours to travel one-way to the fishing grounds and often times weather is inclement. In the Southeast district, the time and expense involved with the current 5k pound catch limit makes fishing in that area unfeasible. We are coastal Alaskan fishermen trying to support our families with a majority of us having vessels under 56'. An increase in the black rockfish 5k pound catch limit per trip to a 10k pound catch limit in the Southeast district would help to balance the deficit on paper to reality, keeping us a viable and sustainable fishery.

**What is the issue you would like the board to address and why?** There are three safeguards in place right now to protect the overharvesting of black rockfish in the Kodiak management area. First, there are seven separate districts and each has its own black rockfish catch limits (examples: Northeast 20k pound, Eastside 30k pound). The second safeguard in place is from each district you may take a maximum of 5,000 pounds per trip; further, you must check in with ADF&G for each 5,000 lb trip and re-register for your next trip so your department knows which vessel is fishing and in which district. The third is a mandatory five day "NO FISHING" stand-down period between trips. We are seeking to modify some of these safeguards to increase efficiency for the black rockfish jig fleet.

**PROPOSED BY:** H. Bruce Magnusson, Ian Alvin A. Brown, Christopher Johnson, Curtis Bollinger, Bob Bowhay, Bobby Evensiosky, Greg Perkins, Robert Martin, Glenn Crocetti, Joseph Yarbrough, Jeffrey Widman (EF-F16-107)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC .**

Direct the department to allow fishing in the N-K-Beach stat area when the department projects the Kasilof red salmon may exceed the upper limit and the need for extra fishing time to harvest the abundance is needed.

This may happen as early as June 25th. Net restrictions, shore nets, 1/4 mile, 1/2 mile, and even 4 3/4 inch or smaller web could be required during the extra time to target Kasilof reds.

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

Allow and direct the department to manage by stat-area when needed.

Example: When the department projects that the Kasilof red escapement will exceed the upper escapement limit.

Extra fishing time has been allowed from Blanchard Line and south.

Which includes:

Ninilchick (stat-area 244-21) , Coho (stat-area 244-22), and South K-Beach (stat-area 244-31).

The department is opening drift and set net areas 10, 15, 20, and 25 miles south of the Kasilof River.

Instead of leaving out North K-Beach (stat-area 244-32) which is located 4 to 9 miles north of the Kasilof River. It makes sense to include North-K-Beach to harvest the abundance due to it's close proximity to the Kasilof.

**PROPOSED BY:** Chris Every (EF-F16-109)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC .**

Direct the department to allow fishing in the N-K-Beach stat area when the department projects the Kasilof red salmon may exceed the upper limit and the need for extra fishing time to harvest the abundance is needed.

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

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The department is opening drift and set net areas 10, 15, 20, and 25 miles south of the Kasilof River.

Instead of leaving out North K-Beach (stat-area 244-32) which is located 4 to 9 miles north of the Kasilof River. It makes sense to include North-K-Beach to harvest the abundance due to it's close proximity to the Kasilof.

**PROPOSED BY:** Chris Every

(EF-F16-109)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC .**

Only a single, unbaited barbless hook, lure, fly, or attractant may be used from January 1 through August 1 on the Kenai River.

**What is the issue you would like the board to address and why?** The issue I would like to address is the continual low escapement of Kings into the Kenai River. The measures that have been implemented have not worked.

**PROPOSED BY:** Tom Corr

(EF-F16-112)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC .**

An extra day of fishing from an non-motorized boat from January 1 to December 31. An example is Monday and Thursdays will be non-motorized boats only fishing on the Kenai River.

**What is the issue you would like the board to address and why?** The issue is overcrowding on the lower Kenai River from Skilak to the mouth and the poor quality of the fishing experience to lots of people. This will also cut down on the erosion along the banks of the river.

**PROPOSED BY:** Tom Corr

(EF-F16-113)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 21.366 (5).**

Amend 5 AAC 21.366 (5) to read “No CFEC permit holder may operate more than one set gillnet **per permit** at a time.

**What is the issue you would like the board to address and why?** When the Northern District King Salmon Management Plan was adopted in November 1985, it contained language limiting the number of nets a person could operate in that fishery to one set net per permit. At that time, a person could only own and operate one SOH4 permit. In 2011, the Board of Fisheries allowed for a Cook Inlet set netter to own and operate two set gillnet permits (SOH4), making the current language in 5 AAC 21.366 (5) confusing and inconsistent with the intent of the regulation allowing a person to own and operate two set gillnet permits.

The current language in 5AAC 21.366 (5) states that “No CFEC permit holder may operate more than one set gill net at a time.”

This proposal is a bookkeeping measure to eliminate confusion in wording in the management plan, make the current language consistent with the original intent of the gear restriction, and make the two regulations consistent.

**PROPOSED BY:** Northern District Set Netters of Cook Inlet (EF-F16-114)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 21.366 Northern District King Salmon Management .**

Adjust the Northern District King Salmon Management Plan by adding:

**(12) if the Susitna River drainage King salmon sport fishery is restricted by emergency order, the commissioner shall close by emergency order, the Northern District commercial set net fishery until the first regular period after June 24.**

**What is the issue you would like the board to address and why?** The King Salmon sport fishery in the Susitna drainage has been highly restricted in the sport fishery due to low forecasts and returns. Based on King Salmon escapement surveys area wide, additional conservation measures outside of the sport fishery, are needed to ensure the perpetual sustainability of this run.

The Susitna Drainage contains 3 King Salmon stocks of concern- two of them sport fishing is no longer allowed, and the other harvest is prohibited.

**PROPOSED BY:** Ben Allen

(EF-F16-115)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 21.366 Northern District King Salmon Management .**

Amend the Northern District King Salmon Management Plan by adding the following provisions:

**(12) In the Susitna drainage, allow the retention of 1 hatchery produced King salmon greater than 20 inches per day. Hatchery produced King Salmon are part of the seasonal and daily bag and possession. Hatchery produced King salmon are to be tagged immediately upon retention.**

**What is the issue you would like the board to address and why?** Inadequate opportunity to harvest King Salmon in the Susitna drainage. The road accessible east side streams in Unit 2 have been closed to King Salmon harvest by emergency restriction consistently since 2009.

Adult hatchery produced King Salmon are present in fishable numbers in the east side streams within Unit 2.

There is a reasonable opportunity to catch a hatchery produced King salmon, that is missing an adipose fin within Unit 2. I have personally witnessed several get caught. I even witnessed at least 10 get caught in one day.

Hatchery produced King salmon should only be present for the purposes of adding additional harvest opportunity.

**PROPOSED BY:** Ben Allen

(EF-F16-116)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC .**

Allow the harvest of up to 10 King Salmon under 20" per day at the Nick Dudiak Fishing Lagoon, in addition to the daily bag limit for King Salmon over 20".

**What is the issue you would like the board to address and why?** At the Nick Dudiak Fishing Lagoon, there are large numbers of King Salmon under 20" that never get harvested, because they count towards your daily bag limit of 2 King Salmon. Even though these King Salmon under 20" are in salt water, they are part of the terminal King Salmon fishery at the lagoon, and will not grow any larger, nearing the end of their life cycle. Catching these King Salmon under 20" is especially fun for kids, which is a big reason why the fishing lagoon was created. If nothing in changed, large numbers of King salmon under 20" will continue to go to waste.

On our local rivers, the limit for King Salmon under 20" is 10 per day, and they do not count towards your daily bag limit of King Salmon over 20". Standardizing the daily bag limit for King Salmon under 20" between our local rivers the Nick Dudiak Fishing Lagoon will also eliminate much confusion between fishermen on this issue.

**PROPOSED BY:** Homer Fish and Game Advisory Committee (EF-F16-117)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC .**

archery fishing tackle shall be allowed for the taking of salmon where open to snagging by regulation (June 24-Dec 31) in Kachemak bay as follows:

Inside a line extending from the marker defining the northwest boundary of the Nick Dudiak fishing lagoon extending roughly southeast to Peterson point (approx N 59° 35' 51". W 151° 16' 22") including the waters of halibut cove lagoon and the area locally known as "Mud Bay" at the base of the Homer spit.

**What is the issue you would like the board to address and why?** Lack of opportunity for use of archery fishing tackle where there is no reasonable justification for prohibition

With the eradication of pike from the kenai peninsula there is no longer any place to pursue the sport of bow fishing within reasonable distance of the Homer or Kenai/Soldotna areas.

**PROPOSED BY:** Dave Lyon

(EF-F16-119)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 21.353 Central District Drift Gillnet Fishery.**

5AAC 21.353. Central District Drift Gillnet Fishery Management Plan

**(c) From July 1 through July 31st**

**(1) The regular weekly fishing periods are as described in 5AAC 21.320(b)(1).**

**(2) the fishing periods set forth in (1) of this subsection may be modified by emergency order;**

**(d) additional fishing time, based on in season salmon abundance, needed to meet the objectives of harvesting the surplus salmon and staying within the escapement goals will be allowed in one or more of the following areas.**

**(1) Expanded Kenai Section of the Upper Subdistrict;**

**(2) Expanded Kasilof Section of the Upper subdistrict'**

**(3) Anchor Point Section of the Lower Subdistrict'**

**(4) Drift Gillnet Area 1;**

**(5) Drift Gillnet Area 2;**

**(6) Central District**

[DELETE THE ENTIRE EXISTING SECTIONS OF (c) AND (d)]

**What is the issue you would like the board to address and why?** Repeal of the regulations based on the Susitna sockeye stock of yield concern is necessary because the restrictions have been proven invalid by the data collected since their implementations. The data used to create the restrictions found in 5AAC 21.353 (c) and (d) have been proven wrong. In fact the wrong data has been used for decades and unfortunately or suspiciously the wrong data is still being used even after the corrections were determined by ADF&G in their 2006-09 escapement review. The current data clearly puts these restrictions in violation of not meeting the requirements of 5AAC 39.222. Policy for the management of sustainable salmon fisheries, especially (a)(2) in formulating fishery management plans designed to achieve maximum or optimum salmon production; (a)(c)(3) (M) procedures should be implemented to regularly evaluate the effectiveness of fishery management and habitat protection actions; and (a)(c)(3)(P) the best available scientific information on the status of salmon populations and the condition of the salmon's habitats should be routinely updated and subject to peer review. (a)(d)(2) in response to the department's salmon stock status reports, reports from other resource agencies, and public input, the board will review the management plan, or consider developing a management plan, for each affected salmon fishery or stock; management plans will be based on the principles and criteria contained in this policy and will

(A) contain goals and measurable and implementable objectives that are reviewed on a regular basis and utilized the best available scientific information;

(B) minimize the adverse effects on salmon habitat caused by fishing;

(C) protect, restore, and promote the long-term health and sustainability of the salmon fishery and habitat;

(D) prevent overfishing; and

(E) provide conservation and management measures that are necessary and appropriate to promote maximum or optimum sustained yield of the fishery resource;

The current restrictions are also in violation of State fisheries policy, Article 8 of the Constitution and the Magnuson Stevens Act all of which require the best scientific information available in formulating fishery management plans designed to achieve maximum or optimum salmon production.

The escapement data that was used to create the regulations has been found to have been grossly undercounting the escapement by an average of around three hundred percent. This is not sustainable and is an unnecessary and unacceptable monetary loss to the State and fishing industries, along with the loss of a high quality and natural sustainable food source. It makes no sense, especially in this time of huge budget deficits, to continue poor stewardship of the resource in management plans that literally waste millions of dollars and millions of harvestable surplus salmon and jeopardizes future salmon returns.

This proposal uses the reliable scientific data to repeal the unfounded restrictions that make it impossible to harvest the surplus salmon, by allowing the biologist to implement in-season abundance based management and still provide sufficient protection for all central and northern bound salmon stocks.

**PROPOSED BY:** Central Peninsula Advisory Committee (EF-F16-120)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 21.366 Northern District King Salmon Management .**

Add the following to the Northern District King Salmon Management Plan:

**Continue to allow the retention of adult hatchery fin clipped King Salmon in unit 2 of the Susitna drainage on years of low abundance when emergency order restrictions are implemented on the sport fishery.**

**What is the issue you would like the board to address and why?** Adult hatchery King salmon present in Willow and Little Willow Creek, have not been allowed to be harvested under emergency order restrictions, issued throughout the last decade. Hatchery King salmon should be managed differently than wild stocks. I have observed several fin clipped Kings caught below the Parks Highway bridge on both Willow and Little Willow Creek. Additionally, I have heard of fin clipped fish caught at other Parks Highway streams.

Allowing harvest of hatchery fin clipped King salmon would have a minimal impact on wild stocks and provide an additional opportunity for Alaskans and tourists to harvest fish, in a region where harvest has been seriously restricted.

This is the same protocol that is successfully practiced throughout the Northwestern United States.

**PROPOSED BY:** Amber Allen

(EF-F16-121)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 21.366 Northern District King Salmon Management P.**

Amend the Northern District King Salmon Management Plan by adding the following provisions:

**(13) if the Little Susitna River sport fishery is restricted to harvest less than 7 days a week and artificial lures by emergency order: the commissioner shall close, by emergency order, commercial fishing within one mile of the Little Susitna River confluence with Knik Arm.**

**What is the issue you would like the board to address and why?** The Little Susitna River King Salmon sport fishery is bearing the greatest burden of conservation during times of low abundance. During times of low abundance, King Salmon are being harvested within a mile radius of the Little Susitna River at the same time the Little Susitna River King salmon sport fishery has been under emergency order restriction.

Harvest in the Little Susitna River Sport fishery has been dramatically reduced since 2009. Opportunity and chance of catching and harvesting a King Salmon has been seriously altered. Significant efforts have been made in river in the sport fishery to reduce harvest under emergency order, by restricting harvest at least 3 days/week (4 days prior to 2016), mandating single hooks, reducing the annual limit 60% (only 2 fish), and increasing the weir boundary three more holes down the river to protect staging fish.

The one mile radius of the Little Susitna River's at its confluence with Knik Arm, is a major staging area, for King Salmon migrating up the Little Susitna River. Highest King Salmon abundance within the one mile radius of the Little Susitna River occurs in the first 3 weeks of June. Scientific studies on the Kenai Peninsula suggest King salmon behavior at the confluence in this one mile radius zone, would be to swim back and forth increasing susceptibility to commercial harvest in a set net.

With in season weir monitoring and Little Susitna King Salmon behavior, the Department of Fish and Game cannot accurately assess run strength until the third or fourth week June, depending on river conditions and King salmon behavior.

**PROPOSED BY:** Ben Allen

(EF-F16-122)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC .**

Allow a two crab per person two pot with a size restriction on size of pots used.season limits etc.

**What is the issue you would like the board to address and why?** Establish new management objectives and reopen cook inlet tanner crab personal use fishery. Residents have been deprived of a small personal use fishery past several years because of poor data gathering performed by adfg .We have record recruitment of juvenile crab yet no season on mature males.To get record recruitment obviously there are more than sufficient males for breeding... numerical data on population estimates use over a 300 to 1 ration to determine abundance of mature males which is totally ridiculous. A sport / personal use fishery could be far more useful in accurately determining abundance

**PROPOSED BY:** Joseph Hanes

(EF-F16-123)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 907.**

Change general season of all streams currently (by regulation, not EO) open to king salmon harvest in units 2, 3, 5 and 6 to catch and release only, except Willow Creek which should remain open to harvest of marked hatchery produced chinook. Harvest of 1 chinook salmon per day and two per year is allowed on Sunday and Monday of the last two weekends of the season (these weekend only fisheries have changing dates) allowing for a small amount of harvest by regulation. This will also allow managers to monitor progress of the chinook run to ensure conservation.

When in-season monitoring shows a harvestable surplus open these streams to more liberal harvest regulations by emergency order, and allow catch and release fishing midweek after the 3rd weekend in June (by allowing catch and release fishing, not only is the high quality experience provided by recent emergency orders maintained, but poaching can be reduced by having more conservation minded eyes on the river, it would also allow fishing for trout and other species).

**What is the issue you would like the board to address and why?** Susitna River Chinook Salmon.

Recent low performance of chinook salmon returns to the Susitna River drainage has prompted emergency orders closing units 2, 3, 5 and 6 to harvest of chinook salmon. This has created excellent opportunities for different user groups to have outstanding opportunity for a mostly uncrowded sport fishing experience. The Parks Highway streams have become a world class catch and release fishery for those who prefer a quieter fishing experience. By codifying these changes in regulation it will bring stability to this sector of fishermen, and allow for better trip planning, better planning for local businesses and guides to meet the needs of this user group.

If nothing changes, managers will have to continue to use emergency orders to close the fishery to harvest, and fishing opportunities will be lost by all user groups.

Other solutions:

Closing the Susitna Drainage to fishing: This would allow no fishing and is undesirable.

Closing units 2, 3, 5 and 6 to harvest: This would allow no consumptive uses of the fishery, even though some systems have harvestable surpluses, and hatchery produced fish.

**PROPOSED BY:** Patrick McCormick (EF-F16-124)

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**PROPOSAL XXX - 5 AAC 21.363 Upper Cook Inlet Salmon Management Pl.**

**5 AAC 21.363 Upper Cook Inlet Salmon Management Plan.**

add a new line to; 5 AAC 21.363 (a)(3) **(D) the need to harvest all surplus salmon stocks and to maintain sustainable salmon runs.**

5AAC 21.363 (a)(4) in these management plans, the board **must** [MAY, AS APPROPRIATE] address the following considerations:

add a new line to ; 5AAC (a)(4)**(C) the need to harvest all surplus salmon stocks to maximize the economic yield and the overall benefits from these salmon resources;**

**What is the issue you would like the board to address and why?** The Upper Cook Inlet Salmon Management Plan needs updated to direct the board and the department to develop management plans that are in compliance to Alaska’s Constitution, Alaska’s laws, statutory conservation mandates, the Magnuson Stevens Act (MSA) and the Sustainable Salmon fisheries policy 5AAC 39.222. The current plans are not in compliance. Through the years the political pressure from special interest groups have gone too far in developing and lobbying for the passage of management plans that are reallocation and lack any reference to science, maximum sustained yield or of harvesting the surplus. They are unsustainable and are harmful to the resource, habitat and the people, communities, businesses and the state that depends upon optimum returns and the surplus to be harvested. The biologist are not allowed to use science and their manage tools to harvest the surplus and achieve escapement goals without going over the top end by sometimes gross amounts. Over escapement is chronic. The current management plans create annual unharvested surplus salmon stocks in UCI in the millions of salmon and the loss of millions of dollars in State taxes and tens of millions of dollars lost to the users and local economies. There is also the factor of lost jobs and the lost high protein sustainable seafood. Data from reports show that in 2014 over 80% or 23,000,000 of UCI surplus salmon were not harvested. That unharvest surplus is larger than the combined commercial harvest of California, Oregon and Washington. This is not good Stewardship.

This proposal attempts to add language to the UCI Salmon Management Plan that will give direction to the board and department to correct these issues.

**PROPOSED BY:** Central Peninsula Advisory Committee (EF-F16-125)

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**PROPOSAL XXX - 5 AAC 907.**

Regulation should read as follows: In the Kenai River upstream of the Lower Killey River only barbless hooks, or hooks with the barb completely pinched are allowed from August 21- May 1

**What is the issue you would like the board to address and why?** Damage to Rainbow Trout in the Kenai River Catch and Release Fishery

Rainbow trout and dolly varden in the Kenai River typically show mouth damage from poor fish handling practices in the Kenai River. This degrades the fishery because a majority of fish from the Kenai are extremely ugly, in a fishery for wild trout it is very important for many anglers seeking a near wilderness experience to catch undamaged fish. Gill lice are very common throughout the stock of rainbow trout on the Kenai River. Gill lice have been shown to lower a trout's fitness, it has also been shown that rainbow trout can only be infected by lice while under stress. The intense fishery on the Kenai causes stress to nearly every fish. Barbless hooks have been shown to greatly reduce handling time and greatly reduce mouth/lip damage to released fish while having minimal to a positive effect on landing rates.

Other solutions include a year round barbed hook ban, which while optimal likely has little support amongst salmon anglers and the status quo.

**PROPOSED BY:** Patrick McCormick

(EF-F16-126)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 907.**

In Upper Cook Inlet flowing waters closed to salmon fishing, only barbless hooks or hooks with the barb completely pinched may be used year round.

**What is the issue you would like the board to address and why?** Damage to Rainbow Trout in Catch and Release Fisheries

Rainbow trout and dolly varden in Upper Cook Inlet typically show mouth damage from poor fish handling practices. This degrades the fishery because a majority of fish from are extremely ugly, in a fishery for wild trout it is very important for many anglers seeking a near wilderness experience to catch undamaged fish. Gill lice are very common throughout the stock of rainbow trout on throughout southcentral Alaska. Gill lice have been shown to lower a trout's fitness, it has also been shown that rainbow trout can only be infected by lice while under stress. The intense and extremely productive fishery during salmon spawning causes stress to nearly every fish. Barbless hooks have been shown to greatly reduce handling time and greatly reduce mouth/lip damage to released fish while having minimal to a positive effect on landing rates.

Other solutions include banning barbless hooks for all waters however this would not be acceptable to bait fishermen in consumptive fisheries.

**PROPOSED BY:** Patrick McCormick

(EF-F16-127)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 907.**

I encourage a new approach to managing King Salmon on the Kenai River that includes a proactive, conservative approach beginning with single hook, no bait, catch and release only fishing on opening day. Fisheries managers would have the ability to step up and allow bait and/or harvest as the run develops and provided more information about the true strength of the run. Catch and release fishing results in very low mortality (according to ADF&G's study), and therefore would be a great way to continue allowing opportunity, while simultaneously minimizing harvest of these special and unique fish in need of additional protection during a time of low abundance.

**What is the issue you would like the board to address and why?** It's no secret that the Kenai River King Salmon have had several tough years in a row, and despite the period of low abundance, the decision has been regularly made to open the river to full harvest on July 1st. Given the unpredictable and borderline-crisis status of this run, the July 1st opener is an irresponsible management practice, at best. If the fishery shows signs of a weak run, the decision can be made to further restrict, but there's no way of knowing if it's too late, and there's no way to go backwards and put back those fish that have already been harvested. So why not add some proactive strategies to our current reactive management plan? It would be a logical, conservation minded, and responsible addition to the current reactive strategies utilized by ADF&G, and widely supported by the community that cares most about the sustainability of our special fishery.

**PROPOSED BY:** Mark Wackler

(EF-F16-128)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC .**

Allow guided anglers to fish from a guide boat on the Kenai River on Mondays in August.

**What is the issue you would like the board to address and why?** Guided anglers were restricted to no fishing on Mondays years ago, during a conservation concern for Coho salmon this conservation concern does not exist anymore and should be overturned, an additional 4 days of guided angler fishing will not put this stock in jeopardy.

**PROPOSED BY:** Mel Erickson

(EF-F16-129)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 72.XXX.**

Develop a Susitna River King Salmon Recovery Plan as follows:

(a) The purpose of this plan is to ensure adequate king salmon spawning escapements into mainstream Susitna River drainage tributary streams upstream of Unit 1 and provide management guidelines for the department. The department shall manage Susitna River king salmon sport harvest as follows:

(b) From May 1 - May 31 the department may allow sport king salmon harvest In all waters of Unit 2 open to king salmon fishing, that did not fail to attain king salmon escapement within the appropriate goal range the previous year.

(c) From May 1 - June 15 the department may allow sport king salmon harvest in all waters of Unit 5 open to king salmon fishing, that did not fail to attain king salmon escapement within the appropriate goal range the previous year.

(d) From May 1 - June 20 the department may allow sport king salmon harvest in all waters of Unit 3 and Unit 6 open to king salmon fishing, that did not fail to attain king salmon escapement within the appropriate goal range the previous year.

(e) each following year that the appropriate king salmon escapement goal(s) are attained for waters in that particular Unit and / or Unit(s) further upstream, the department may incrementally add up to another week of harvest opportunity until the full season of harvest opportunity is restored or an escapement goal is not attained.

(f) after failing to attain a specific king salmon escapement goal range, the department may reduce up to a week of harvest time for that specific water and / or a portion of downstream waters the following year.

(g) the department may identify and use other king salmon abundance indices it deems appropriate.

(h) The Commissioner may depart from the provisions of the recovery plan under this section as provided in 5AAC 21.363

**What is the issue you would like the board to address and why?** All Unit 2, Unit 3, Unit 5, and Unit 6 waters of the Susitna River drainage, sport king salmon harvest has been closed for a period of 4 -5 years. Even though most waters are open to catch and release king salmon fishing, and even though some Unit 2 streams have been attaining escapement goals, the department has not developed any plan on when or how to determine if king salmon stocks have recovered enough to once again allow some harvest. This proposal seeks to develop conservative options in which sport king salmon harvest may once again be allowed. The proposed starting seasons under (b), (c), and (d) when king salmon harvest might be allowed are all scheduled early enough in the season that only limited king salmon harvests would likely occur in each management unit. The public, user groups, advisory committees, and department are all welcome to weigh in with suggestions and options that might be agreeable.

**PROPOSED BY:** Andy Couch

(EF-F16-130)

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**PROPOSAL XXX - 5 AAC .**

Open Ling Cod fishing on June 15<sup>th</sup>

**What is the issue you would like the board to address and why?** LIng Cod are finished spawning by this time, & additional opportunity should be allowed to harvest ling cod when the weather is good in June, August is very rough in the gulf of alaska and very few days can you get out to fish.

**PROPOSED BY:** Mel Erickson

(EF-F16-131)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC .**

If King salmon fishing is closed on the Kenai River, Regulations & restrictions intended for King salmon fishing are not in effect. & 1. allow fishing from a guide vessel on Sunday's

2. Allow guided & non-guided fishing on Mondays in a power boat, 3. allow fishing from 6pm to 6am for guided anglers, 4 allow 5 anglers in a guide vessel.

**What is the issue you would like the board to address and why?** when King salmon fishing has been closed on the Kenai River, many rules that are intended only for conservation and social reasons have remained in effect, Many anglers want to fish for other species but cannot do it because of the king salmon rules in place when king fishing is open, Anglers would like to fish for trout, pinks silvers, reds on Sundays, Mondays, and between 6pm & 6am

**PROPOSED BY:** Mel Erickson

(EF-F16-132)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 21.365 Kasilof River Salmon Management Plan.**

5AAC 21.365 (c)(5)(f)(iii) [(8) A VESSEL MAY NOT HAVE MORE THAN 150 FATHOMS OF DRIFT GILLNET OR 105 FATHOMS OF SET GILLNET ON BOARD.]

**What is the issue you would like the board to address and why?** 5AAC 21.365. Kasilof River Salmon Management Plan. (c)(5)(f) allows for the Kasilof River Special Harvest Area (KRSHA). This is a somewhat controversial fishery but none-the-less it is a valuable last chance management tool, utilized by the biologist to help control the sockeye escapement into the Kasilof River and to allow a harvest of the surplus salmon. It is important to the fishermen who participate and it generates revenue and jobs along with utilizing a valuable and healthy food source. The issue we would like to address is under (iii) (8) a vessel may not have more than 150 fathoms of drift gillnet or 105 fathoms of set gillnet on board. In the KRSHA only one shackle, 50 fathoms for drift gillnet and 35 fathom for set gillnets may be used to take salmon. 5AAC 21.365 (c)(5)(f)(iii)(2) a set gillnet may not exceed 35 fathoms in length, and in (c)(5)(f)(iii)(4) no more than 50 fathoms of drift gillnet may be used to take salmon. The fishery is conducted basically within the mile and a half radius of the mouth on the river. The area is shallow and actually goes completely dry on a large minus tide. The fish tend to be smaller than salmon outside of the KRSHA. The net is always dragging on the bottom, which chafes the lead line and hangings plus there are some snags and rocks that will tear the web and strip the lead line from the web. For these reasons most everyone uses a separate net specifically design for the KRSHA so they don't tear up their good regular gear. The KRSHA net is usually smaller mesh size, sometimes shallower, heavier web and lead line hangings, so it won't tear and chafe as easily as regular gear. The problem exist that under the current regulation a vessel may not have more than 150 fathoms of drift gillnet or 105 fathoms of set gillnet on board. This regulation places an unnecessary burden on especially the drift fisherman because they have to un-sow one shackle from the other two shackles on the reel, go to the dock and have a crane unload that shackle, then lower the specially designed KRSHA shackle and put it on the reel. This can sometimes take several hours and the process is reversed when the KRSHA shackle is replaced by the regular shackle. The KRSHA is commonly opened on very short notice, so time is critical. Also there are times when the KRSHA is open the same time an expanded corridor is open. If there are not any fish in the KRSHA and you want to try in the expanded corridor then having the KRSHA net on the reel instead of the regular net is not practical. The reverse is also a problem. If the expanded corridor doesn't have any fish and you want to try the KRSHA you would have to run into the river to change gear or risk tearing up the regular shackle, which will happen. Also if the tide is out it might be several hours before there is enough water to get to the dock to change gear. The simple and practical solution would be to modify the regulation by eliminating 5AAC 21.365.(c)(5)(f)(iii)(8). This modification has no allocative effects and does not create any unique advantage. It simply puts a common sense solution to an unforeseen problem. There should be no enforcement issue because under current regulations a vessel already is allowed more shackles on board than they are allowed to operate in the KRSHA.

**PROPOSED BY:** Central Peninsula Advisory Committee

(EF-F16-133)

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**PROPOSAL XXX - 5 AAC 5 AAC 56.122(a)(2), (5), (6), (10).**

Amend 5 AAC 56.122(a)(2), (5), (6), and (10) to change the season closing date for Anchor River, Deep Creek, Ninilchik River and Stariski Creek from October 31 to November 30.

**What is the issue you would like the board to address and why?** Provide more opportunity for steelhead fishing on Anchor River, Deep Creek, Ninilchik River and Stariski Creek. Fishing pressure is very light by late October. Although these waters often freeze up by early November, they sometimes remain unfrozen into December. Until a few years ago, the season had remained open until December 31. Then, as I recall, ADF&G became concerned about late season mortality in these catch-and-release fisheries and recommended the closing date be October 31, which the Board adopted. However, the biological justification for doing so seemed weak at the time. In recent years, the steelhead have been running late, and no harm would occur from a slightly longer season. I was on the steelhead planning team for ADF&G in the 1990's which recommended catch-and-release for the steelhead fisheries on these streams and wild stock management, which the Board adopted. At that time the closing date was never an issue. I would like to see the Board review the science to either justify the current closing date or revise it to November 30, in light of the fact that the pressure is very light by the latter part of October and in some years the fish have seemed to be running late.

**PROPOSED BY:** Jeff Parker

(EF-F16-134)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC .**

Allow sockeye salmon not hooked in the mouth to be retained in Fresh water Lakes in the Cook Inlet Drainage.

**What is the issue you would like the board to address and why?** It is almost impossible to catch sockeye salmon in the mouth unless there is some current, Sockeye salmon do not bite unless in late spawning stage,

**PROPOSED BY:** Andy Housh

(EF-F16-135)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC .**

Allow fishing from shore for sockeyes on the Kenai River after catching a limit of coho from a boat.

language should read no fishing from a boat after retaining a limit of coho.

**What is the issue you would like the board to address and why?** as the regulations are currently an anglers can not go fish for sockeyes from shore after they have have caught a limit of silvers from a boat, a simple solution is to change the language to no fishing from a boat after catching a limit of coho.

**PROPOSED BY:** mel Erickson

(EF-F16-136)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC .**

Allow party fishing in Cook Inlet salt & fresh water for all species except King Salmon.

**What is the issue you would like the board to address and why?** 100% of private anglers & 95% of guided anglers party fish for most species, current rules make criminals out of all them, Tis rule is also non-enforcable for private anglers, & only enforceable on guided anglers if there iran undercover cop nearby or onboard the vessel. When fishing for abundant species with high bag limits such as black rockfish, sockeyes, pinks & others it is almost impossible to keep track of which individual anglers caught what & how many, example is 5 anglers fishing for pinks with limit of 6, it is easy to count to 30, but is very easy to lose track of how many each individual angler has retained.

**PROPOSED BY:** Andy Housh

(EF-F16-137)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC .**

Special Regulations

That portion of the Kenai River between ADF&G regulatory markers located at River mile 11 and River mile 12

A) May 16 - July 31

Back-trolling prohibited when bait is allowed to be used during the King salmon season. A person may not sport fish for any species from a vessel that is making upstream progress relative to the water with the aid of a motor

**What is the issue you would like the board to address and why?** That portion of the Kenai River between ADF&G regulatory markers located at River mile 11 and River mile 12.

A) July 1 - July 31

Back trolling prohibited. A person may not sport fish for any species of fish from a vessel that is making upstream progress relative to the water with the aid of a motor.

When this regulation was adopted it was tied with when the lower Kenai River went to bait. As the popular method to fish this area was to drift thru River mile 12 down to 11 dragging a spin n glo and eggs. There was conflict between the two different methods of fishing which led to this regulation being adopted. However, when the sport fishery is not allowed to use bait during this timeframe very few anglers choose to drift. Changing the dates for the entire King season and tying the no back-trolling to when the River goes to bait would benefit all anglers instead of the few that like to drift without bait. Remember that those that would prefer to drift can still do so in this area even without the use of bait. I would like to see the dates of July 1 - July 31 be changed to say from May 16 (this is when the Didson begins counting King salmon) - July 31 no back trolling between River mile 11 and River mile 12 only when bait is allowed.

**PROPOSED BY:** Kenai River Professional Guide Association (KRPGA) (EF-F16-139)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 21.310 (b)(2)(C)(iii).**

5AAC 21.310 (b)(2)(C)(iii)

[KENAI, KASILOF, AND EAST FORELANDS SECTIONS: IN THE COMBINED KENAI AND EAST FORELANDS SECTIONS, AND SEPARATELY IN THE KASILOF SECTION, THE SEASON WILL CLOSE AUGUST 15, UNLESS CLOSED EARLIER BY EMERGENCY ORDER AFTER JULY 31, IF THE DEPARTMENT DETERMINES THAT LESS THAN ONE PERCENT OF THE SEASON'S TOTAL SOCKEYE HARVEST HAS BEEN TAKEN PER FISHING PERIOD FOR TWO CONSECUTIVE FISHING PERIODS IN THE COMBINED KENAI AND EAST FORELANDS SECTIONS OR SEPARATELY IN THE KASILOF SECTION; FROM AUGUST 11 THROUGH AUGUST 15, THE FISHERY IS OPEN FOR REGULAR FISHING PERIODS ONLY; FOR PURPOSES OF THIS SUB-SUBPARAGRAPH, "FISHING PERIOD" MEANS A TIME PERIOD OPEN TO COMMERCIAL FISHING AS MEASURED BY A 24-HOUR CALENDAR DAY FROM 12:01 A.M. UNTIL 11:59 P.M.;]

**What is the issue you would like the board to address and why?** 5AAC 21.310 (b)(2)(C)(iii)  
The adoption of the one percent rule has no scientific or biological support. It is not used statewide and was strictly an arbitrarily and capriciously implemented allocation regulation. It is a backdoor approach by some special interest groups to close the commercial fishery in the first week of August. The current regulation failed to address the lost harvest of surplus salmon stocks in August and the impossibility of managers to manage for the escapement goals. In 2015 the UCI sockeye run was the latest on record. The Kenai River sockeye escapement was over two million. The Kenai and Kasilof Rivers received twice their biological escapement goals for sockeye. All sockeye and coho escapement goals were met with many systems grossly over-escaped. The surplus salmon were not harvested by anybody. The August pink runs are virtually un-harvested. August can have pink returns in the millions, but this regulation prevents their harvest. The East side set net fishery is a vital management tool for harvesting pinks and August sockeye. This rule is not sustainable. An example of how ludicrous this regulation is: Half the set netters are fishing after July 31. Participation varies from a multitude of reasons. The salmon escapement goals are met or exceeded for all salmon species. The coho run is excellent and it is an even pink year with 20 million pinks predicted to return. There are no conservation concerns. The only concern is gross over-escapement. The remaining set netters had their best fishing days on sockeye on August 1st and 2nd. Because there were only half of them fishing, besides the fact that they had large catches of surplus sockeye or pinks, their total combined catch was less than one percent of their set net's area season's total sockeye harvest for two consecutive periods after July 31st, so by the current regulation their season is closed. If they had caught large numbers of pinks they would also be closed. The current regulation pretty much guarantees the east side set net closure and the inability to monetize the surplus salmon. The passing of the rule failed to address the lower number of fishermen participating in harvesting the salmon runs in August by both the commercial and in-river sports fishery. The rule also fails to address the harvest of other surplus salmon species especially pinks. Pinks can have returns in the millions and go virtually un-harvested. This lower participation level provides effective protection for escapement needs and for in-river users to have a reasonable opportunity. The lost opportunity and harvest denied to the fewer local commercial fishermen are significant and unnecessary, not only to them but to

the processors, workers, support businesses, communities economy and the State treasury. This harvest could be the difference between a bad season and an ok season.

The current regulation is in violation of 5 AAC 39.222. Policy for the management of sustainable salmon fisheries, State fisheries policy, Article 8 of the Constitution and the Magnuson Stevens Act all of which require the best scientific information available in formulating fishery management plans designed to achieve maximum or optimum salmon production.

This proposal does not limit the commissioner's use of emergency order authority under AS 16.05.060 to achieve established escapement goals for the management plans as the primary management objective.

**PROPOSED BY:** Central Peninsula Advisory Committee (EF-F16-140)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC .**

Go back to the daily bag limit for King Salmon over 20" on the Ninilchik River, as it was prior to 2014, allowing the harvest of 2 King Salmon per day, where just 1 fish could be a wild King Salmon. After taking this daily bag limit, a person may not fish for any species on that same day.

**What is the issue you would like the board to address and why?** Recently, the Alaska Department of Fish and Game has significantly increased the number of King Salmon fingerlings being released into the Ninilchik River, and would like to see an increased opportunity to harvest these fish. Currently, the bag limit for King Salmon over 20" is 1 King Salmon per day, either wild or hatchery. For at least 9 years prior to 2014, the bag limit for King Salmon over 20" was 2 King Salmon per day, but where just 1 fish could be a wild King Salmon.

**PROPOSED BY:** Gary Sinnhuber (EF-F16-141)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC .**

Coho Salmon Lower Kenai River

\*After taking a limit of coho (silver) salmon from the Kenai River a person may not fish in the Kenai River downstream of the Pillars State Recreational Site on that same day.

**What is the issue you would like the board to address and why?** After taking a bag limit of coho salmon from the Kenai River a person may not fish in the Kenai River downstream of the Soldotna Bridge on that same day. I would like to see the regularity marker moved down to the pillars boat launch (from the Soldotna Bridge) which is a easily identifiable marker just above the tidal zone. This would allow those that would like to continue to fish to be able to do so without having to travel upstream of the Soldotna Bridge. It would decrease crowding in other parts of the Kenai River by allowing anglers to switch gear to pursue other species in this area. What happens now is anglers either catch and release coho until they are ready to stop fishing for the day or they are forced to travel to another part of Kenai River to continue to fish on that day.

**PROPOSED BY:** Kenai River Professional Guide Association (KRPGA) (EF-F16-142)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 21.360 and 5AAC 21.365.**

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

**(C)(1)(B) [SUBJECT TO THE PROVISIONS OF OTHER MANAGEMENT PLANS,] the Upper Subdistrict set gillnet fishery will fish regular weekly fishing periods, as specified in 5AAC 21.320, through July 20. Additional emergency openings or restrictions shall be implemented by emergency order from the Commissioner in accordance to the in-season abundance based management policy to meet the sustainable escapement goals and harvest the surplus salmon.** [UNLESS THE DEPARTMENT DETERMINES THAT THE MINIMUM IN-RIVER GOAL WILL NOT BE MET, AT WHICH TIME THE FISHERY SHALL BE CLOSED OR RESTRICTED AS NECESSARY; THE COMMISSIONER MAY, BY EMERGENCY ORDER, ALLOW EXTRA FISHING PERIODS OF NO MORE THAN 24 HOURS PER WEEK, EXCEPT AS PROVIDED IN 5 AAC 21.365:]

**(c)(2)(B) [SUBJECT TO THE PROVISIONS OF OTHER MANAGEMENT PLANS,] the Upper Subdistrict set gillnet fishery will fish regular weekly fishing periods, as specified in 5AAC 21.320, through July 20. Additional emergency openings or restrictions shall be implemented by emergency order from the Commissioner in accordance to the in-season abundance based management policy to meet the sustainable escapement goals and harvest the surplus salmon.** [OR UNTIL THE DEPARTMENT MAKES A DETERMINATION OF RUN STRENGTH, WHICHEVER OCCURS FIRST; IF THE DEPARTMENT DETERMINES THAT THE MINIMUM IN-RIVER GOAL WILL NOT BE MET, THE FISHERY SHALL BE CLOSED OR RESTRICTED AS NECESSARY; THE COMMISSIONER MAY, BY EMERGENCY ORDER, ALLOW EXTRA FISHING PERIODS OF NO MORE THAN 51 HOURS PER WEEK, EXCEPT AS PROVIDED IN 5AAC21.365; AND

(C) THE UPPER SUBDISTRICT SET GILLNET FISHERY WILL BE CLOSED FOR ONE CONTINUOUS 36-HOUR PERIOD PER WEEK BEGINNING BETWEEN 7:00P.M. THURSDAY AND 7: A.M. FRIDAY AND FOR ONE CONTINUOUS 24-HOUR PERIOD PER WEEK BEGINNING BETWEEN 7:00 P.M. MONDAY AND 7:00 A.M. WEDNESDAY;]

**(c)(3)(B) [SUBJECT TO THE PROVISIONS OF OTHER MANAGEMENT PLANS,] the Upper Subdistrict set gillnet fishery will fish regular weekly fishing periods, as specified in 5AAC 21.320, through July 20. Additional emergency openings or restrictions shall be implemented by emergency order from the Commissioner in accordance to the in-season abundance based management policy to meet the sustainable escapement goals and harvest the surplus salmon.** [OR UNTIL THE DEPARTMENT MAKES A DETERMINATION OF RUN STRENGTH, WHICHEVER OCCURS FIRST; IF THE DEPARTMENT DETERMINES THAT THE MINIMUM IN-RIVER GOAL WILL NOT BE MET, THE FISHERY SHALL BE CLOSED OR RESTRICTED AS NECESSARY; THE COMMISSIONER MAY, BY EMERGENCY ORDER, ALLOW EXTRA FISHING PERIODS OF NO MORE THAN 84 HOURS PER WEEK, EXCEPT AS PROVIDED IN 5AAC21.365; AND

(C) THE UPPER SUBDISTRICT SET GILLNET FISHERY WILL BE CLOSED FOR ONE CONTINUOUS 36-HOUR PERIOD PER WEEK BEGINNING BETWEEN 7:00P.M. THURSDAY AND 7: A.M. FRIDAY.]

## **5 AAC 21.365. KASILOF RIVER SALMON MANAGEMENT PLAN**

**(c)(2)(A) the commissioner may, by emergency order, open additional fishing periods or extend regular weekly fishing periods [TO A MAXIMUM OF 48 HOURS OF ADDITIONAL FISHING TIME PER WEEK;**

(B) THE FISHERY SHALL REMAIN CLOSED FOR AT LEAST ONE CONTINUOUS 36-HOUR PERIOD PER WEEK TO BEGIN BETWEEN 7:00P.M. THURSDAY AND 7:00 A.M. FRIDAY;]

**What is the issue you would like the board to address and why?** 5 AAC 21.360 Kenai River Late-Run Sockeye Salmon Management Plan and 5AAC 21.365. Kasilof River Salmon Management Plan have elements in the plans that illegally restricts the Commissioner's emergency order authority and make it impossible to manage the east side set net fishery in a manner to meet the escapement goals and harvest the surplus.

Prior to 1999 the east side set gillnet fishery operated on a management plan of two twelve hour inlet wide weekly fishing periods. The plan worked as designed. The biologist had indices, from catch data, to know the size and location of the schools of salmon entering that year as they moved up the beach and could make sound scientific management decisions. Based on the in-season abundance count, salmon managers would open and close fisheries on a real time daily basis to ensure spawning escapements where adequate and to harvest the surplus salmon throughout the run to sustain production. Delegated emergency order authority provided for immediate management decisions by area biologist. Many emergency openings were announced with only two hours till fishing time. This is because once the fish hit the beach they don't wait around and once they enter the river it is forgone commercial harvest. Large escapements are unsustainable and the in-river fisheries are incapable of harvesting the surplus to escapement needs resulting in gross over escapement and reduced future returns. When runs were strong, managers liberalized harvest regulations to utilize surpluses. When runs were poor, managers closed fisheries to provide for predetermined escapement needs which ensure long-term sustainable yields. There was order, stability and predictability in the fisheries, fishery support businesses and the communities. This style of management is also mandated by the Constitution and the Magnuson Stevens Act (MSA). This successful management style is currently used in most areas of the State. It was also adopted by the Pacific Salmon Commission to manage and conserve salmon resources shared by Alaska, Oregon, Washington, and Canada, and worked well in Cook Inlet to achieve the escapement goals and allow all users an opportunity to utilize the surplus. The current version of 5 AAC21..360 and 5AAC21.365 set gillnet fishery management plans are in violation of the constitutional mandate and does not allow adaptive in-season management. The plan makes it impossible for the biologist to know the run size and location or to manage for escapement goals or harvest the surplus. The result has been gross annual over-escapements and annual loss of harvest in the tune of millions of salmon and tens of millions of dollars. The resource, habitat, commercial and sports fishermen, processors, workers, industries, communities and the State are needlessly harmed. The constitution mandates that renewable resources "shall be utilized, developed and maintained on the sustained yield principle." Alaska law states: "The Commissioner shall manage, protect, maintain, improve, and extend the fish, game and aquatic plant resources of the state in the interest of the economy and general well being of the state... through rehabilitation,

enhancement, and development programs, (the department must) do all things necessary to insure perpetual and increasing production and use of the food resources of state waters and continental shelf areas.”

This proposal seeks to modify the set gillnet management plans to be in compliance with the Constitution, MSA, Alaska statute and 5 AAC 39.222 Policy for the management of sustainable salmon fisheries. This proposal will give the biologist the flexibility and proven tools to perform in-season real-time abundance based management and to be effective in achieving the escapement goals and to harvest the salmon surplus. This proposal also seeks to provide a reasonable opportunity for all harvesters and to provide adequate protection for northern bound and central district salmon stocks. This proposal does not limit the commissioner’s use of emergency order authority under AS 16.05.060.

**PROPOSED BY:** Central Peninsula Advisory Committee (EF-F16-143)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 21.505.**

Change the eulachon or smelt quota in Cook Inlet from 100 tons to 200 tons as follows:

5AAC 21.505 1.e. Total harvest is limited to 100 tons or less.

Change to:

5AAC 21.505 1.e. Total harvest is limited to 200 tons or less.

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

In 2005, this was a new and developing fishery and the board passed a very conservative quota partly out of concern that markets were unknown and they didn't want waste to occur. After 10 years of this fishery, no waste has ever occurred and markets at this point would accept more than the 100 ton limit. Having such a low quota causes an unnecessary race for fish by the participants in this fishery, and causes managers to have to be unduly burdened with very close monitoring of the catch which can exceed the quota in just a few short days.

Although definitive run size data is unavailable at this time, there has been some stock assessment done and the department has 10 years of good harvest data. A Didson sonar counter trial showed that run passage can exceed 100,000 fish (about 15,000 lbs) per hour at which time it's impossible to get an accurate enumeration. We have shown that a single person may catch 35,000 fish (5,000 lbs) per hour with a very small (22 inch) hand held dipnet, while the vast majority swim past as escapement. The current 100 ton quota gets caught in just a few days by just a few people and the impact on the run is miniscule. Many other river systems in Cook Inlet, besides just the Susitna, also have healthy stocks of smelt and are not even targeted by this fishery.

The State of Alaska, the governor, legislators, and many others are often pointing out how our natural resources are "locked up". Here is a vast resource that is almost completely unused and is controlled by the State through the board of fisheries. This fishery has provided a bit of work and money for a group of fishermen and cannery workers before the salmon season. The State gets to collect fish taxes and it's good for the economy. It should be doing even more.

**PROPOSED BY:** Teague Vanek

(EF-F16-144)

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**PROPOSAL XXX - 5 AAC 21.353 Central District Drift Gillnet Fishery.**

**5AAC 21.353 Central District Drift Gillnet Fishery Management**

**(a)The purpose of this management plan is to provide the department with the ability to gather in-season data and to have the flexibility to use their in-season management tools to meet the escapement goals and to harvest the surplus salmon. The department shall manage the Central District commercial drift gillnet fishery as described in this section.**

**(b)The regular weekly fishing periods are as described in 5AAC21.320(b). The fishing season will open the third Monday in June or June 19, whichever is later.**

**(c)From the opening date as determined by 5AAC21.353 (b) until August 15,**

**(1)fishing will be opened for drift gillnets as described in 5AAC 21.320(b)(1).**

**(2) The fishing periods set forth in (1) of this subsection may be modified by emergency order;**

**(d)additional fishing time , based on in-season salmon abundance, needed to meet the objectives of harvesting the surplus salmon and staying within the escapement goals will be allowed in one or more of the following areas.**

**(1)Expanded Kenai Section of the Upper Subdistrict;**

**(2) Expanded Kasilof Section of the Upper Subdistrict;**

**(3) Anchor Point Section of the Lower Subdistrict;**

**(4) Drift Gillnet Area 1;**

**(5) Central District**

**What is the issue you would like the board to address and why? 5AAC 21.353. (a) through (f)**

Prior to 1996 the central district drift gillnet fishery operated on a management plan of two twelve hour inlet wide weekly fishing periods. The plan worked as designed. The biologist had indices, from catch data, to know the size and location of the schools of salmon entering that year and could make sound scientific management decisions. Based on the in-season abundance count, salmon managers would open and close fisheries on a real time daily basis to ensure spawning escapements were adequate and to harvest the surplus salmon throughout the run to sustain production. Delegated emergency authority provided for immediate management decisions by area biologist. When runs were strong, managers liberalized harvest regulations to utilize surpluses. When runs were poor, managers closed fisheries to provide for predetermined escapement needs which ensure long-term sustainable yields. There was order, stability and predictability in the fisheries, fishery support businesses and the communities. This style of management is also mandated by the Constitution and the Magnuson Stevens Act (MSA). This successful management style is currently used in most areas of the State, It was also adopted by the Pacific Salmon Commission to manage and conserve salmon resources shared by Alaska, Oregon, Washington, and Canada, and worked well in Cook Inlet to achieve the escapement goals and allow all users an opportunity to utilize the surplus. The current version of 5 AAC21.353. central district drift gillnet fishery management plan is in violation of the constitutional mandate and does not allow adaptive in-season management. The plan makes it impossible for the biologist to know the run size and location or to manage for escapement goals or harvest the surplus. The result has been gross annual over-escapements and annual loss of harvest in the tune of millions of salmon and tens of millions of dollars. The resource, habitat,

commercial and sports fishermen, processors, workers, industries, communities and the State are needlessly harmed. The constitution mandates that renewable resources “shall be utilized, developed and maintained on the sustained yield principle.” Alaska law states: “The Commissioner shall manage, protect, maintain, improve, and extend the fish, game and aquatic plant resources of the state in the interest of the economy and general well being of the state... through rehabilitation, enhancement, and development programs. [the department must] do all things necessary to insure perpetual and increasing production and use of the food resources of state waters and continental shelf areas.”

This proposal seeks to develop the central district drift gillnet management plan to be in compliance with the Constitution, MSA, Alaska statute and 5 AAC 39.222. This plan will give the biologist the flexibility and proven tools to perform in-season real-time abundance based management and to be effective in achieving the escapement goals and to harvest the salmon surplus. This proposal also seeks to provide a reasonable opportunity for all harvesters and to provide adequate protection for northern bound and central district salmon stocks. This proposal does not limit the commissioner’s use of emergency order authority under AS 16.05.060.

**PROPOSED BY:** Central Peninsula Advisory Committee (EF-F16-145)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC .**

Lower Kenai River Mainstem

September 1 - October 31, 3 coho per day

November 1 - June 30 No retention of coho salmon

**What is the issue you would like the board to address and why?** Currently fishing for coho salmon in the Kenai River is allowed downstream of Skilak Lake July 1 - November 30. There is a growing fishery in the middle Kenai River during the later part of the coho salmon season. Many of these late arriving coho salmon spawn in the area from Bings Landing upstream to Skilak Lake and they do not have adequate protection in this area during a time of year when the water flow drops drastically which in turns exposes the areas that they are congregating in. Simply moving the season closing date to October 31 would go a long ways to protect these coho stocks. With more anglers enjoying the fall fishing season it seems prudent to do what we can to ensure the sustainability of the late arriving Kenai River coho.

**PROPOSED BY:** Kenai River Professional Guide Association (KRPGA) (EF-F16-146)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 5 AAC 21.331 (d) (x) Gillnet specifications and op.**  
**5 AAC 21.3311 (d) (x)**

**A set gillnet that is no more that 29 meshes deep, can be up to 45 fathoms long. The total aggregate, for one set net permit, can be no more that 135 fathoms for these voluntarily fished nets.**

**What is the issue you would like the board to address and why?** The issue here is how to minimize late-run Kenai River king salmon harvest, while maximizing sockeye salmon harvest in the commercial set net fishery, in the Upper Subdistrict

In the Kenai River late-Run Sockeye Salmon Management Plan (KRLRSSMP). (a) The department shall manage the Kenai River late-run sockeye salmon stocks primarily for commercial use. The department shall also manage the commercial fishery to minimize the harvest ....., late-run Kenai River king,.....

Satisfying these two main objectives in the KRLRSSMP by the department, sometimes is very challenging, to say the least.

The 2013 KINTAMA study in Cook Inlet, indicated that king salmon swim at an average depth of 16 ft. Sockeye salmon swim at an average depth of 6 ft.

There are some setnetters in Cook Inlet who voluntarily fish 29 mesh deep gear. They do so to MINIMIZE king harvest, while still being economically viable catching sockeye. 29 mesh deep nets hang about 12 ft. deep at slack tide. A 45 mesh deep net hangs about 18 ft. at slack tide.

Many setnetters are very reluctant to change to shallow gear, for a variety of reasons. Setnetters by regulation should not be mandated to fish 29 mesh deep gear.

A very viable solution to persuade setnetters to VOLUNTARILY fish 29 mesh deep gear, would be to increase the length of those nets to 45 fathoms. At this length and depth of the nets, there would be still 17% less gear in the water, than the current regulation.

I believe a regulation like this in the KRLRSSMP would certainly meet the intent of 5 ACC 21.360 (a), to commercially harvest sockeye while helping minimizing king harvest.

**PROPOSED BY:** Gary L. Hollier (EF-F16-148)

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**PROPOSAL XXX - 5 AAC 21.365 / 5 AAC 21.331 .**

5 AAC 21.365 (f) (5) a permit holder may not use more than one set gillnet per permit to take salmon at any one time;

**What is the issue you would like the board to address and why?** This proposal seeks to clarify setnet gear used in the Kasilof River Special Harvest Area (KRSHA) by individuals who hold two Cook Inlet (CI) Commercial Fisheries Entry Commission (CFEC) set gillnet permits. In 5 AAC 21.365 (f) (5) the use of the term *permit holder* needs to reflect individual permits rather than just the individual. There appears to be some confusion by some enforcement officers on if the current language allows an individual to who owns two setnet permits to fish only one net in the KRSHA or are they allowed to fish two nets as specified in 5 AAC 21.331 (j) which allows dual CI set gillnet permit holders two complements of gear.

**PROPOSED BY:** Paul Shadura, spokesperson for South K-Beach Independent Fishermen's Association (SOKI) (EF-F16-150)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 21.360 .**

5AAC 21.360. Kenai River Late-Run Sockeye Salmon Management Plan. (a) The department shall manage the Kenai River late-run sockeye salmon stocks primarily for commercial uses based on abundance. The department shall also manage the commercial fisheries to minimize the harvest of Northern District coho, late-run Kenai River king, and Kenai River coho salmon stocks in order to provide personal use, sport, and guided sport fishermen with a reasonable opportunity to harvest salmon resources.

(b) The Kenai River late-run sockeye salmon commercial, sport, **guided sport fishermen** and personal use fisheries shall be managed to

[1] MEET AN OPTIMUM ESCAPEMENT GOAL (OEG) RANGE OF 700,000 – 1,400,000 LATE-RUN SOCKEYE SALMON;]

**[1]**[(2)] achieve inriver goals as established by the board and measured at the Kenai River sonar counter located at river mile 19; and

**What is the issue you would like the board to address and why?** Repeal the Kenai River late-run sockeye Optimum Escapement Goal OEG

The Kenai River is the only river in the state to have five different sockeye salmon goals. These OEGs are not scientifically defensible and annually puts escapement into the Kenai River that is more than double the biological escapement goal. The OEG is extreme and is being used as a method to restrict commercial fishing and allocate more sockeye into the river, that will not be utilized by any one and will jeopardized future returns. There are numerous studies that document over escapement as not beneficial to the resource, habitat or users. World renowned sockeye salmon expert University of British Columbia professor emeritus Carl Walters states that severely restricting salmon fishing to put more spawners on the grounds did not produce more fish and only cost fishermen money. Walters points out that adding more spawners above an intermediate level does not create more fish. Adding extra spawners are not producing any more salmon and adding more spawners isn't adding more value to anybody. He states that consistently putting too many spawners into a system is bad for the fish. This is exactly what the OEG is doing to the Kenai River. The OEG is contrary to Alaska's Constitution, Alaska's laws, statutory conservation mandates, the Magnuson Stevens Act (MSA) and the Sustainable Salmon fisheries policy 5AAC 39.222 especially (a)(2) formulate fishery management plans designed to achieve maximum or optimum salmon production, and (c)(2)(B) salmon escapement goals should be established in a manner consistent with sustained yield: unless otherwise directed, the department will manage Alaska's salmon fisheries, to the extent possible, for maximum sustained yield; and (c)(3)(P).the best available scientific information on the status of salmon populations and the condition of the salmon's habitats should be routinely updated and subjected to peer review. The OEG must be repealed!

The guided sport fishermen should also be added with the other users who shall be managed to in 5AAC 21.360 (a)(b)

**PROPOSED BY:** Central Peninsula Advisory Committee

(EF-F16-151)

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**PROPOSAL XXX - 5 AAC 21.365 Kasilof River Salmon Management Plan.**

5AAC 21.365. Kasilof River Salmon Management Plan. (a) This management plan governs the harvest of Kasilof River salmon excess to spawning escapement needs. It is the intent of the Board of Fisheries that Kasilof River salmon be harvested in the fisheries that have historically harvested them, including the methods, means, times, and locations of those fisheries. Openings in the areas historically fished must be consistent with escapement objectives for upper Cook Inlet salmon and with the Upper Cook Inlet Salmon Management Plan (5AAC 21.363).

(b) Achieving the lower end of the Kenai River sockeye salmon escapement goal shall take priority over not exceeding the upper end of the Kasilof River **sustainable escapement goal of 160,000 – 340,000** [OPTIMAL ESCAPEMENT GOAL OF 160,000 – 390,000] sockeye salmon.

**What is the issue you would like the board to address and why?** Repeal the Kasilof River Optimum Escapement Goal OEG

The Kasilof River OEG of 160,000 - 390,000 is not scientifically defensible and annually puts escapement into the Kasilof River that is more than double the biological escapement goal. The OEG is extreme and is being used as a method to restrict commercial fishing and allocate more sockeye into the river, that will not be utilized by anyone and will jeopardize future returns. There are numerous studies that document over escapement as not beneficial to the resource, habitat or users. World renowned sockeye salmon expert University of British Columbia professor emeritus Carl Walters states that severely restricting salmon fishing to put more spawners on the grounds did not produce more fish and only cost fishermen money. Walters points out that adding more spawners above an intermediate level does not create more fish. Adding extra spawners are not producing any more salmon and adding more spawners isn't adding more value to anybody. He states that consistently putting too many spawners into a system is bad for the fish. This is exactly what the OEG is doing to the Kasilof River. The OEG is contrary to Alaska's Constitution, Alaska's laws, statutory conservation mandates, the Magnuson Stevens Act (MSA) and the Sustainable Salmon fisheries policy 5AAC 39.222 especially (a)(2) formulate fishery management plans designed to achieve maximum or optimum salmon production, and (c)(2)(B) salmon escapement goals should be established in a manner consistent with sustained yield: unless otherwise directed, the department will manage Alaska's salmon fisheries, to the extent possible, for maximum sustained yield; and (c)(3)(P).the best available scientific information on the status of salmon populations and the condition of the salmon's habitats should be routinely updated and subjected to peer review. The OEG must be repealed!

**PROPOSED BY:** Central Peninsula Advisory Committee

(EF-F16-152)

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**PROPOSAL XXX - 5 AAC .**

The solution to this problem would be to eliminate the option of catch and release with bait. If you want to fish with bait because of its effectiveness and your goal is to catch fish for the freezer, that's ok. However, once you land a fish, that fish must be retained. The option to catch and release with bait killing as many as 6 out of 10 as fish are "sorted through" no longer exists.

New regulation would read to the effect of **During the dates of (normally stated King Salmon fishing dates) fishermen choosing to use bait who land a King Salmon over the length of 20 inches must retain that fish and immediately record their catch. The practice of catch and release of King Salmon using bait is prohibited.**

New regulation would apply to the open waters of Anchor River, Ninilchik River, and Deep Creek during the King Salmon season.

**What is the issue you would like the board to address and why?** The use of bait allowing for "increased harvest opportunity" within the waters of Anchor River, Ninilchik River, and Deep Creek has had the unintended consequence of drastically increasing "cryptic mortality". The practice of fisherman choosing to use bait and then "sort" through their fish until landing one they deem worth retention has resulted in a large amount of fish succumbing to the increased mortality rates of bait fishing. The latest study of fish mortality of catch and release with artificial means vs. bait by Idaho Fish and Game showed 4-6% with artificial lures/ flies and ~25% with bait. In the 1996 report "Survey of Recreational Fishing in Canada" by Schiller and Bergersen it was determined to be approximately 10% vs. 32-64% respectively for artificial lures/ flies vs. bait. While the idea of increased harvest opportunity with the use of bait in a fishery that clearly is going to be within the escapement goal is a reasonable idea, the idea of killing multiple fish to get the one and angler likes is unacceptable.

If nothing is changed there will continue to be unnecessary mortality to King Salmon runs that have struggled to meet the minimum escapement goals for the last several years

Other options would be to eliminate bait entirely, however, that would impact harvest opportunity.

**PROPOSED BY:** Zach Stubbs (EF-F16-153)

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**PROPOSAL XXX - 5 AAC .**

The solution to this problem would be to eliminate the option of catch and release with bait. If you want to fish with bait because of its effectiveness and your goal is to catch fish for the freezer, that's ok. However, once you land a fish, that fish must be retained. The option to catch and release with bait killing as many as 6 out of 10 as fish are "sorted through" no longer exists.

New regulation would read to the effect of **During the dates of (normally stated King Salmon fishing dates) fishermen choosing to use bait who land a King Salmon over the length of 20 inches must retain that fish and immediately record their catch. The practice of catch and release of King Salmon using bait is prohibited.**

**What is the issue you would like the board to address and why?** The use of bait in Anchor, Deep Creek, and Ninilchick rivers during king season. practicing catch and release using bait has a direct affect on mortality of king salmon entering the river to spawn. The more people use bait to catch kings and practice catch and release for sport or selection of a desired king decreases the number of kings reaching spawning grounds. We have to reduce the mortality rate of kings to increase future escapement goals

**PROPOSED BY:** Mike Priebe (EF-F16-154)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 77.540 / 5 AAC 75.018 / 5 AAC 47.021 / 5 AAC.**

5 AAC 77.540 Upper Cook Inlet Personal Use Salmon Fishery Management Plan (c) (1) (B) the annual limit is as specified in 5 AAC 77.525, except that only **10** [ONE] king salmon **under 20 inches** may be retained per household.

**What is the issue you would like the board to address and why?** The Kenai River Personal Use (PU) fishery has been at times restricted from the harvesting of king salmon for conservation reasons. The current language allows a one king retention. There are very few restrictions for the harvesting of up to 10 kings less than 20 inches in salt and fresh waters of the state. PU fishers need consistency in there regulations. This proposal would allow up to 10 kings under 20 inches to be retained under most management plans. This proposal would apply an intensive management objective in culling the jack king from the genetic pool. In addition, defining the size of kings for retention would aid in conservation and sustainable yields.

**PROPOSED BY:** Paul A. Shadura II

(EF-F16-155)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC**

New regulation would read to the effect of King Salmon Fishing on the Fridays evenings before the day of opening on Anchor, Deep Creek, and Ninilchick rivers between 6 and 9pm will be available for 16 and under fisherman only. A mother or Father can accompany the fisherman and help with fishing but may not fish.

**What is the issue you would like the board to address and why?** There are insufficient opportunities for youth only fisheries. In order to promote youth fishing there should be time and dates specifically for youth fishing only.

**PROPOSED BY:** Mike Priebe

(EF-F16-156)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC .**

Because of the large increase in the numbers of hatchery King Salmon being released in the Ninilchik River, move the opening day of the regular hatchery King Salmon opening from July 1st to June 16th, to allow increased opportunity to harvest these fish, while they are available, and in prime condition.

**What is the issue you would like the board to address and why?** Recently, the Alaska Department of Fish and Game has significantly increased the number of King Salmon fingerlings being released into the Ninilchik River, and would like to see an increased opportunity to harvest these fish when they return as adults. The current regulations on the Ninilchik River allow fishing for King Salmon for just three 3-day weekends, starting on Memorial weekend. After that last 3-day weekend, the Ninilchik River remains closed for up to 22 days until July 1st, depending on where Memorial weekend falls on the calendar each year. On July 1st, the Ninilchik River reopens for hatchery King Salmon fishing only, on a daily basis.

This long closure in June is a lost opportunity to harvest hatchery King Salmon on the Ninilchik River, when they are in prime condition, and within reach of the two mile fishing limit marker on that river. In June of 2015, the Ninilchik River was only open for King Salmon fishing for 4 days, and in June of 2016, it is scheduled to open for 6 days.

**PROPOSED BY:** Gary Sinnhuber (EF-F16-157)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 28.450..**

Change 5 AAC 28.467.(j).(2) from after October 30, if needed, designation of the Kodiak Area as a nonexclusive registration area for Pacific cod.

For pot gear, after October 30, if needed, designation of the Kodiak Area as a nonexclusive registration area for Pacific cod. For jig gear, after June 10, if needed, designation of the Kodiak Area as a nonexclusive registration area for Pacific cod.

**What is the issue you would like the board to address and why?** Fish and Game has a tool to designate the Kodiak area as a nonexclusive registration area for cod jigging after October 30. Very few jig boats if any are actually fishing after that date, rendering the tool useless. If this date is moved up to June 10, then Fish and Game would have a good idea whether or not the existing fleet would catch the quota. Fish and Game could then allow jig boats to move to an area that would help the fleet catch the remaining quota. This proposal would allow the jig fleet a little more flexibility to catch an otherwise stranded quota after June 10.

**PROPOSED BY:** Neil Rickman

(EF-F16-159)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 39.130 / 5 AAC 21.310 / 5 AAC 06.370 / 5 AAC.**

New section in 5 AAC 21.200 and/or 5 AAC 21.330 would define the six ESSN statistical areas into regulation for more accurate and accountable reporting purposes.

**What is the issue you would like the board to address and why?** In 5 AAC 39.130 (c) (7) The first purchaser of raw fish is required to record on a fish ticket information for reporting ...the ADF&G statistical area, district, and subdistrict, and the nearest headland or bay in the which the fish were taken; In Cook Inlet, 5 AAC 21.355 requires ... a commercial salmon fisherman shall, at the time of the landing, report on an ADF&G fish ticket the number of salmon, by species, taken but not sold. Statistical areas that makeup the ESSN beaches are not specifically defined in regulation. General reporting regulations require the raw fish purchaser to report on the fish ticket a statistical area. Further, 5 AAC 21.310 (b) (2) (C) (iii) closes by emergency order after July 31st if the ADF&G determines a 1 % production/participation threshold and relies on the statistical areas reported. Some fishermen harvest in both the Kenai and Kasilof sections thus different statistical areas. There is no accountability or requirement in Cook Inlet for commercial fishermen to give an accurate statistical area for a percentage of their catch. In 2015, the Kasilof section was shut down earlier than the Kenai section for just a few hundred pounds. Sockeye goals had been exceeded in both the Kenai and Kasilof Rivers. The King BEG in the Kenai was assured. Statistical areas 244-31, 244 -32, 244-41 and 244-42 have coordinates listed in various sections. 244-21 and 244-22 describe the Clam Gulch road as the arbitrary division but it has no coordinates defined in regulation. Placing the actual ESSN statistical areas in 5 AAC 21.200 would clarify boundaries for management purposes and adherence to current reporting requirements on fish tickets. In Bristol Bay 5 AAC 06.370 (l) (1-7) statistical areas are used for registration areas. A management tool to allow for surgical openings to align fishing opportunity with abundance.

**PROPOSED BY:** Paul Shadura, spokesperson for South K-Beach Independent Fishermen's Association (SOKI) (EF-F16-161)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC .**

The solution: Create a youth sports fishery on the Anchor River, Ninilchik River, and Deep Creek. Fishery would be held within the normally open geographic boundaries between the hours for 6-9pm on the Fridays preceding the open weekends on the prospective streams. The fishery would be available to those Alaskans between the ages of 6 and 15. This age does not require a fishing license or king salmon stamp, but would require a youth fishery form to record their catch. The annual limit would be 1 per year total between the streams within the special fishery (A successful catch in the youth fishery would not stop them from fishing in normal fisheries). This fishery could be managed very similarly to the extremely successful Big Game Youth Hunts found within the State already.

This proposal would also meet 1 of the 3 stated core values in the 2015-2020 Fish and Game Strategic Plan - Excellence in Fisheries management and research for the benefit of sport anglers, the State's economy, and **future generations of Alaskans.**

**What is the issue you would like the board to address and why?** The King Salmon fishery of the lower Cook Inlet steams Anchor River, Ninilchik River, and Deep Creek have seen a large increase in pressure over the years. This increased pressure and the way in which the fishing periods are managed (opening at 12:00am) have impacted the fishing quality for our future Alaskans. When the the fishery opens the amount of light is very low. Hooks fly around and most adults' attention falls upon catching their own fish. When day breaks the majority of the aggressive more easily caught fish have been taken and the opportunity for our youth to catch a Wild Alaskan King Salmon is extremely low.

If nothing is changed the amount of young alaskans entering and showing interest in sports fishing will continue to decline.

**PROPOSED BY:** Zach Stubbs (EF-F16-162)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC**

Larson Creek drainage

The Larson Creek drainage, including all waters within a 1/4 –mile radius of its confluence with the Talkeetna River:

**Closed to king, coho and sockeye salmon fishing** [Closed to king salmon fishing.]

**What is the issue you would like the board to address and why?** In the Larson Creek drainage include sockeye and coho salmon to the area closed to king salmon fishing which is the ¼ mile radius of its confluence with the Talkeetna River. This area has been discovered and grown in popularity as a sockeye and coho fishing hole. The increased fishing pressure, harvest and catch and release mortality is not sustainable and jeopardizes meeting Larson Lake sockeye escapement goal. This is a staging area, as all confluences are, and the salmon should be protected. A quarter mile protection zone still leaves anglers a reasonable opportunity to harvest salmon. With global warming the smaller streams have warmer water temperatures that are sometimes above the lethal temperature for salmon to survive. Salmon tend to stag in the confluences longer waiting for cooler temperatures and are more likely to be caught. The warmer water temperature also increases the mortality from catch and lease because of the added stress on the salmon in addition to the lack of oxygen the warmer water creates. Coho are extremely susceptible to catch and release mortality. The 1993 ADF&G report on the “Mortality of coho salmon caught and released using sport tackle in the Little Susitna, Alaska-ADF&G documented a 69% mortality on coho salmon in the lower 10 to 15 miles, of fresh water systems. This lower section is where salmon are the most stressed and the majority of catch and release occurs. The lower section of fresh water systems is the highest for catch and release mortality because the salmon’s body is undergoing chemical changes to acclimate from salt water to fresh water. The Susitna drainage is very susceptible to warmer water and the negative impacts on adult and juvenile salmon. With the prediction of a continuing global warming trend it would be prudent for ADF&G to restrict more confluences to ensure escapements into spawning streams and lakes. There are many examples where the confluences were left opened to fishing too long and the systems either took a long time to recover or don’t recover at all.

**PROPOSED BY:** Central Peninsula Advisory Committee (EF-F16-163)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 21.359(e) and (f).**

[(e) FROM JULY 1 THROUGH JULY 31, IF THE PROJECTED INRIVER RUN OF LATE-RUN KING SALMON IS LESS THAN 22,500 FISH, IN ORDER TO ACHIEVE THE SUSTAINABLE ESCAPEMENT GOAL AND PROVIDE REASONABLE HARVEST OPPORTUNITY, THE COMMISSIONER MAY, BY EMERGENCY ORDER, ESTABLISH FISHING SEASONS AS FOLLOWS:

(1) IN THE KENAI RIVER SPORT FISHERY,

(A) THE USE OF BAIT IS PROHIBITED; OR

(B) THE USE OF BAIT AND RETENTION OF KING SALMON ARE PROHIBITED, AND ONLY ONE UNBAITED, BARBLESS, SINGLE-HOOK, ARTIFICIAL LURE, AS DESCRIBED IN 5 AAC 57.121(1)(J), MAY BE USED WHEN SPORT FISHING FOR KING SALMON;

(2) IN THE KENAI RIVER PERSONAL USE FISHERY, IF THE USE OF BAIT IS PROHIBITED IN THE KENAI RIVER SPORT FISHERY UNDER (1) OF THIS SUBSECTION, THE RETENTION OF KING SALMON IS PROHIBITED IN THE PERSONAL USE FISHERY;

(3) IN THE UPPER SUBDISTRICT SET GILLNET COMMERCIAL FISHERY, NOTWITHSTANDING THE PROVISIONS OF 5 AAC 21.360(C)(1)(B), (2)(B), AND (3)(B), BASED ON THE ABUNDANCE OF SOCKEYE SALMON RETURNING TO THE KENAI AND KASILOF RIVERS,

(A) IF THE USE OF BAIT IS PROHIBITED IN THE KENAI RIVER SPORT FISHERY UNDER (1)(A) OF THIS SUBSECTION, COMMERCIAL FISHING PERIODS ARE OPEN FOR NO MORE THAN 36 HOURS PER WEEK, WITH A 36-HOUR CONTINUOUS CLOSURE PER WEEK BEGINNING BETWEEN 7:00 P.M. THURSDAY AND 7:00 A.M. FRIDAY, DURING WHICH THE NUMBER OF SET GILLNETS OPERATED MAY ALSO BE RESTRICTED TO EITHER

(I) THREE SET GILLNETS THAT ARE EACH NOT MORE THAN 35 FATHOMS IN LENGTH AND 29 MESHES IN DEPTH OR TWO SET GILLNETS THAT ARE EACH NOT MORE THAN 35 FATHOMS IN LENGTH AND 45 MESHES IN DEPTH; SET GILLNETS USED THAT ARE NOT MORE THAN 29 MESHES IN DEPTH MUST BE IDENTIFIED AT THE END OF THE GILLNET WITH AN ATTACHED BLUE BUOY THAT IS NOT LESS THAN NINE AND ONE-HALF INCHES IN DIAMETER; OR

(II) TWO SET GILLNETS THAT ARE EACH NOT MORE THAN 35 FATHOMS IN LENGTH AND 29 MESHES IN DEPTH OR ONE SET GILLNET THAT IS NOT MORE THAN 35 FATHOMS IN LENGTH AND 45 MESHES IN DEPTH; SET GILLNETS USED THAT ARE NOT MORE THAN 29 MESHES IN DEPTH MUST BE IDENTIFIED AT THE END OF THE GILLNET WITH AN ATTACHED BLUE BUOY THAT IS NOT LESS THAN NINE AND ONE-HALF INCHES IN DIAMETER; OR

(B) IF THE USE OF BAIT AND THE RETENTION OF KING SALMON ARE PROHIBITED IN THE KENAI RIVER SPORT FISHERY UNDER (1)(B) OF THIS SUBSECTION, COMMERCIAL FISHING PERIODS ARE OPEN FOR NO MORE THAN 12 HOURS PER WEEK, WITH A 36-HOUR CONTINUOUS CLOSURE PER WEEK BEGINNING BETWEEN 7:00 P.M. THURSDAY AND 7:00 A.M. FRIDAY.

(F) FROM AUGUST 1 THROUGH AUGUST 15, IF THE PROJECTED ESCAPEMENT OF KING SALMON INTO THE KENAI RIVER IS AT LEAST 16,500, BUT LESS THAN 22,500 FISH, NOTWITHSTANDING THE PROVISIONS OF 5 AAC 21.360(C)(1)(B), (2)(B), AND (3)(B), THE COMMISSIONER MAY OPEN, BY EMERGENCY ORDER, THE COMMERCIAL SET GILLNET FISHERY IN THE UPPER SUBDISTRICT TO NO MORE THAN 36 HOURS OF FISHING TIME.]

**What is the issue you would like the board to address and why?** Delete provisions (e) and (f) from the Kenai River Late-Run King Salmon Management Plan.

The current provisions in 5 AAC 21.359(e) and (f), which were adopted in 2014, have essentially created an optimal escapement goal (OEG) for Kenai River late-run king salmon bore disproportionately by the Upper Subdistrict set gillnet fishery. For example, the current management plan places the entire burden of conservation for this stock in August solely on the set gillnet fishery.

The sustainable escapement goal (SEG) for Kenai River late-run king salmon is 15,000–30,000 fish. The current management plan states that from July 1 through July 30, both the commercial fishery and the inriver sport fishery are managed to the same objectives. Specifically, if the Kenai River king salmon inriver run exceeds 22,500 fish, both fisheries are prosecuted without restrictions; however, if the inriver run is projected to be less than 22,500 fish, restrictions to both fisheries are required. Beginning August 1, however, the inriver sport fishery for king salmon closes and the management target for king salmon switches from achieving a projected inriver run of 22,500 fish to achieving a projected escapement of 16,500 to 22,500 fish. The restrictions triggered by being below a projected escapement of 22,500 fish falls exclusively on the Upper Subdistrict set gillnet fishery. To change a management target from a projected inriver run to a projected escapement objective and then to have that higher burden of conservation fall completely on one user group, is highly unusual and even draconian in nature.

The late-run of Kenai River king salmon has never failed to meet its minimum escapement objective since enumeration began in 1986. Furthermore, the upper end of the escapement goal has been exceeded in 15 of 28 years. This proposal simply advocates for the department to do what they have already shown they will, that is, use their emergency order authority to adjust harvest rates of the sport and commercial fisheries on Kenai River late-run king salmon in order to meet the SEG for this stock. Mandated restrictions on the Upper Subdistrict set gillnet fishery in order to achieve the mid-point of the SEG for Kenai River king salmon puts management of the sockeye salmon fishery in jeopardy. In the past 10 years (2006-2015), the Kenai River sockeye salmon inriver goal has been exceeded 7 times, while the Kasilof River sockeye salmon BEG has been exceeded 9 times. This proposal seeks some balance in managing these two very important stocks of fish. Why is managing to the mid-point of the escapement goal for king salmon more important than not exceeding the upper end of sockeye salmon management objectives? This proposal seeks to provide ADF&G with more flexibility to allow for the harvest of surplus sockeye salmon while still achieving the SEG for late-run Kenai River king salmon.

**PROPOSED BY:** Joel Doner (EF-F16-164)

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**PROPOSAL XXX - 5 AAC 21.353 (e) Central District Drift Gillnet Fis.**

5AAC 21.353(e) Central District Drift Gillnet Fishery Management Plan

**(e) From August 1 through August 15, there are no mandatory time or area restrictions to regular fishing periods.** [, EXCEPT THAT IF THE UPPER SUBDISTRICT SET GILLNET FISHERY IS CLOSED UNDER 5 AAC 21.310(B)(2)(C)(III), OR THE DEPARTMENT DETERMINES THAT LESS THAN ONE PERCENT OF THE SEASON'S TOTAL DRIFT GILLNET SOCKEYE SALMON HARVEST HAS BEEN TAKEN PER FISHING PERIOD FOR TWO CONSECUTIVE FISHING PERIODS IN THE DRIFT GILLNET FISHERY, REGULAR FISHING PERIODS WILL BE RESTRICTED TO DRIFT GILLNET AREAS 3 AND 4. IN THIS SUBSECTION, "FISHING PERIOD" MEANS A TIME PERIOD OPEN TO COMMERCIAL FISHING AS MEASURED BY A 24-HOUR CALENDAR DAY FROM 12:01 A.M. UNTIL 11:59 P.M.]

**What is the issue you would like the board to address and why? 5AAC 21.353(e)**

In 2014 the BOF adopted the one percent rule on the drift gillnet fishery. The adoption of the one percent rule has no scientific or biological support. It is not used statewide and was strictly an arbitrarily and capriciously implemented allocation regulation. It is a backdoor approach by some special interest groups to close the commercial fishery in the first week of August. The current regulation failed to address the lost harvest of surplus salmon stocks in August and the impossibility of managers to manage for the escapement goals. In 2015 the UCI sockeye run was the latest on record. The Kenai River sockeye escapement was over two million. The Kenai and Kasilof Rivers received twice their biological escapement goals for sockeye. All sockeye and coho escapement goals were met with many systems grossly over-escaped. The surplus salmon were not harvested by anybody. The August chum and pinks runs are virtually un-harvested. August can have pink returns in the millions, but this regulation prevents their harvest. This is not sustainable. An example of how ludicrous this regulation is: Thirty local commercial drifters are fishing the two regular weekly 12 hour periods on Monday, August 3rd and again on Thursday, August 6th. The salmon escapement goals are met or exceeded for all salmon species. The coho run is excellent and it is an even pink year with 20 million pinks predicted to return. There are no conservation concerns. The only concern is gross over-escapement. The thirty fishermen had their best fishing days on sockeye on August 3rd and 6th. Because there were only thirty of them fishing, besides the fact that they had large catches of surplus sockeye, their total combined catch was less than one percent of the entire drift fleet's combined season harvest of sockeye for two consecutive regular periods after July 31st, so by the current regulation their season is closed except for a small sliver along the west shore, 35 miles away and few fish. If they had caught a boat load of surplus chums or pinks they would also be closed. The current regulation pretty much guarantees the drift closure and the inability to monetize the surplus salmon. The passing of the rule failed to address the lower number of fishermen participating in harvesting the salmon runs in August by both the commercial and in-river sports fishery. This lower participation level provides effective protection for escapement needs and for in-river user to have a reasonable opportunity. The lost opportunity and harvest denied to the fewer local commercial participants are significant, unnecessary and wasteful, not only to them but to the processors, workers, support businesses, communities economy and the State treasury.

The current regulation is in violation of 5AAC 39.222. Policy for the management of sustainable salmon fisheries, State fisheries policy, Article 8 of the Constitution and the Magnuson Stevens Act all of which require sustained yield and science based management.

This proposal does not limit the commissioner's use of emergency order authority under AS 16.05.060 to achieve established escapement goals for the management plans as the primary management objective.

**PROPOSED BY:** Central Peninsula Advisory Committee (EF-F16-165)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC .**

The Department of Fish and Game shall dedicate a Handicap only (and Disabled Veteran) fishing area from the Anchor Rive bridge downstream 200'. This area will be for the exclusive use of those who qualify using the same standards as the already established and successful Russian River site. The Handicap only area would only be "live" during the King Salmon season. The required improvements to access the area would be provided for at no cost to the State of Alaska.

**What is the issue you would like the board to address and why?** In South-central Alaska there are no areas dedicated to exclusive use King Salmon fishing for handicap persons and disabled veterans. While there has been much success with the handicap access fishery for Sockeye Salmon on the Russian River, there has yet to be a dedicated area for King Salmon. Access to one of Alaska's most valuable resources is extremely difficult for or physically challenged citizens.

If nothing changes our handicap Alaskans and disabled veterans will continue to only have a dedicated area for Sockeye Salmon and lacking for King Salmon.

**PROPOSED BY:** Zach Stubbs

(EF-F16-166)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 21.365 / 5 AAC 21.359.**

5 AAC 21.365 (c) (3) ...If the commissioner determines that further restrictions are necessary to aid in achieving the lower end of the Kenai River **late run sockeye and king salmon** escapement goal(s), the commissioner may, in an emergency order under this paragraph, further restrict fishing to within 600 ft of the **mean** high tide mark in the Kasilof section[;]**(.) Hours allowed under this provision will not be subject to the restrictions in 5 AAC 21.359 (e) (3) (A) and will be adhere to the requirements in (f) of this section.**

**What is the issue you would like the board to address and why?** Under the restrictions mandated in 5 AAC 21.359 (e) (3) (A) the use of the 600ft area in lieu of the KRSHA terminal area would appear to be outside of the policies and directives in the Kasilof River Salmon Management Plan. We believe that the 600ft zone should be part of the KRSHA plan and that the hours used should not be counted against the hourly restrictions in place for the entire ESSN fishery. If used on a regular basis, control of the escapement of Kasilof bound sockeye could be of considerable benefit to escapement goals and objectives without violating policies described in (a) of this regulation. ...It is the intent of the Board of Fisheries that the Kasilof River salmon be harvested in the fisheries that have historically harvested them, including the methods, means, times, and locations of those fisheries. ...Further use of the Kasilof Terminal area has created a "new" fishery where 10% of the participants harvest 90% of the sockeye. These few have established locations on the boundaries that are nets tied together, end to end, all the way out to the 1200 ft limit. Strong armed tactics, intimidation and outright piracy keep these locations in but a few hands. The 600 ft limit offers the traditional fishers to operate from their headquarter sites. Very few Kenai bound kings were caught when this concept was utilized in 2015 yet many Kasilof bound sockeyes were harvested.

**PROPOSED BY:** Paul Shadura, spokesperson for South K-Beach Independent Fishermen's Association (SOKI) (EF-F16-167)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 21.359 (e) (3) (A).**

5 AAC 21.359 (e) (3) (A) if the use of bait is prohibited in the Kenai River sport fishery under (1) (A) of this subsection, commercial fishing periods **in the Kenai and Kasilof sections may be managed independently based on abundance and** are open for no more than 36 hours per week **within each section,** with a 36-hour continuous closure per week beginning between 7:00 p.m. Thursday and 7:00 a.m. Friday, during which the number of set gillnets operated may also be restricted to either

**What is the issue you would like the board to address and why?** 5 AAC 21.363 Upper Cook Inlet Management Plan (a) (3) in adopting the specific management plans described in (2) of the subsection the board will consider: (a) (3) (C) the various needs and demands of the user groups of the salmon resources of upper Cook Inlet: We have attempted several times in three years to get this slight requested modification in place. This would be a major improvement and an opportunity for maintaining a economically viable ESSN fishery in times of hourly restrictions. A modified plan that will maximize true abundance while still remaining in a very restrictive management plan. The current regulation does nothing for managing 49.85 statute miles of beach in a productive manner.

**PROPOSED BY:** Paul Shadura, spokesperson for South K-Beach Independent Fishermen's Association (SOKI) (EF-F16-168)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC**

The Board of Fisheries should implement the circle hook as the legal hook for sockeye fishing.

**What is the issue you would like the board to address and why?** The sockeye sports fishery has become very popular. The method of catching sockeye is with a single hook coho fly stripped through the water to try to legally hook the sockeye in the mouth. The hook commonly snags the salmon in the tail, dorsal fin or other parts of the body and has to be released. This happens frequently and a lot of sockeye die from the stress of catch and release. The hooks are also good a hooking people. There is a better way, with circle hooks. Circle hooks are much less likely to snag a salmon other than in the mouth. This would dramatically reduce catch and release mortality. Circle hook are also much safer and less likely to snag a persons body. The halibut fishery was reluctant to use circle hooks but now they are the norm because of their efficiency.

**PROPOSED BY:** Central Peninsula Advisory Committee

(EF-F16-170)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC**

The Board of Fisheries and the Department should implement a limit on the number of salmon an angler can catch and release in a day. This could be area specific. The more fishing pressure the more restrictive. A catch and release limit of twice the bag limit might be a good start.

**What is the issue you would like the board to address and why?** The catch and release mortality is becoming a larger concern as rivers have more and more anglers and fresh water temperatures in south central Alaska are increasing. With global warming the smaller streams have warmer water temperatures that are sometimes above the lethal temperature for salmon to survive. Salmon tend to stag in the confluences longer waiting for cooler temperatures and are more likely to be caught. The warmer water temperature also increases the mortality from catch and release because of the added stress on the salmon in addition to the lack of oxygen the warmer water creates. Coho are extremely susceptible to catch and release mortality. The 1993 ADF&G report on the "Mortality of coho salmon caught and released using sport tackle in the Little Susitna, Alaska-ADF&G documented a 69% mortality on coho salmon in the lower 10 to 15 miles, of fresh water systems. This lower section is where salmon are the most stressed and the majority of catch and release occurs. The lower section of fresh water systems is the highest for catch and release mortality because the salmon's body is undergoing chemical changes to acclimate from salt water to fresh water. In 2006 ADF&G data reported 650,000 salmon caught and released in Cook Inlet. The resulting mortality would be 100,000 to 150,000 or more salmon died. Salmon are a high quality sustainable food source and should be treated as such. With the current and predicted warmer temperatures the mortalities will increase. Everyone has heard of anglers that catch and releasing ten, twenty, thirty, forty or more salmon in a day. Studies show 10% to 40% or more of those fish will die or their eggs will be infertile. This is not being a responsible steward of the resource. Catch and release mortality should not be an acceptable means of harvesting the surplus salmon. If one angler does this, there is no problem. When thousands of anglers do this you have an unsustainable problem. The Board of Fisheries and the Department should consider implementing a limit on the number of salmon an angler can catch and release in a day. If the bag limit is 3 salmon a day and an angler catches and releases 10 salmon in a day and three of those die from catch and release mortality plus they kept the bag limit of three, then they killed 6 salmon or twice the bag limit and it was legal. The guy that didn't release any but kept 4 salmon got a ticket for over limit. A catch and release limit of twice the bag limit might be a good start. Enforcement would not be as effective as enforcing a bag limit but it would be enforceable. Most anglers will follow the rules. This would also free up room on the river banks, lessen habitat degradation and show that we are responsible stewards of our salmon.

**PROPOSED BY:** Central Peninsula Advisory Committee

(EF-F16-171)

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**PROPOSAL XXX - 5 AAC 21.359 .**

5 AAC 21.359

(e) [DELETE]

(f) [DELETE]

**What is the issue you would like the board to address and why?** Current Late Run Kenai River King Salmon Plan does not work. The restrictions in place are to static and will not allow any flexibility to managers. The question of pairing is not fundamentally possible in a fisheries with so many different moving parts. SOKI is committed in modifying the language to address glaring inequities. We especially challenge the restriction to mesh size. The ADF&G has challenged the study that board members accepted as being valid science and the author continues to submit bad science that is bias and contrived.

**PROPOSED BY:** Paul Shadura, spokesperson for South K-Beach Independent Fishermen's Association (SOKI) (EF-F16-172)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 21.354.**

[REPEAL 5AAC 21.354. THE COOK INLET PINK SALMON PLAN IN IT'S ENTIRITY]

Develop a new plan that is simple and more effective

**5AAC 21.354. Cook Inlet Pink Salmon Management Plan. (a) The purpose of this management plan is to allow for the harvest of surplus pink salmon in the Upper Subdistrict for set gillnet and drift gillnet gear. The commercial fishery set and drift will fish their regular weekly fishing periods in August. If all other salmon species are healthy and making their escapement goals the commercial fisheries will fish extra fishing periods based on pink abundance.**

**What is the issue you would like the board to address and why?** Repeal and replace the current Cook Inlet Pink Salmon Management Plan

The current pink management plan is unrealistic and inefficient for harvesting millions of returning pink salmon. The current plan would only harvest a small fraction of the surplus. The mesh size restrictions also prevents sufficient harvest and efficiency. The Cook Inlet pinks are some of the largest pinks in the State. The fishermen should be allowed to decide which gear size will work best and the cost of gearing up. The current plan allows for over 96% of the surplus pinks to go unharvested. That is a lot of lost meals, jobs and money to the local economies and state treasury and for no reason except allocation. The current regulation is in violation of 5AAC 39.222. Policy for the management of sustainable salmon fisheries, State fisheries policy, Article 8 of the Constitution and the Magnuson Stevens Act all of which require sustained yield and science based management which means harvesting the surplus. It is also not being good stewards of the resource to forgo pink harvest when all other salmon species are healthy and have or will meet their escapement goals.

**PROPOSED BY:** Central Peninsula Advisory Committee

(EF-F16-173)

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Original Proposal Currently Under Review

907-465-6094

REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526

Proposals for this cycle are due April 11, 2016

*\*Indicates a required field*

|   |   |
|---|---|
| <b>BOARD OF FISHERIES REGULATIONS</b>   |   |
| Subsistence   | Personal Use  |
| Sport   | Commercial X  |
| <b>*Which meeting would you like to submit your proposal to?</b>  |   |
| Lower Cook Inlet Area all Finfish   | Upper Cook Inlet Area all Finfish X                           |
| Kodiak Area all Finfish   | Statewide (except Southeast/Yakutat) King and Tanner Crab     |
| <p>Please answer all questions to the best of your ability. All answers will be printed in the proposal book along with the proposer's name (address and phone numbers will not be published). Use separate forms for each proposal. Address only one issue per proposal. State the issue clearly and concisely. The board will reject multiple or confusing items.</p> |   |
| 1. Alaska Administrative Code Number 5 AAC  | 21.353 Central District Drift Gillnet Fishery Management Plan |

Original Proposal Currently Under Review

**\*2. What is the issue you would like the board to address and why?**

While changes to the drift management plan adopted by the Board in 2014 have proven more effective in increasing escapements of Northern District drainage salmon stocks during July and providing more reasonable harvest opportunities for Northern District user groups during July, management during 2015 proved the plan inadequate in continuing those benefits throughout August. As currently configured the plan allows excessive amounts of drift gillnet fishing during the first half of August which jeopardizes both attainment of Northern District drainage salmon escapement needs and reasonable salmon harvest opportunities for Northern District and Northern District drainage user groups. Therefore, to address Northern conservation concerns and to allow more reasonable Northern harvest opportunity for other user groups, this proposal seeks to amend the drift management plan in a manner that still maintains drift gillnetters an extremely liberal opportunity to harvest surplus sockeye salmon during times of August abundance. Note: under this proposal even if the drift fishery was restricted under the 1% rule, ADF&G could still allow the fleet to fish 7 days per week (5 days per week in the Expanded Kenai, Expanded Kasilof, and Anchor Point Sections and 2 days per week in Drift Gillet Area 4 during a portion of the season when sockeye salmon abundance is in decline). Considering restrictions on other user groups during the August 1 - 31 timeframe, this proposal, if adopted, should increase the likelihood of attaining minimum Northern District escapement needs, provide more reasonable harvest opportunity for Northern and other user groups, while retaining significant drift gillnet harvest opportunity during August.

Original Proposal Currently Under Review

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

Amend the Central District Drift Gillnet Fishery Management Plan as follows:

(e) from August 1 - 15, [THERE ARE NO MANDATORY AREA RESTRICTIONS TO REGULAR PERIODS,]

(1) fishing during both regular 12 hour periods per week will be restricted to one or more of the following sections: (A) Expanded Kenai Section; (B) Expanded Kasilof Section; (C) Anchor Point Section; (D) Drift Gillnet Area 1, except that if the Upper Subdistrict set gill net fishery is closed under 5 AAC 21.310(b)(2)(C)(iii), or the department determines that less than one percent of the season's total drift gill net sockeye salmon harvest has been taken per fishing period for two consecutive fishing periods in the drift gill net fishery, regular fishing periods will be restricted to Drift Gillnet Area[S 3 AND] 4. In this subsection, "fishing period" means a time period open to commercial fishing [as measured by a 24-hour calendar day from 12:01 a.m. until 11:59 p.m.] of 12 hours during a calendar day.

(2) additional fishing time under this subsection is allowed only in one or more of the following sections; (A) Expanded Kenai Section; (B) Expanded Kasilof Section; (C) Anchor Point Section.

Original Proposal Currently Under Review

\*Submitted By: Alaska Sport Fishing Association

\*Address - [REDACTED]

\*City, State - [REDACTED] K

\*Zip - [REDACTED]

\*Home Phone - [REDACTED]

\*Work Phone - [REDACTED]

\*Em - [REDACTED]

**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

**Proposals for this cycle are due April 11, 2016**

*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

|             |              |
|-------------|--------------|
| Subsistence | Personal Use |
| Sport       | Commercial X |

**\*Which meeting would you like to submit your proposal to?**

|                                   |   |
|-----------------------------------|---|
| Lower Cook Inlet Area all Finfish | Upper Cook Inlet Area all Finfish X                       |
| Kodiak Area all Finfish           | Statewide (except Southeast/Yakutat) King and Tanner Crab |

**Please answer all questions to the best of your ability. All answers will be printed in the proposal book along with the proposer's name (address and phone numbers will not be published). Use separate forms for each proposal. Address only one issue per proposal. State the issue clearly and concisely. The board will reject multiple or confusing items.**

**1. Alaska Administrative Code Number 5 AAC 21.350 Closed Waters.**

*Original Proposal Currently Under Review*

**\*2. What is the issue you would like the board to address and why?**

The Little Susitna River sport fishery is without doubt one of the most heavily used and economically important coho salmon / king salmon sport fisheries draining into the Northern District of Upper Cook Inlet, yet sport fishing opportunities and the economic benefit from those opportunities must be restricted, in part, because of liberal commercial set net harvest area near the river terminus.

Other Northern District streams, of significantly less sport and economic importance than the Little Susitna River, have one statute mile closed waters around their terminus', and within the Northern District Salmon Management Plan direction is given that: "The department shall also manage the chum, pink, and sockeye salmon stocks to minimize the harvest of Northern District coho salmon, to provide sport and guided sport fishermen a reasonable opportunity to harvest these salmon resources over the entire run, as measured by the frequency of river restrictions, or as specified in this section and other regulations."

It should be noted:

#1 The use of bait is closed by regulation in the Little Susitna River sport fishery from October 1 through August 5, and this greatly reduces participation in the sport fishery, reduces sport harvest, and retards economic impact from the sport fishery.

#2 ADF&G manages the Little Susitna River for king salmon and coho salmon abundance, and both species are noted in management plans to be managed primarily for sport and guided sport users.

#3 Even with a salmon counting weir in Little Susitna River, the department has no Little Susitna River spawning escapement goal for any salmon species other than king and coho.

#4 Little Susitna River is located further up Cook Inlet, so salmon bound for the Little Susitna River must already swim past more commercial nets than all the other Central District and Northern District streams which have one mile closed waters around their terminus'.

#5 Management of Little Susitna salmon stocks is primarily paid for with funds collected from the sale of sport fishing licenses, king salmon stamps, and federal matching moneys collected from taxes on fishing tackle, outboard motors, and fuel. In times of state economic down turn it is fiscally important to maintain or grow this stream of funding.

Therefore, to better follow Northern District Salmon Management Plan direction, to more equally share the conservation burden of Little Susitna king salmon and coho salmon stocks, and consistent with closed waters around other Northern District streams, Susitna Valley Fish and Game Advisory Committee requests that the board establish a one statute mile closed waters around the terminus of Little Susitna River .



**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

amend closed waters as follows:

(c) Northern District

(1) within one statute mile of the terminus of the following salmon streams:

- (A) Swanson Creek
- (B) Bishop Creek
- (C) Three-mile Creek
- (D) Chuit River
- (E) Nikolai Creek
- (F) McArthur River
- (G) Little Susitna River**

Alaska Sport Fishing Association

\*Submitted By: \_\_\_\_\_

\*Address of \_\_\_\_\_

\*Home Phone \_\_\_\_\_

Original Proposal Currently Under Review

**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

**Proposals for this cycle are due April 8, 2016**

*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

- Subsistence     Personal Use  
 Sport             Commercial

**\*Which meeting would you like to submit your proposal to?**

- Lower Cook Inlet Area all Finfish             Upper Cook Inlet Area all Finfish  
 Kodiak Area all Finfish                             Statewide (except Southeast/Yakutat) King  
and Tanner Crab

**Please answer all questions to the best of your ability. All answers will be printed in the proposal book along with the proposer's name (address and phone numbers will not be published). Use separate forms for each proposal. Address only one issue per proposal. State the issue clearly and concisely. The board will reject multiple or confusing items.**

**1. Alaska Administrative Code Number 5 AAC**    21.353(e)

**\*2. What is the issue you would like the board to address and why?**

Currently, regular fishing periods in the drift gillnet fishery can be restricted to Drift Gillnet Areas 3&4 in August based on the application of what is commonly referred to as the one-percent rule. This rule states that from August 1–15, in the Upper Cook Inlet(UCI) drift gillnet fishery, if less than one percent of the season's total drift gillnet sockeye salmon harvest has been taken per fishing period for two consecutive periods, regular fishing periods are to be restricted to Drift Areas 3&4. The drift gillnet one-percent restriction was first adopted into regulation in 2014 and is found in 5 AAC 21.353(e) *Central District Drift Gillnet Fishery Management Plan*. Additionally, if the Upper Subdistrict set gillnet fishery is closed in August under its own version of the one-percent rule, regular periods in the drift gillnet fishery are to be restricted to Drift Areas 3&4.

Because the current regulation fails to take into account the decrease in participation in the drift fishery in August or variances in run timing, it can result in a significant loss of harvest opportunity for those fishermen that remain active in the fishery. The 2015 UCI sockeye salmon run was the latest on record with the midpoint of the run occurring on July 25<sup>th</sup>.

The Kenai River late-run sockeye have exceeded the inriver goal for 7 of the last 10 years and the Kasilof River sockeye have exceeded the BEG for 9 of the last 10 years. Regarding concerns for northern bound coho salmon, the Little Susitna River coho salmon escapement goal has been met or exceeded in 21 out of 26 years (81%) since 1990, even with an active drift gillnet fishery in August. See Table 1 below.

Both Kenai River and northern Cook Inlet coho salmon are afforded protection by the decreased participation in August in the Central District drift fishery. The one-percent rule needlessly prevents drift gillnet fishermen from harvesting surplus sockeye salmon in August. Coho salmon escapement goals have been met or exceeded in the Little Susitna River over 80% of the time, even when the drift fishery was allowed full participation in August. Therefore, in order to provide for a reasonable opportunity to harvest surplus sockeye salmon, this proposal seeks to remove the one percent rules that can unnecessarily restrict drift fishing in August. This proposal does not affect the ability of ADF&G to use its emergency order authority to restrict or close drift gillnetting in those years when coho salmon runs are weak.

Table 1. Little Susitna River coho salmon escapement, 1988-2015

| Year   | Sport  | Sport    | Weir   | Escapement Goal |        | Goal                    | Exceeded | Amount     |
|--|--------|----------|--------|-----------------|--------|-------------------------|----------|------------|
|  | Catch  | Harvest* | Count  | Lower           | Upper  | Met/Missed/<br>Exceeded | Amount   | below goal |
| 1988   |        | 28,647   | 21,437 |                 |        |                         |          |            |
| 1989 <sup>1</sup>  |        | 24,726   | 15,855 |                 |        |                         |          |            |
| 1990   |        | 9,739    | 15,511 | 7,500           |        | Exceeded                | 8,011    |            |
| 1991   |        | 24,149   | 39,241 | 7,500           |        | Exceeded                | 31,741   |            |
| 1992   |        | 23,439   | 21,182 | 7,500           |        | Exceeded                | 13,682   |            |
| 1993   |        | 35,313   | 34,822 | 7,500           |        | Exceeded                | 27,322   |            |
| 1994   |        | 23,830   | 28,948 | 7,500           |        | Exceeded                | 21,448   |            |
| 1995 <sup>2</sup>  |        | 17,442   | 12,266 | 7,500           |        | Exceeded                | 4,766    |            |
| 1996 <sup>3</sup>  | 22,996 | 20,171   | 15,803 | 7,500           |        | Exceeded                | 8,303    |            |
| 1997   | 11,560 | 7,756    | 9,894  | 7,500           |        | Exceeded                | 2,394    |            |
| 1998   | 18,621 | 14,469   | 15,159 | 7,500           |        | Exceeded                | 7,659    |            |
| 1999   | 11,990 | 8,864    | 3,017  | 9,600           | 19,200 | Missed                  |          | 6,583      |
| 2000   | 31,517 | 20,357   | 15,436 | 9,600           | 19,200 | Met                     |          |            |
| 2001   | 24,636 | 17,071   | 30,587 | 9,600           | 19,200 | Exceeded                | 11,387   |            |
| 2002   | 30,582 | 19,278   | 47,938 | 10,100          | 17,700 | Exceeded                | 30,238   |            |
| 2003   | 21,649 | 13,672   | 10,877 | 10,100          | 17,700 | Met                     |          |            |
| 2004   | 24,981 | 15,307   | 40,199 | 10,100          | 17,700 | Met                     | 22,499   |            |
| 2005   | 13,447 | 10,203   | 16,839 | 10,100          | 17,700 | Exceeded                |          |            |
| 2006 <sup>4</sup>  | 20,558 | 12,399   | 8,786  | 10,100          | 17,700 | Met                     |          |            |
| 2007   | 14,895 | 11,089   | 17,573 | 10,100          | 17,700 | Met                     |          |            |
| 2008   | 18,618 | 13,498   | 18,485 | 10,100          | 17,700 | Exceeded                | 785      |            |
| 2009   | 11,283 | 8,346    | 9,523  | 10,100          | 17,700 | Missed                  |          | 577        |
| 2010   | 12,811 | 10,662   | 9,214  | 10,100          | 17,700 | Missed                  |          | 886        |
| 2011   | 3,835  | 2,452    | 4,826  | 10,100          | 17,700 | Missed                  |          | 5,274      |
| 2012 <sup>5</sup>  | 2,114  | 1,681    | 6,779  | 10,100          | 17,700 | Missed                  |          | 3,321      |
| 2013   | 6,670  | 5,229    | 13,583 | 10,100          | 17,700 | Met                     |          |            |
| 2014   | 8,663  | 6,922    | 24,211 | 10,100          | 17,700 | Exceeded                | 6,511    |            |
| 2015   |        |          | 12,421 | 10,100          | 17,700 | Met                     |          |            |
|  |        |          |        |                 |        |                         | 196,746  | 16,641     |
| * Sport "harvest" averages about 70% of sport "catch".                                 |        |          |        |                 |        |                         |          |            |
| <sup>1</sup> Exxon oil spill year, no drift gillnetting in Cook Inlet.                 |        |          |        |                 |        |                         |          |            |
| <sup>2</sup> Hatchery stocking program ended (began in 1982)                           |        |          |        |                 |        |                         |          |            |
| <sup>3</sup> The weir was moved from river mile 32.5 to river mile 71                  |        |          |        |                 |        |                         |          |            |
| <sup>4</sup> Weir washed out, escapement goal is believed to have been met or exceeded |        |          |        |                 |        |                         |          |            |
| <sup>5</sup> The weir was moved back to river mile 32.5                                |        |          |        |                 |        |                         |          |            |

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

**5 AAC 21.353(e) Central District Drift Gillnet Fishery Management Plan**

(e) From August 1 through August 15, there are no mandatory area restrictions to regular fishing periods, [EXCEPT THAT IF THE UPPER SUBDISTRICT SET GILLNET FISHERY IS CLOSED UNDER 5 AAC 21.310(B)(2)(C)(III), OR THE DEPARTMENT DETERMINES THAT LESS THAN ONE PERCENT OF THE SEASON'S TOTAL DRIFT GILLNET SOCKEYE SALMON HARVEST HAS BEEN TAKEN PER FISHING PERIOD FOR TWO CONSECUTIVE FISHING PERIODS IN THE DRIFT GILLNET FISHERY, REGULAR FISHING PERIODS WILL BE RESTRICTED TO DRIFT GILLNET AREAS 3 AND 4. IN THIS SUBSECTION, "FISHING PERIOD" MEANS A TIME PERIOD OPEN TO COMMERCIAL FISHING AS MEASURED BY A 24-HOUR CALENDAR DAY FROM 12:01 A.M. UNTIL 11:59 P.M.]

**\*Submitted By:** United Cook Inlet Drift Association  
**Individual or Organization**

**\*City, State**

**\*ZIP Code**

**\*Home Phone**

**\*Work Phone**

**\*Email**

Original Proposal Currently Under Review



**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

The purpose of this change is to add a Thursday Drift-only day on the lower portion of the Kenai River in addition to the already existing Drift-only Monday.

Change Drift only section header to read:

**Drift-only days (downstream of Skilak Lake):**

[ DRIFT-ONLY MONDAYS (DOWNSTREAM OF SKILAK LAKE)

Add to Drift –only section;

- **Thursdays, May 1 – July 31 (except Memorial Day)**
- **Between the Sterling Hwy bridge and the mouth of the Kenai River:**
- **Closed to fishing from any motorized vessel that has on board more than one single motor greater than 10hp. A motor 10hp or less may be used only downstream of an ADF&G marker at Cunningham Park, and only after fishing from the vessel has stopped for the day.**

\*Submitted By: Kenai Area Fisherman's Coalition Ed Schmitt - Chairman  
Individual or Organization

\*Address \_\_\_\_\_ \*City, State \_\_\_\_\_ \*ZIP Code \_\_\_\_\_

\*Home Phone \_\_\_\_\_ \*Work Phone \_\_\_\_\_ \*Email \_\_\_\_\_



The Kenai river has one of the most intense sport fisheries on Chinook salmon in the world and the trophy size fish it produces are renowned, however, the fishery relies on selective harvest practices to produce these results. Recent returns clearly illustrate that this practice is not sustainable and unless we change our management approach of continuing to target our largest fish we will fail this valuable resource and continue to face challenges in both abundance and declines in the returns of our largest age classes. Many anglers seeking trophy size kings no longer recognize the Kenai as a trophy Chinook river.

We believe that if we change our management philosophy and protect our largest fish from harvest we can give ourselves the best chance to reverse this trend and propagate a better fishery than we have today. By incorporating a harvest restriction on keeping any fish over 42 in. in length we will protect almost all of our 1.5 age class and over 50% of our 1.4 age class for production purposes while still providing for a vibrant sport fishery. If mortality on these larger fish is limited to “catch and release” levels, then this portion of the return will be provided additional protection for spawning. Additionally, by being returned to the river they will provide additional angling opportunity for other anglers to catch a “trophy size” Kenai king. We understand more clearly now that we don’t have to kill these larger fish to enjoy catching one, having a mount made or provide for photo opportunities. This type of conservation measure is widely accepted, throughout the world, as a favorable approach towards sustainability of our fishery resources for future generations to enjoy. Future demand on our fishery resources is certain to increase over time so it is incumbent on us to protect and provide sustainability for these resources in the best way we can as regulators looking out for their well-being. This management change would provide that protection along with balanced fishing and harvest opportunities.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

Change to “Lower Kenai River Mainstem and Skilak Lake” seasons and bag limits for King salmon; **Kenai River area open to King salmon fishing January 1 – July 31: 1 per day, 1 in possession, must be less than 42 inches in length.**

[KENAI RIVER MOUTH UPSTREAM TO 300 YARDS BELO SLIKOK CREEK:  
JANUARY 1 – JUNE 30: 1 PER DAY, 1 IN POSSESSION, MUST BE LESS THAN 42 INCHES IN LENGTH OR LONGER THAN 55 INCHES.  
JULY 1 – JULY 31: 1 PER DAY, 1 IN POSSESSION.

300 YARDS BELOW SLIKOK CREEK UPSTREAM TO SKILAK LAKE:  
JANUARY 1 – JULY 14: 1 PER DAY, 1 IN POSSESSION, MUST BE LESS THAN 42 INCHES IN LENGTH OR LONGER THAN 55 INCHES.  
JULY 15 – JULY 31: 1 PER DAY, 1 IN POSSESSION.]

**\*Submitted By:** Kenai Area Fisherman's Coalition Ed Schmitt - Chairman  
**Individual or Organization**

**\*Address**

**\*City, State**

**\*ZIP Code**

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**\*Email**

Original Proposal Currently Under Review



They conclude by saying, “efforts to counteract declines would likely require reductions in size selectivity of gear and exploitation rates, and that improvements would be slow to materialize, requiring multiple generations under the new selection regime.”

Even though the ER does not have any Cook Inlet commercial fishing occurring during its run timing into the Kenai River it has suffered more drastically in its age / sex composition over time than the Late Run. We believe this was largely a factor of in-river over-harvest. Over time, the data illustrates that we now have only about a 20 – 25% female component and our largest age class of 1.4 fish has fallen to less than 10% of the run where the 1986 – 2013 mean 1.4 average was 42% of the run.

Research tells us that if we implement a more conservative management scheme we can reverse these trends and rebound these stocks but it will take multiple generations to do so (20 – 30 years). This proposal seeks to lower the exploitation rates on ER fish by implementing a one fish bag limit prior to July 1<sup>st</sup>. This is just one of a suite of proposals our organization is putting forth to provide conservation measures to help in the recovery of our Kenai River Chinook salmon stocks and help us achieve long term sustainability for these stocks.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

Change to “Lower Kenai River Mainstem and Skilak Lake” seasons and bag limits for King salmon; **Of these 5 total king salmon no more than 2 may be taken from the Kenai River and only 1 may be taken from the Kenai River prior to July 1.**

[ OF THESE 5 TOTAL KING SALMON NO MORE THAN 2 MAY BE TAKEN FROM THE KENAI RIVER]

\*Submitted By: Kenai Area Fisherman’s Coalition Ed Schmitt - Chairman  
**Individual or Organization**

\*Address

\*City, State

\*ZIP Code

\*Home Phone

\*Work Phone

\*Email





last several years to insure adequate Early Run escapement. It would also provide spawning area protection for mainstem Late Run fish as well. This measure would provide all spawning and staging King salmon an area where they can spawn in certain age class diversity free of selective harvest practices, catch and release mortality and spawning disruption.

The 2013 AYK Chinook Salmon Research Plan suggests that years of selective harvest of the largest fish can result in increasingly male based sex ratios, decreased size of spawners and a general decline in the return of the largest age classes. It will also result in lower than expected returns because of fecundity and egg quality of smaller females in the return. It goes on to say, that without efforts to counteract size selectivity and exploitation rates, improvements would be slow to materialize, requiring multiple generations. If we continue with the current management plan of allowing harvest all the way to Skilak Lake all season long we will severely hamper our opportunity to rectify our Kenai King salmon issues.

We believe this type of pro-active conservation measure would provide spawning certainty for insured long term sustainability of these valuable stocks while still providing for a vibrant sport fishery and harvest opportunity in the lower 18 miles of the Kenai River.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

Add to “Lower Kenai River Mainstem and Skilak Lake” seasons and bag limits for King Salmon; **300 yards below Slikok Creek upstream to Skilak Lake: Closed to king salmon fishing** [300 YARDS BELOW SLIKOK CREEK UPSTREAM TO SKILAK LAKE: JANUARY 1 – JULY 14: 1 PER DAY, 1 IN POSSESSION, MUST BE LESS THAN 42 INCHES IN LENGTH OR LONGER THAN 55 INCHES. JULY 15 – JULY 31: 1 PER DAY 1 IN POSSESSION.]

**\*Submitted By:** Kenai Area Fisherman’s Coalition Ed Schmitt - Chairman  
**Individual or Organization**

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**\*Email**



Delete; All other mention of hook types in this section.

**\*Submitted By:** Kenai Area Fisherman's Coalition Ed Schmitt - Chairman  
**Individual or Organization**

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**\*Address** **\*City, State** **\*ZIP Code**

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**\*Home Phone** **\*Work Phone** **\*Email**

Original Proposal Currently Under Review



**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

Add to Kenai River – Lower Kenai River Mainstem and Skilak Lake

King Salmon

- **Kenai River mouth upstream to RM 13.8 (Sonar Site)**

**July 1 – July 7: 1 per day , 1 in possession**

Change:

Kenai River mouth upstream to 300 yards below Slikok Creek:

- **July 8 – July 31: 1 per day, 1 in possession**

[ JULY 1 – JULY31: 1 PER DAY, 1 IN POSSESSION]

300 yards below Slikok Creek upstream to Skilak Lake:

- **January 1 – June 30** [JANUARY 1 – JULY 14]
- **July 8 – July 14** [JANUARY 1 – JULY 14]

**\*Submitted By:** Kenai Area Fisherman's Coalition Ed Schmitt - Chairman  
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**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

**Proposals for this cycle are due April 8, 2016**

*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

- Subsistence     Personal Use  
 Sport             Commercial

**\*Which meeting would you like to submit your proposal to?**

- Lower Cook Inlet Area all Finfish             Upper Cook Inlet Area all Finfish  
 Kodiak Area all Finfish                             Statewide (except Southeast/Yakutat) King  
and Tanner Crab

**Please answer all questions to the best of your ability. All answers will be printed in the proposal book along with the proposer's name (address and phone numbers will not be published). Use separate forms for each proposal. Address only one issue per proposal. State the issue clearly and concisely. The board will reject multiple or confusing items.**

**1. Alaska Administrative Code Number 5 AAC**    21.353. (a) through (f)

**\*2. What is the issue you would like the board to address and why?**

From July 9–31, the Central District drift gillnet fishery is managed primarily by provisions found in the *Central District Drift Gillnet Fishery Management Plan* 5 AAC 21.353(c),(d) and (e). This plan was most recently modified in 2014 and is now the most inflexible and restrictive version of this plan since its adoption in 1999.

As currently written, the restrictive provisions prevent adaptive inseason management resulting in lost harvest opportunity and the over escapement of Kenai and Kasilof river sockeye salmon stocks. These restrictive provisions also result in the lost harvest of abundant pink and chum salmon stocks. The original intent of these restrictions was to conserve sockeye salmon bound for the Susitna River; however, more recent science indicates the restrictions were based on faulty data and flawed assumptions. These restrictive provisions have also been made a surrogate for allocating northern bound coho salmon to inriver sport fisheries; this manipulation of the original intent uses the same flawed assumptions.

Genetic stock identification (GSI) data from the Anchor Point offshore test fishery (OTF) and the commercial drift harvest shows that there is no distinct temporal or spatial separation of Susitna River sockeye stocks from other sockeye salmon stocks as they migrate through the Central District. Moreover, there are no conservation concerns for Northern District coho salmon; in fact, since 1990, the Little Susitna coho salmon escapement goal has been met or exceeded 21 times in 26 years (81%). It is important to note that in most of the years where the Little Susitna coho salmon goal was met or exceeded, the drift gillnet fishery was prosecuted with far fewer restrictions than they currently have. Finally, the Kenai River late-run sockeye salmon inriver goal has been exceeded in 7 of the past 10 years while the Kasilof River sockeye salmon BEG has been exceeded in 9 of the past 10 years. Since these rivers are indices of escapements in other unmonitored systems it is likely that all systems are being under harvested by similar amounts resulting in lost harvests now and lower production in the future.

Because GSI data from the OTF and the commercial drift harvest show no one time period or any specific areas in the Central District where Susitna River sockeye salmon stocks separate themselves from east side Cook Inlet sockeye salmon, mandatory restriction on specific dates in July result in large escapements of sockeye salmon to the Kenai and Kasilof rivers while not

providing any significant savings of sockeye salmon migrating north. Currently the drift fishery is restricted to Drift Area 1 and the Expanded Kenai and Expanded Kasilof sections for both regular fishing periods from July 9 to July 15. Then, from July 16 to July 31, ADF&G must restrict the drift fleet based upon the size of the sockeye salmon run to the Kenai River. At most, the drift fleet is allowed to fish in the middle of Cook Inlet no more than one day per week, regardless of how strong the sockeye salmon run is to the Kenai and Kasilof rivers. As noted above, the Kenai River sockeye salmon inriver goal and Kasilof River BEG have been exceeded 16 out of 20 years (combined). This needs to change in order to keep these and other stocks within sustainable levels.

This proposal seeks to provide ADF&G with more flexible use of the drift fleet in order to harvest abundant Kenai and Kasilof river sockeye salmon runs. If these changes are adopted, ADF&G will still retain its emergency order authority to restrict or close the drift fleet for sockeye and coho conservation when needed, keep in mind, northern Cook Inlet coho salmon escapement goals are being met or exceeded more than 80% of the time and Kenai sockeye inriver goals have been exceeded 100% of the time for the last 5 years.

Therefore, this proposal seeks to modify the overly restrictive provisions within the Central District Drift Gillnet Fishery Management Plan in order to: 1) allow for flexible inseason management; 2) provide a reasonable opportunity to harvest abundant sockeye, pink and chum salmon; and 3) to provide adequate protection to northern bound sockeye salmon and coho salmon and Kenai River coho salmon. This will be accomplished as follows:

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

**5 AAC 21.353 Central District Drift Gillnet Fishery Management**

**(a) The purpose of this management plan is to direct the harvest of surplus salmon stocks in the Central District of Upper Cook Inlet by the drift gillnet fishery. The department shall manage the sockeye, pink and chum salmon stocks primarily for commercial uses to provide commercial fishermen with an economic yield from the harvest of these salmon resources based on abundance. This plan does not provide for additional fishing periods directed at Susitna River coho, Little Susitna River coho, or Kenai River coho salmon stocks. The department shall manage the Central District commercial drift gillnet fishery as follows;**

**(b) The fishery will be open for regular weekly fishing periods as described in 5 AAC 21.320(b). The fishing season will open the third Monday in June or June 19, whichever is later.**

**(c) From July 1 through August 15,**

**(1) Fishing will be allowed with drift gillnets as described in 5 AAC 21.320(b)(1).**

**(2) The fishing periods set forth in (1) of this subsection may be modified by emergency order;**

**(d) If additional fishing time is necessary to harvest surplus salmon, it will be allowed in one or more of the following areas based on inseason salmon abundance:**

**(1) Expanded Kenai Section**

**(2) Expanded Kasilof Section**

(3) Anchor Point Section

(4) Drift Gillnet Area 1

(5) Central District

**(e) From August 16 until closed by emergency order, drift gillnetting will be allowed in all waters of the Central District except those within 5 nautical miles of the Kenai Peninsula shoreline during regular fishing periods.**

[(a) THE PURPOSE OF THIS MANAGEMENT PLAN IS TO ENSURE ADEQUATE ESCAPEMENT OF SALMON INTO THE NORTHERN DISTRICT DRAINAGES AND TO PROVIDE MANAGEMENT GUIDELINES TO THE DEPARTMENT. THE DEPARTMENT SHALL MANAGE THE COMMERCIAL DRIFT GILLNET FISHERY TO MINIMIZE THE HARVEST OF NORTHERN DISTRICT AND KENAI RIVER COHO SALMON IN ORDER TO PROVIDE SPORT AND GUIDED SPORT FISHERMEN A REASONABLE OPPORTUNITY TO HARVEST THESE SALMON STOCKS OVER THE ENTIRE RUN, AS MEASURED BY THE FREQUENCY OF INRIVER RESTRICTIONS. THE DEPARTMENT SHALL MANAGE THE CENTRAL DISTRICT COMMERCIAL DRIFT GILLNET FISHERY AS DESCRIBED IN THIS SECTION.

(b) THE REGULAR WEEKLY FISHING PERIODS ARE AS DESCRIBED IN 5 AAC 21.320(B). THE FISHING SEASON WILL OPEN THE THIRD MONDAY IN JUNE OR JUNE 19, WHICHEVER IS LATER.

(c) FROM JULY 9 THROUGH JULY 15,

(1) FISHING DURING THE FIRST REGULAR FISHING PERIOD AND SECOND REGULAR FISHING PERIOD IS RESTRICTED TO THE EXPANDED KENAI AND EXPANDED KASILOF SECTIONS OF THE UPPER SUBDISTRICT AND DRIFT GILLNET AREA 1;

(2) AT RUN STRENGTHS GREATER THAN 2,300,000 SOCKEYE SALMON TO THE KENAI RIVER, THE COMMISSIONER MAY, BY EMERGENCY ORDER, OPEN ONE ADDITIONAL 12-HOUR FISHING PERIOD IN THE EXPANDED KENAI AND EXPANDED KASILOF SECTIONS OF THE UPPER SUBDISTRICT AND DRIFT GILLNET AREA 1;

(3) ADDITIONAL FISHING TIME UNDER THIS SUBSECTION IS ALLOWED ONLY IN THE EXPANDED KENAI AND EXPANDED KASILOF SECTIONS OF THE UPPER SUBDISTRICT.

(d) FROM JULY 16 THROUGH JULY 31,

(1) AT RUN STRENGTHS OF LESS THAN 2,300,000 SOCKEYE SALMON TO THE KENAI RIVER, FISHING DURING ALL REGULAR 12-HOUR FISHING PERIODS WILL BE RESTRICTED TO THE EXPANDED KENAI AND EXPANDED KASILOF SECTIONS OF THE UPPER SUBDISTRICT;

(2) AT RUN STRENGTHS OF 2,300,000 – 4,600,000 SOCKEYE SALMON TO THE KENAI RIVER,

(A) FISHING DURING ONE REGULAR 12-HOUR FISHING PERIOD PER WEEK

WILL BE RESTRICTED TO ONE OR MORE OF THE FOLLOWING SECTIONS AND AREAS:

- (i) EXPANDED KENAI SECTION OF THE UPPER SUBDISTRICT;
- (ii) EXPANDED KASILOF SECTION OF THE UPPER SUBDISTRICT;
- (iii) ANCHOR POINT SECTION OF THE LOWER SUBDISTRICT;
- (iv) DRIFT GILLNET AREA 1;

(B) THE REMAINING WEEKLY 12-HOUR REGULAR FISHING PERIOD WILL BE RESTRICTED TO ONE OR MORE OF THE FOLLOWING SECTIONS:

- (i) EXPANDED KENAI SECTION;
- (ii) EXPANDED KASILOF SECTION;
- (iii) ANCHOR POINT SECTION;

(3) AT RUN STRENGTHS GREATER THAN 4,600,000 SOCKEYE SALMON TO THE KENAI RIVER, ONE REGULAR 12-HOUR FISHING PERIOD PER WEEK WILL BE RESTRICTED TO THE EXPANDED KENAI, EXPANDED KASILOF, AND ANCHOR POINT SECTIONS;

(4) ADDITIONAL FISHING TIME UNDER THIS SUBSECTION IS ALLOWED ONLY IN ONE OR MORE OF THE FOLLOWING SECTIONS:

- (A) EXPANDED KENAI SECTION;
- (B) EXPANDED KASILOF SECTION;
- (C) ANCHOR POINT SECTION.

(e) FROM AUGUST 1 THROUGH AUGUST 15, THERE ARE NO MANDATORY AREA RESTRICTIONS TO REGULAR FISHING PERIODS, EXCEPT THAT IF THE UPPER SUBDISTRICT SET GILLNET FISHERY IS CLOSED UNDER 5 AAC 21.310(B)(2)(C)(III), OR THE DEPARTMENT DETERMINES THAT LESS THAN ONE PERCENT OF THE SEASON'S TOTAL DRIFT GILLNET SOCKEYE SALMON HARVEST HAS BEEN TAKEN PER FISHING PERIOD FOR TWO CONSECUTIVE FISHING PERIODS IN THE DRIFT GILLNET FISHERY, REGULAR FISHING PERIODS WILL BE RESTRICTED TO DRIFT GILLNET AREAS 3 AND 4. IN THIS SUBSECTION, "FISHING PERIOD" MEANS A TIME PERIOD OPEN TO COMMERCIAL FISHING AS MEASURED BY A 24-HOUR CALENDAR DAY FROM 12:01 A.M. UNTIL 11:59 P.M.

(f) FROM AUGUST 16 UNTIL CLOSED BY EMERGENCY ORDER, DRIFT GILLNET AREAS 3 AND 4 ARE OPEN FOR FISHING DURING REGULAR FISHING PERIODS.]

**\*Submitted By:** United Cook Inlet Drift Association

**Individual or Organization**

**\*Address**

**\*City, State**

**\*ZIP Code**

**\*Home Phone**

**\*Work Phone**

**\*Email**

**REGULATION PROPOSAL FORM for the  
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P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

**Proposals for this cycle are due April 8, 2016**

*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

- Subsistence     Personal Use  
 Sport             Commercial

**\*Which meeting would you like to submit your proposal to?**

- Lower Cook Inlet Area all Finfish             Upper Cook Inlet Area all Finfish  
 Kodiak Area all Finfish                             Statewide (except Southeast/Yakutat) King  
and Tanner Crab

**Please answer all questions to the best of your ability. All answers will be printed in the proposal book along with the proposer's name (address and phone numbers will not be published). Use separate forms for each proposal. Address only one issue per proposal. State the issue clearly and concisely. The board will reject multiple or confusing items.**

**1. Alaska Administrative Code Number 5 AAC    21.363**

**\*2. What is the issue you would like the board to address and why?**

Unharvested surplus salmon describes those salmon in excess of escapement needs that are not harvested by commercial, sport or personal use fisheries. Upper Cook Inlet (UCI) has some of the largest wild, native salmon returns in Alaska. ADF&G does not enumerate the return of all stocks but based on the actual harvest and research data, the 2014 returns of all UCI salmon stocks could be estimated at around 30,000,000 fish. After escapement needs (7,000,000), there were approximately 23,000,000 salmon available for harvest. Of the 23 million salmon available for harvest, only around 4.5 million were utilized.

These abundant salmon stocks should be available for harvest; however, the effects of current BOF and ADF&G management plans and policies result in over 80% of these stocks going unharvested. In 2014, about 88% of the Chinook, 19% of the sockeyes, 84% of the coho, 96% of the pinks and 87% of the chums were in excess of all harvests or escapement needs and not utilized.

Unharvested surplus salmon also cause much more variability in returns. These erratic returns are more difficult to predict, more difficult to manage to achieve escapement goals and, as ADF&G reports assert, are not sustainable (SP 07-17, FMS 14-06).

Fisheries management needs to be focused on fully utilizing these abundant renewable resources with the understanding that allocation and daily management decisions have direct economic consequences to the welfare of the state.

The unharvested surplus stocks represent millions of lost tax revenue dollars to the State Treasury, tens of millions of dollars in lost economic benefit to the regional economies, loss of food products and by-products, and lost jobs. These same non-utilized salmon represent an opportunity for growth and diversification in local, regional and state economies.

The commercial sector is the only user group that has the capacity or the ability to harvest and monetize these surplus stocks.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

**5 AAC 21.363. Upper Cook Inlet Salmon Management Plan.** (a) The department should receive long-term direction in management of upper Cook Inlet salmon stocks and salmon species. Divisions within the department must receive long-term direction in order to accomplish their missions and plan management, research, administrative and other programs. Upper Cook Inlet stakeholders should be informed of the long-term management objectives of the Board of Fisheries (board). Therefore, the board establishes the following provisions for the management and conservation of upper Cook Inlet salmon stocks:

(1) consistent with the statutory priority for subsistence, the harvest of upper Cook Inlet salmon for customary and traditional subsistence uses will be provided for specific species in appropriate areas, seasons, and periods to satisfy subsistence needs; other beneficial uses, to the extent they are consistent with the public interest and overall benefit of the people of Alaska, will be allowed in order to maximize the benefits of these resources;

(2) to provide for the management and allocation of the upper Cook Inlet salmon resources, the harvest of the upper Cook Inlet salmon will be governed by specific and comprehensive management plans adopted by the board for salmon stocks and species, on a Cook Inlet basin wide basis, for different areas, and drainages and for different types of fisheries;

(3) in adopting the specific management plans described in (2) of this subsection the board will consider:

(A) the need for sustainable fisheries for all salmon stocks and salmon species throughout the Cook Inlet basin;

(B) the protection of the fisheries habitat both in the fresh water and the marine environment throughout the Cook Inlet basin; and

(C) the various needs and demands of the user groups of the salmon resources of upper Cook Inlet;

**(D) the need to harvest all surplus salmon stocks to ensure sustainable runs;**

(4) in these management plans, the board **must** [MAY, AS APPROPRIATE] address the following considerations:

(A) the need to allocate the harvestable surplus among commercial, sport, guided sport and personal use fisheries; and

(B) the need to allocate the harvestable surplus within user groups;

**(C) the need to harvest all surplus salmon stocks to maximize the benefit and the economic yield of these resources;**

(5) in the absence of a specific management plan, it is the intent of the board that salmon be harvested in the fisheries that have historically harvested them, according to the methods, means, times, and locations of those fisheries;

(6) consistent with 5 AAC 39.220(b), it is the intent of the board that, in the absence of a specific management plan, where there are known conservation problems, the burden of conservation shall, to the extent practicable, be shared among all user groups in close proportion

to their respective harvest on the stock of concern.

(b) Repealed 6/13/99.

(c) In this section, "upper Cook Inlet salmon stocks" means those salmon that move through the Northern and Central Districts as defined in 5 AAC 21.200(a) and (b) and spawn in waters draining into those districts.

(d) Repealed 6/11/2005.

(e) Notwithstanding any other provision of this chapter, it is the intent of the board that, while in most circumstances the department will adhere to the management plans in this chapter, no provision within a specific management plan is intended to limit the commissioner's use of emergency order authority under AS 16.05.060 to achieve established escapement goals for the management plans as the primary management objective. For the purpose of this subsection, "escapement goals" includes inriver goal, biological escapement goal, sustainable escapement goal, and optimal escapement goal as defined in 5 AAC 39.222.

**\*Submitted By:** United Cook Inlet Drift Association  
**Individual or Organization**

**\*Address** **\*City, State** **\*ZIP Code**

**\*Home Phone** **\*Work Phone** **\*Email**

Original Proposal Currently Under Review

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- Lower Cook Inlet Area all Finfish             Upper Cook Inlet Area all Finfish  
 Kodiak Area all Finfish                             Statewide (except Southeast/Yakutat) King  
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**1. Alaska Administrative Code Number 5 AAC**    21.353(c) and (d)

**\*2. What is the issue you would like the board to address and why?**

Repeal the regulations based on the Susitna Sockeye stock of yield concern and the Susitna Sockeye Salmon Action Plan (SSSAP). This action plan describes certain regulatory restrictions on the Central District Drift Gillnet fishery. The restrictions are found in 5AAC 21.353 (c) and (d). These regulations were based on data that was later proven to have been wrong. Since the data was wrong, the regulations need to be repealed.

In 2008, the BOF designated Susitna sockeye a stock of yield concern due to a chronic inability to meet the Yentna SEY (range 90-160,000) as measured by sonar. In 2009 that sonar system was determined by ADF&G (FMS 09-01) to be grossly underestimating the number of sockeye returning to the Susitna River system. The 2006-09 ADF&G escapement goal review for the Susitna River revealed that for the prior 27 years the Susitna River escapement goal had been met and exceeded. See Table 1 below.

In addition, there are at least 23 genetically different sockeye populations (ADF&G FMS 12-06) within the Susitna watershed. Each unique sockeye population has different characteristics and requirements. For example, some are lake spawners, some are tributary spawners, and some utilize the mainstem, its side channels, sloughs and tributary deltas. These populations are all individually affected by numerous other factors, e.g. run timing, water temperatures, northern pike, parasites, disease, in-stream water levels, beaver dams, culverts and other migration impedances.

The SSSAP makes several assumptions that we now know are incorrect; first, it treats Susitna sockeye as one salmon stock and assumes that all cause and effect relationships are the same. Second, the plan assumes that specific restrictions in time and area allowed for commercial fishing will result in conservation of Susitna bound salmon. This assumption is also wrong. Genetic stock identification (GSI) data from the Anchor Point offshore test fishery (OTF) and the commercial drift harvest shows that there is no distinct temporal or spatial separation of Susitna River sockeye stocks from other sockeye salmon stocks as they migrate through the Central District.

Therefore, all the regulations based on the Susitna Stock of Yield Concern and the SSSAP must be repealed.



**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

**5AAC 21.353**

**(c) From July 1 through July 31st**

**(1) Fishing will be allowed with drift gillnets as described in 5 AAC 21.320(b)(1).**

**(2) The fishing periods set forth in (1) of this subsection may be modified by emergency order.**

**(d) If additional fishing time is necessary to harvest surplus salmon, it will be allowed in one or more of the following areas based on inseason salmon abundance:**

**(1) Expanded Kenai Section**

**(2) Expanded Kasilof Section**

**(3) Anchor Point Section**

**(4) Drift Gillnet Area 1**

**(5) Central District**

[(c) FROM JULY 9 THROUGH JULY 15,

(1) FISHING DURING THE FIRST REGULAR FISHING PERIOD AND SECOND REGULAR FISHING PERIOD IS RESTRICTED TO THE EXPANDED KENAI AND EXPANDED KASILOF SECTIONS OF THE UPPER SUBDISTRICT AND DRIFT GILLNET AREA 1;

(2) AT RUN STRENGTHS GREATER THAN 2,300,000 SOCKEYE SALMON TO THE KENAI RIVER, THE COMMISSIONER MAY, BY EMERGENCY ORDER, OPEN ONE ADDITIONAL 12-HOUR FISHING PERIOD IN THE EXPANDED KENAI AND EXPANDED KASILOF SECTIONS OF THE UPPER SUBDISTRICT AND DRIFT GILLNET AREA 1;

(3) ADDITIONAL FISHING TIME UNDER THIS SUBSECTION IS ALLOWED ONLY IN THE EXPANDED KENAI AND EXPANDED KASILOF SECTIONS OF THE UPPER SUBDISTRICT.

(d) FROM JULY 16 THROUGH JULY 31,

(1) AT RUN STRENGTHS OF LESS THAN 2,300,000 SOCKEYE SALMON TO THE KENAI RIVER, FISHING DURING ALL REGULAR 12-HOUR FISHING PERIODS WILL BE RESTRICTED TO THE EXPANDED KENAI AND EXPANDED KASILOF SECTIONS OF THE UPPER SUBDISTRICT;

(2) AT RUN STRENGTHS OF 2,300,000 – 4,600,000 SOCKEYE SALMON TO THE KENAI RIVER,

(A) FISHING DURING ONE REGULAR 12-HOUR FISHING PERIOD PER WEEK WILL BE RESTRICTED TO ONE OR MORE OF THE FOLLOWING SECTIONS AND

**AREAS:**

- (i) EXPANDED KENAI SECTION OF THE UPPER SUBDISTRICT;
- (ii) EXPANDED KASILOF SECTION OF THE UPPER SUBDISTRICT;
- (iii) ANCHOR POINT SECTION OF THE LOWER SUBDISTRICT;
- (iv) DRIFT GILLNET AREA 1;

(B) THE REMAINING WEEKLY 12-HOUR REGULAR FISHING PERIOD WILL BE RESTRICTED TO ONE OR MORE OF THE FOLLOWING SECTIONS:

- (i) EXPANDED KENAI SECTION;
- (ii) EXPANDED KASILOF SECTION;
- (iii) ANCHOR POINT SECTION;

(3) AT RUN STRENGTHS GREATER THAN 4,600,000 SOCKEYE SALMON TO THE KENAI RIVER, ONE REGULAR 12-HOUR FISHING PERIOD PER WEEK WILL BE RESTRICTED TO THE EXPANDED KENAI, EXPANDED KASILOF, AND ANCHOR POINT SECTIONS;

(4) ADDITIONAL FISHING TIME UNDER THIS SUBSECTION IS ALLOWED ONLY IN ONE OR MORE OF THE FOLLOWING SECTIONS:

- (A) EXPANDED KENAI SECTION;
- (B) EXPANDED KASILOF SECTION;
- (C) ANCHOR POINT SECTION.]

**\*Submitted By:** United Cook Inlet Drift Association

**Individual or Organization**

**\*Address**

**\*City, State**

**\*ZIP Code**

**\*Home Phone**

**\*Work Phone**

**\*Email**

**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

**Proposals for this cycle are due April 8, 2016**

*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

Subsistence     Personal Use  
 Sport             Commercial

**\*Which meeting would you like to submit your proposal to?**

Lower Cook Inlet Area all Finfish             Upper Cook Inlet Area all Finfish  
 Kodiak Area all Finfish                             Statewide (except Southeast/Yakutat) King  
and Tanner Crab

**Please answer all questions to the best of your ability. All answers will be printed in the proposal book along with the proposer's name (address and phone numbers will not be published). Use separate forms for each proposal. Address only one issue per proposal. State the issue clearly and concisely. The board will reject multiple or confusing items.**

**1. Alaska Administrative Code Number 5 AAC    5 AAC 57.120**

**\*2. What is the issue you would like the board to address and why?**

Issue to address: Chinook Salmon that arrive in the main-stem Kenai River between the Killey River sanctuary and Skilak Lake prior to July 31 are vulnerable to harvest in a given year whereas fish that arrive after July 31 are protected from harvest. If nothing is changed, different harvest opportunities and likely different harvest rates could affect the composition and run-timing for this aggregate of early-arriving main-stem spawners. Apparent shifts in spawn timing have already been reported by the Alaska Department of Fish and Game (Department; Reimer 2013). Non-random harvest on small, discrete spawning stocks imposes risks to population sustainability, and harvest selection can eventually lead to elimination of specific spawning groups (Olver et al. 1995).

Why: Chinook Salmon abundance in the Kenai River and throughout Alaska has been decreasing since around 2007. Some stocks are also exhibiting declining trends in size and age, including Kenai River Chinook Salmon that spawn on the Kenai National Wildlife Refuge (Kenai NWR), either in tributary streams (Funny River escapement analyzed by Boersma and Gates 2016) or the main-stem Kenai River (late-run commercial harvest analyzed by Lewis et al. 2015). Several mechanisms have been identified as potential drivers of these trends (e.g., size-selective harvest, competitive interactions, and changing environmental conditions), but the evidence is not conclusive for a specific cause (Lewis et al. 2015).

The main-stem Kenai River below Skilak Lake serves as an important spawning area for Chinook Salmon. In fact, river miles 46 and 47 on the Kenai NWR represent some of the highest densities of spawners in the entire watershed (Reimer 2013). Most of the main-stem spawners in this area are part of the late run that enter the Kenai River in July and August, but a small number are part of the early run that enter the Kenai River during May and June.

Although anecdotal information from local residents indicates this early-arriving group of main-stem spawners was likely at higher levels of abundance in previous years, recent work by the Department indicates only a small number of early-run fish currently spawn in this area (Reimer 2013). Between 2010 and 2013, the Department successfully radio-tagged and tracked early-run Chinook Salmon to spawning areas, but only a small proportion (about 2.5%) spawned in the main-stem Kenai River between the Kenai NWR boundary and Skilak Lake. Regardless of the uncertainties inherent in these data, one thing is clear -- only a small number of early-run main-stem spawners are found in the area. Any Chinook Salmon sport fishery in this stretch of river during July is in large part a terminal fishery for this group of main-stem spawners, and results in harvest pressure on other fish migrating through to other parts of the watershed where they are currently protected from harvest.

The Department (McKinley et al. 2002) reported that disproportionate harvest for early-run Chinook Salmon occurred in the past, mainly early in the season during years of restrictions to the fishery. Harvest rates were disproportionately higher in May and early June compared to later in June in years when the fishery was restricted to catch-and-release or trophy fishing (Figure 24 in McKinley et al. 2002). McKinley et al. (2002) recognized that disproportionate harvest of early-run Chinook Salmon in May or June could have biological impacts such as shifts in run-timing and thus recommended managing the inriver Chinook Salmon sport fishery to avoid disproportionately harvesting either early or late arriving fish.

A similar threat currently exists for Chinook Salmon that spawn in the main-stem Kenai River between the Killey River sanctuary and the outlet of Skilak Lake. Table 16 of Reimer (2013) presents information that indicates mainstem-spawning Chinook Salmon established site fidelity in the Moose River to Skilak Lake section as early as July 7 to July 9 in 2012 and 2013 and indicates some fish likely completed spawning and died prior to July 17. These fish represent the early-arriving portion of the run and would all be vulnerable to harvest in this stretch of river in most years, whereas the vast majority of main-stem spawners in this stretch of river arrive after July 31 and are protected from harvest. Different harvest opportunities and likely different harvest rates for the early-arriving group of fish could lead to changes in composition and shifts in run timing.

Although McKinley et al. (2002) found no observable trends or other evidence for shifts in run timing for early-run Chinook Salmon, data presented by Reimer (2013) indicates spawn timing for early-run main-stem spawners has shifted and appears to be about a month later than observations in 1990. As presented in Figure 9 of Reimer (2013), the median post-spawning mortality date for early-run main-stem spawners in 1990 was about July 19 whereas the median post-spawning mortality date for early-run main-stem spawners from 2010-2013 was about August 21. Spawn timing for all main-stem spawners now appears to be similar regardless of when they enter the Kenai River and forms an overlapping continuum as noted by Reimer (2013).

The effect of this proposal will be to close approximately 4.5 miles of the main-stem Kenai River downstream of Skilak Lake to sport fishing for Chinook Salmon. This represents about 8% of the entire Kenai River downstream of Skilak Lake. This proposal will reduce the harvest of both early- and late-run Chinook Salmon by an unknown amount. There will be little change in regulatory complexity since our proposal simply extends the existing Chinook Salmon sport fishing closure for the Kenai River above Skilak Lake to an additional 4.5 miles of main-stem river below Skilak Lake.

Very few guided anglers target Chinook Salmon in this stretch of the river and very few fish are harvested. Therefore, very few anglers will likely be impacted by a closure to Chinook Salmon fishing in this stretch of river. Also, since this stretch of river has in essence been closed through in-season emergency orders since 2011, there should be no noticeable increases in use or crowding in any lower river fisheries. Since past fishery performance in regard to effort and harvest may have little or no relationship to future fishery performance (effort and harvest), managing this stretch of river to avoid differential harvest of even a small number of fish is appropriate, especially given the current small number of fish estimated to use this area during July.

Current resolution of genetic information does not allow for finer-scale management of Chinook Salmon that spawn in the main-stem Kenai River. However, given what we know about current abundance and observed declining trends in size and age, a cautionary approach to management is appropriate and prudent.

One of the principles of the Alaska Sustainable Salmon Policy is that “*salmon escapement should be managed in a manner to maintain genetic and phenotypic characteristics of the stock by assuring appropriate geographic and temporal distribution of spawners as well as consideration of range, sex ratio, and other population attributes.*” This principle is consistent with tenets of the U. S. Fish and Wildlife Service’s policy on Biological Integrity, Diversity, and Environmental Health (601 FW 3) which directs the Service to maintain biological integrity on national wildlife refuges, defined as “*Biotic composition, structure, and functioning at genetic, organism, and community levels comparable with historic conditions...*” Managing the main-stem Kenai River below Skilak Lake to avoid differential harvest of Chinook Salmon will address the needs of both policies and both agencies, and promotes conservation of the overall Kenai River Chinook Salmon stock complex. Maintaining life history diversity and biocomplexity is important not only for the long-term sustainability of the overall stock, but also for the overall sustainability of the fisheries that exploit the stock (Hilborn et al. 2003).

#### Other Solutions Considered:

There are other spawning areas for Chinook Salmon in the main-stem Kenai River upstream of the Slikok Creek closure area that may also benefit from regulations that restrict harvest. For example, a large proportion of early-run main-stem spawning fish located above Slikok Creek after July 15 in 2010-2013 (range 29 to 71%) were in “unrestricted” areas of the river that are normally open to sport fishing (Appendix B5; Reimer 2013). Sport fishing regulations for Kenai River Chinook Salmon above Slikok Creek also become more liberal from July 15-July 31, allowing the use of bait and removal of a protective slot limit. At this time, we believe protections for these fish can be better addressed through a different mechanism than a time and area closure. We have submitted a separate proposal to extend early-run regulations upstream of the Slikok Creek sanctuary area for the entire month of July to promote resource conservation while providing for fishery participation and opportunity.

#### References:

- Boersma, J. K., and K. S. Gates. 2016. Abundance and run timing of adult Chinook Salmon in the Funny River, Kenai Peninsula, Alaska, 2015. U.S. Fish and Wildlife Service, Kenai Fish and Wildlife Conservation Office, Alaska Fisheries Data Series Number 2016-3, Soldotna, Alaska.
- Hilborn, R., T. P. Quinn, D. E. Schindler, and D. E. Rogers. 2003. Biocomplexity and fisheries sustainability. *Proceedings of the National Academy of Sciences* 100:6564–6568.

- Lewis, B., W. S. Grant, R. E. Brenner, and T. Hamazaki. 2015. Changes in size and age of Chinook Salmon *Oncorhynchus tshawytscha* returning to Alaska. PLoS ONE 10(6):1-17.
- McKinley, T. R., B. E. King, J. J. Hasbrouck, and R. A. Clark. 2002. Biological issues of the Kenai River and Kasilof River early-run king salmon fisheries. Alaska Department of Fish and Game, Division of Sport Fish, Special Publication Number 02-02, Soldotna, Alaska.
- Olver, C.H., B. J. Shuter, and C. K. Minns. 1995. Toward a definition of conservation principles for fisheries management. Canadian Journal of Fisheries and Aquatic Sciences 52:1584–1594.
- Reimer, A. M. 2013. Migratory timing and distribution of Kenai River Chinook Salmon, 2010–2013, a report to the Alaska Board of Fisheries, 2014. Alaska Department of Fish and Game, Division of Sport Fish, Regional Information Report 2A13-06, Anchorage, Alaska.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

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

(a) Unless otherwise specified in 5 AAC 57.121 - 5 AAC 57.123 or by an emergency order issued under AS 16.05.060 , the following are the general seasons, bag, possession, annual, and size limits, and methods and means that apply to sport fishing for finfish in the Kenai River Drainage Area:

(1) salmon may be landed only with the aid of a landing net or by hand;

(2) king salmon 20 inches or greater in length as follows:

(A) may be taken only from January 1 - July 31, in the Kenai River from its mouth upstream to an ADF&G regulatory marker located **approximately one mile upstream from the mouth of the Lower Killey River** [AT THE OUTLET OF SKILAK LAKE], with a bag and possession limit of one fish, as follows:

(i) from January 1 - June 30, from its mouth upstream to an ADF&G regulatory marker located at the outlet of Skilak Lake, and from July 1 - July 14, from an ADF&G regulatory marker located approximately 500 yards downstream from the mouth of the Slikok Creek upstream to an ADF&G regulatory marker located **approximately one mile upstream from the mouth of the Lower Killey River** [AT THE OUTLET OF SKILAK LAKE], only king salmon that are less than 42 inches in length or 55 inches or greater in length may be retained;

(B) king salmon 20 inches or greater in length may not be taken

(i) in the Kenai River upstream from an ADF&G regulatory marker located **approximately one mile upstream from the mouth of the Lower Killey River** [AT THE OUTLET OF SKILAK LAKE], including Kenai Lake; and

**\*Submitted By:** U. S. Fish and Wildlife Service, Alaska Region  
**Individual or Organization**



**\*Home Phone**

**\*Work Phone**

**\*Email**

Original Proposal Currently Under Review

**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

**Proposals for this cycle are due April 8, 2016**

*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

Subsistence     Personal Use  
 Sport             Commercial

**\*Which meeting would you like to submit your proposal to?**

Lower Cook Inlet Area all Finfish             Upper Cook Inlet Area all Finfish  
 Kodiak Area all Finfish                             Statewide (except Southeast/Yakutat) King  
and Tanner Crab

**Please answer all questions to the best of your ability. All answers will be printed in the proposal book along with the proposer's name (address and phone numbers will not be published). Use separate forms for each proposal. Address only one issue per proposal. State the issue clearly and concisely. The board will reject multiple or confusing items.**

**1. Alaska Administrative Code Number 5 AAC**    5 AAC 57.120 and 5 AAC 57.121

**\*2. What is the issue you would like the board to address and why?**

Issue to address: Early-run Chinook Salmon that transit through lower Kenai River sport fisheries prior to July 1 are subject to management under conservative regulations which include a protective slot limit and no-bait restrictions. These conservative regulations continue through July 14 upstream of Slikok Creek but revert to general late-run regulations from July 15–July 31 which eliminates the slot limit and allows the use of bait. However, many early-run Chinook Salmon are still in unrestricted areas of the main-stem Kenai River after July 15. Changes to the regulations are necessary to prevent adverse effects to the composition and run-timing of this group of early-run Chinook Salmon.

Why: Chinook Salmon abundance in the Kenai River and throughout Alaska has been decreasing since around 2007. Some stocks are also exhibiting declining trends in size and age, including Kenai River Chinook Salmon that spawn on the Kenai National Wildlife Refuge, either in tributary streams (Funny River escapement analyzed by Boersma and Gates 2016) or the main-stem Kenai River (late-run commercial harvest analyzed in Lewis et al. 2015). Several mechanisms have been identified as potential drivers of these trends (e.g., size-selective harvest, competitive interactions, and changing environmental conditions), but the evidence is not conclusive for a specific cause (Lewis et al. 2015).

Conservative regulations have been adopted by the Alaska Board of Fisheries (BOF) to protect early-run Chinook Salmon in the Kenai River, including a protective slot limit and the use of single, unbaited hooks. Recent research by the Alaska Department of Fish and Game (Department; Reimer 2013) indicates a considerable number of early-run Chinook Salmon may not receive the full protections intended by these regulations. For example, a large proportion of early-run main-stem spawning fish located above Slikok Creek after July 15 in 2010-2013 (range 29% to 71%) were in “unrestricted” areas of the river that are normally open to sport fishing

(Appendix B5 in Reimer 2013). Sport fishing regulations for Kenai River Chinook Salmon from July 15-July 31 allow the use of bait and do not have a protective slot limit. Different harvest opportunities and likely different harvest rates for these fish could lead to changes in composition and shifts in run timing for early-run Chinook Salmon. This proposal seeks to conserve the unique large size early-run king salmon in the Kenai River as identified in the State of Alaska's Kenai River and Kasilof River Early-run King Salmon Conservation Management Plan (5 AAC 56.070) by extending the protective slot limit and no-bait restrictions for most early-run Chinook Salmon throughout their residency in the main-stem Kenai River.

The Department reported that disproportionate harvest for early-run king salmon occurred in the past, mainly early in the season during years of restrictions to the fishery (McKinley et al. 2002). Harvest rates were disproportionately higher in May and early June compared to later in June in years when the fishery was restricted to catch-and-release or trophy fishing (McKinley et al. 2002; Figure 24). McKinley et al. (2002) recognized that disproportionate harvest of early-run Chinook Salmon in May or June could have biological impacts such as shifts in run-timing and thus recommended managing the in-river Chinook Salmon sport fishery to avoid disproportionately harvesting either early or late arriving fish.

The effect of this proposal will be to extend early-run regulations through July 31 upstream of the Slikok Creek closure area, including a protective slot limit and single hook/no bait restrictions. This would reduce the harvest of both early- and late-run Chinook Salmon by an unknown amount and likely reduce the harvest fish between 42 and 55 inches by an unknown amount.

One of the principles of the Alaska Sustainable Salmon Policy is that “*salmon escapement should be managed in a manner to maintain genetic and phenotypic characteristics of the stock by assuring appropriate geographic and temporal distribution of spawners as well as consideration of range, sex ratio, and other population attributes.*” This principle is consistent with tenets of the U. S. Fish and Wildlife Service's policy on Biological Integrity, Diversity, and Environmental Health (601 FW 3) which directs the Service to maintain biological integrity on national wildlife refuges, defined as “*Biotic composition, structure, and functioning at genetic, organism, and community levels comparable with historic conditions...*” Managing the main-stem Kenai River below Skilak Lake to avoid differential harvest of Chinook Salmon will address the needs of both policies and both agencies, and promotes conservation of the overall Kenai River Chinook Salmon stock complex. Maintaining life history diversity and biocomplexity is important not only for the long-term sustainability of the overall stock, but also for the overall sustainability of the fisheries that exploit the stock (Hilborn et al. 2003).

#### Other Solutions Considered:

This proposal promotes resource conservation by extending protections for early-run Chinook Salmon during their freshwater residency in the main-stem Kenai River above Slikok Creek while providing for fishery participation and opportunity. A separate time-and-area closure proposal has been submitted to provide protections for Chinook Salmon on their spawning grounds below Skilak Lake.

#### References:

Boersma, J. K., and K. S. Gates. 2016. Abundance and run timing of adult Chinook Salmon in the Funny River, Kenai Peninsula, Alaska, 2015. U.S. Fish and Wildlife Service, Kenai Fish and Wildlife Conservation Office, Alaska Fisheries Data Series Number 2016-3, Soldotna,

Alaska.

Hilborn, R., T. P. Quinn, D. E. Schindler, and D. E. Rogers. 2003. Biocomplexity and fisheries sustainability. *Proceedings of the National Academy of Sciences* 100:6564–6568.

Lewis, B., W. S. Grant, R. E. Brenner, and T. Hamazaki. 2015. Changes in size and age of Chinook Salmon *Oncorhynchus tshawytscha* returning to Alaska. *PLoS ONE* 10(6):1-17.

McKinley, T. R., B. E. King, J. J. Hasbrouck, and R. A. Clark. 2002. Biological issues of the Kenai River and Kasilof River early-run king salmon fisheries. Alaska Department of Fish and Game, Division of Sport Fish, Special Publication Number 02-02, Soldotna, Alaska.

Reimer, A. M. 2013. Migratory timing and distribution of Kenai River Chinook Salmon, 2010–2013, a report to the Alaska Board of Fisheries, 2014. Alaska Department of Fish and Game, Division of Sport Fish, Regional Information Report 2A13-06, Anchorage, Alaska.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

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

(a) Unless otherwise specified in 5 AAC 57.121 - 5 AAC 57.123 or by an emergency order issued under AS 16.05.060 , the following are the general seasons, bag, possession, annual, and size limits, and methods and means that apply to sport fishing for finfish in the Kenai River Drainage Area:

(1) salmon may be landed only with the aid of a landing net or by hand;

(2) king salmon 20 inches or greater in length, as follows:

(A) may be taken only from January 1 - July 31, in the Kenai River from its mouth upstream to an ADF&G regulatory marker located at the outlet of Skilak Lake, with a bag and possession limit of one fish, as follows:

(i) from January 1 - June 30 from its mouth upstream to an ADF&G regulatory marker located at the outlet of Skilak Lake, and from July 1 - July **31** [14], from an ADF&G regulatory marker located approximately 300 yards downstream from the mouth of the Slikok Creek upstream to an ADF&G regulatory marker located at the outlet of Skilak Lake, only king salmon that are less than 42 inches in length or 55 inches or greater in length may be retained;

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

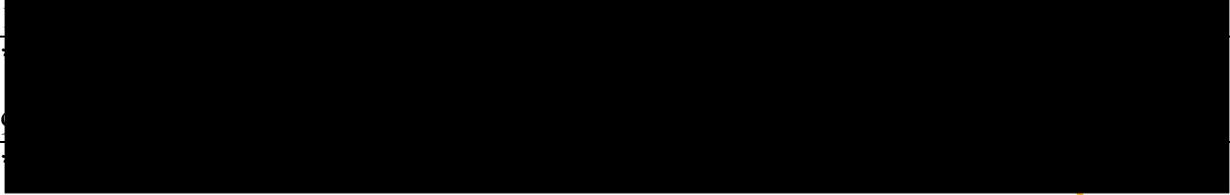
Unless otherwise specified by an emergency order issued under AS 16.05.060 , the following are the special provisions and localized exceptions to the general seasons, bag, possession, and size limits, and methods and means set out in 5 AAC 57.120 and 5 AAC 75 for the Lower Section of the Kenai River Drainage Area:

(1) sport fishing gear restrictions:

(A) from January 1 - June 30, in the Kenai River, and from July 1 - July **31** [14], in the Kenai River from an ADF&G regulatory marker located approximately 300 yards downstream from the mouth of Slikok Creek upstream to an ADF&G regulatory marker located at the outlet of Skilak

Lake, only one unbaited, single-hook, artificial lure may be used;

**\*Submitted By:** U. S. Fish and Wildlife Service, Alaska Region  
**Individual or Organization**



Original Proposal Currently Under Review

**REGULATION PROPOSAL FORM for the  
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P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

**Proposals for this cycle are due April 8, 2016**

*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

- Subsistence     Personal Use  
 Sport             Commercial

**\*Which meeting would you like to submit your proposal to?**

- Lower Cook Inlet Area all Finfish             Upper Cook Inlet Area all Finfish  
 Kodiak Area all Finfish                             Statewide (except Southeast/Yakutat) King  
and Tanner Crab

**Please answer all questions to the best of your ability. All answers will be printed in the proposal book along with the proposer's name (address and phone numbers will not be published). Use separate forms for each proposal. Address only one issue per proposal. State the issue clearly and concisely. The board will reject multiple or confusing items.**

**1. Alaska Administrative Code Number 5 AAC**    39.780

**\*2. What is the issue you would like the board to address and why?**

Article 7. Commercial Freshwater Fishery

The BOF should facilitate the development of a commercial freshwater pike fishery in Northern Cook Inlet drainages. Northern pike are an invasive species in the Cook Inlet basin, yet instead of trying to eradicate them, both the BOF and ADF&G Sport Fish Division, for years, considered them a sport fish, limiting the harvest through the use of closed seasons, gear limits, time limits, slot limits and bag limits. As a result, the invasive northern pike proliferated and spread throughout much of the Mat-Su watershed and other drainages. At least 140 different waterways in the northern Cook Inlet region are now infested with pike and the result has been devastating to the salmon populations. Salmon have been extirpated in at least 6 to 8 lake systems by northern pike predation on juvenile salmonids, and overall salmon production in the region has been reduced by about 50 percent. Sockeye, coho and Chinook populations are affected by pike the most as they spend more time in freshwater as compared to pink and chum salmon. Limiting commercial fisheries in saltwater has never killed a single pike, however, a directed commercial freshwater fishery on northern pike would provide immediate and long term benefits.

The Alexander Creek Chinook fishery once supported 9 fishing lodges and over 26,000 angler days per year until the sport fishery was closed in 2008 due to northern pike predation on juvenile salmonids. ADF&G initiated a gillnetting program in Alexander Creek in 2010 and by the fall of 2014 had killed and removed 15,000 pike just from that system. Salmon populations are now starting to increase in Alexander Creek, however, to remain effective this gillnetting project must continue at some level. In addition, this type of effort needs to occur wherever pike are found throughout the northern Cook Inlet region. The Alexander Creek Pike Removal Project has cost well in excess of a million dollars. Due to the current economic circumstance, it is unlikely the State of Alaska will have funding for pike mitigation efforts in the future.

Developing a commercial pike fishery will create an economic incentive (by allowing the sale of harvested pike) for the private sector to accomplish what the ADF&G is unable to do on a large scale – reduce pike populations enough to allow salmon populations to recover. This would

benefit the local residents of the Mat-Su region in multiple ways.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

Form a working group or task force with BOF members, ADF&G and interested members of the public to develop an action plan, goals, gear types, methods and regulations for a commercial freshwater pike fishery in northern Cook Inlet drainages.

**\*Submitted By:** United Cook Inlet Drift Association

**Individual or Organization**

43961 Kalifornsky Beach Road, Suite E

Soldotna, AK

99669

**\*Address**

**\*City, State**

**\*ZIP Code**

**\*Home Phone**

**\*Work Phone**

**\*Email**

Original Proposal Currently Under Review

## INSTRUCTIONS FOR COMPLETING PROPOSAL FORM

(Revised 7/28/15)

### Top of form check boxes:

- As appropriate, insert information about the fish or game management unit your regulation would change.
- Depending on the venue in which the regulation change will be heard, check the appropriate box(es) for the activities the regulation change would affect.  
[Alaska Legislature Infobase, 5AAC.](#)

### Fillable numbered boxes:

1. If known, enter the series of letter and numbers which identify the regulation to be changed. For example, 5 AAC 72.055. If it will be a new section or provision, then enter 5 AAC 72.XXX.
2. Write a short explanation about the issue your proposal addresses, or why you are proposing the regulation change. Address only one issue per proposal. State the issue clearly and concisely. The board will reject proposals that contain multiple or confusing issues.

State why the regulation change should be adopted or provide an explanation about what will happen if the regulation is not changed.

To assist you in development of your issue statement (#2 on the form), you may want to consider the following:

- What would happen if nothing is changed?
- What are other solutions you considered? Why did you reject them?

3. Print or type your proposal as you would like to see it appear in the regulation book. The boards prefer that revised regulatory language is provided. **New or amended text should appear first and be in bold text and underlined.** [REGULATORY TEXT BEING DELETED SHOULD BE FULLY CAPITALIZED AND ENCLOSED IN BRACKETS]. It is not necessary to bold and underline text if entire change contains new language.

EXAMPLES: **5 AAC 27.810. Fishing seasons and periods.**

In the Togiak and Bay districts, herring may be taken by purse seines and hand purse seines from April 25 through **July 15** [JUNE 1]

**5 AAC 85.025(3). Unit 9(B) Caribou.**

NONRESIDENT HUNTERS: **2** [3] caribou; however, no more than 1 bull may be taken.

Alternatively, you may state your changes in clear sentences. For example, “Extend the season to July 15 in the Togiak and Bay districts,” or “Reduce the bag limit for caribou in Unit 9(B) to two caribou.”

*Bottom of form (submission block):*

- Write the name of the organization that voted to submit the proposal or your name if you are submitting the proposal. This name will be published in the proposal book. The boards of Fisheries and Game will not consider anonymous proposals.
- Fill in your address and zip code, and telephone number. These will NOT be published; it simply enables us to reach you if clarification is necessary.

Mail or fax the completed form to the address at the top of the form.

Alaska Board of Fisheries/Game  
P.O. Box 115526  
Juneau, AK 99811-5526  
Fax: 907-465-6094

NOTE: Proposals must be received by the deadline in the call for proposals; there are no exceptions. A fax is considered an original. The form must be physically received by fax or mail; postmark is not adequate.

If you have any questions or need assistance, please consult staff at any Fish and Game office.

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**BOARD OF FISHERIES REGULATIONS**

- Subsistence     Personal Use  
 Sport             Commercial

**\*Which meeting would you like to submit your proposal to?**

- Lower Cook Inlet Area all Finfish             Upper Cook Inlet Area all Finfish  
 Kodiak Area all Finfish                             Statewide (except Southeast/Yakutat) King  
and Tanner Crab

**Please answer all questions to the best of your ability. All answers will be printed in the proposal book along with the proposer's name (address and phone numbers will not be published). Use separate forms for each proposal. Address only one issue per proposal. State the issue clearly and concisely. The board will reject multiple or confusing items.**

**1. Alaska Administrative Code Number 5**

**AAC**

35.506(j)

**\*2. What is the issue you would like the board to address and why?**

As currently outlined in regulation, vessel operators targeting western *C. bairdi* Tanner crab are only allowed to retain *C. opilio* Tanner crab in an amount not to exceed five percent of the weight of *C. bairdi* crab on board the vessel and reported on an ADF&G fish ticket. This regulation was originally adopted as a way for managers to accurately record effort and landings and to ensure that commercial vessel operators were using the appropriate gear type for the crab species they were targeting. Today, not only are vessels required to register for an individual target crab species, the pot gear used (with specifications codified in regulation) to target western *C. bairdi* crab is different from the pot gear used to target *C. opilio* crab. Pot gear used for targeting *C. bairdi* crab has a larger mesh size and larger escapement rings than pot gear used for targeting *C. opilio* crab. The naturally smaller *C. opilio* crab have an increased ability to escape from *C. bairdi* pots. Regulated gear specifications by target species, resulting in the physical difference in the pot gear used, aids managers in their ability to distinguish between and track the effort of vessels targeting western *C. bairdi* crab versus those targeting *C. opilio* crab, irrespective of the fact that these fisheries occur in both an overlapping geographic area and overlapping timeframe. But because of these overlaps and the biological similarity of the two species, vessels targeting western *C. bairdi* crab do incidentally harvest *C. opilio* crab as part of their normal fishing operations. If a vessel operator has an adequate amount of *C. opilio* crab individual fishing quota (IFQ) available, that operator should not be incentivized by regulation to discard *any* incidentally taken legal male *C. opilio* crab.

The rigidity found in an unnecessarily low incidental retention level is currently working in direct opposition to the management goal and objective of continued species conservation. One of the original (and continuing) goals of the Crab Rationalization Program outlined in the 2004 Final EIS focused on the need for reduction of bycatch and its associated mortality. Additionally, National Standard 9 states that “*Conservation and management measures shall, to the extent practicable, (a) minimize bycatch and (b) to the extent bycatch cannot be avoided, minimize the mortality of such bycatch.*” It is the minimization of bycatch mortality that is of concern. Over the past few years, survey and stock assessment information have indicated significant growth in

the *C. bairdi* Tanner crab population. With a continued increase in this population (and available TAC), vessel operators with both *C. bairdi* and *C. opilio* IFQ have had to make significant adjustments to their commercial fishing operations. Because the current western *C. bairdi* season closes six weeks sooner than the *C. opilio* season, early months normally spent targeting *C. opilio* crab are now spent targeting *C. bairdi* crab. However, these two crab species are significantly co-mingled together making it difficult for vessel operators to completely avoid *C. opilio* when targeting *C. bairdi*. Regulations that incentivize full and efficient use of the crab resource will work to minimize unnecessary and wasteful mortality to this population whereas the current incidental regulation creates a disincentive for such usage. Data on both directed catch and discard amounts (and their associated mortality rate) for a species are incorporated into annual stock assessments and can negatively impact population estimates, future population projections, and future total allowable catch (TAC) amounts. These discards of legal male *C. opilio* crab during the *C. bairdi* crab target fishery will be directly targeted and harvested at a later time. This results in compounded mortality calculations being incorporated into the *C. opilio* crab stock assessment because of the mortality associated with: 1) when a crab is taken as incidental catch; 2) when a crab is taken as directed catch; and 3) when a crab is taken as both incidental and directed catch.

If the current incidental harvest limit for *C. opilio* crab is retained, discards and their associated mortality will likely increase as the overlap and species interaction between *C. bairdi* crab and *C. opilio* crab increases. Available data may not seem to indicate that harvesters targeting *C. bairdi* crab are actively retaining *C. opilio* in amounts that approach the current 5% incidental limit, it is important to recognize that this information is generally presented in aggregate across the fleet. Such aggregate data masks the fact that on an individual level, vessels do encounter large numbers of *C. opilio* crab on the grounds during their western *C. bairdi* crab operations. Unfortunately, on an individual catcher vessel basis, a 5% (by weight) incidental catch limit is too small to effectively manage during fishing operations and vessel operators would rather discard their incidental catch than risk a penalty for exceeding the regulated limit.

One of the many benefits outlined and achieved with implementation of the Crab Rationalization program was improved resource conservation such that previously depleted stocks have been able to recover to healthy and sustainable levels. However, healthy populations of multiple, overlapping crab stocks now necessitate more flexibility for harvesters targeting those stocks so that unnecessary discards and mortality are not incentivized in direct opposition to the conservation benefits achieved. This flexibility will provide for increased efficiency in operations for harvesters. Allowing the greatest maximum retention of all legal male crab species harvested will result in fewer pots being hauled throughout the season, which not only lessens the amount of time spent on the water while increasing CPUE, but it has the added benefit of increasing crew safety by decreasing the amount of time spent handling pot gear. Further, this flexibility will work to maximize deliveries of crab to coastal communities, especially to the community of St. Paul. This will result in increased fish taxes, business taxes, and other fees (i.e., fuel sales and supplies), which are a critical source of revenue not only for coastal communities, but for the State of Alaska.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

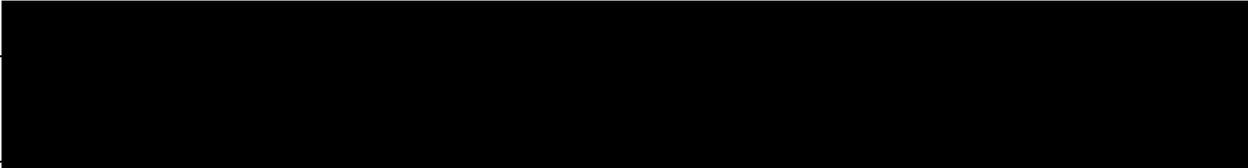
5 AAC 35.506(j) should be amended to read (new language in bold): “In the Bering Sea District, a vessel operator that is registered to fish for *C. bairdi* Tanner crab west of 166° W. long. may also retain **all legal male *C. opilio* Tanner crab taken incidentally during normal western *C. bairdi* Tanner crab commercial operations** [IN AN AMOUNT NOT TO EXCEED FIVE PERCENT OF THE WEIGHT OF *C. BAIRDI* TANNER CRAB ON BOARD THE VESSEL AND REPORTED ON AN ADF&G FISH TICKET].”

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**\*Submitted By:** Alaska Bering Sea Crabbers; Central Bering Sea Fishermen's Association; and the City of St. Paul

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**Individual or Organization**



**\*Home Phone**

**\*Work Phone**

**\*Email**

Original Proposal Currently Under Review

**INSTRUCTIONS FOR COMPLETING  
PROPOSAL FORM**

(Revised 7/28/15)

**Top of form check boxes:**

- As appropriate, insert information about the fish or game management unit your regulation would change.
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[Alaska Legislature Infobase, 5AAC.](#)

**Fillable numbered boxes:**

1. If known, enter the series of letter and numbers which identify the regulation to be changed. For example, 5 AAC 72.055. If it will be a new section or provision, then enter 5 AAC 72.XXX.
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State why the regulation change should be adopted or provide an explanation about what will happen if the regulation is not changed.

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EXAMPLES: **5 AAC 27.810. Fishing seasons and periods.**

In the Togiak and Bay districts, herring may be taken by purse seines and hand purse seines from April 25 through **July 15** [JUNE 1]

**5 AAC 85.025(3). Unit 9(B) Caribou.**

NONRESIDENT HUNTERS: **2** [3] caribou; however, no more than 1 bull may be taken.

Alternatively, you may state your changes in clear sentences. For example, “Extend the season to July 15 in the Togiak and Bay districts,” or “Reduce the bag limit for caribou in Unit 9(B) to two caribou.”

*Bottom of form (submission block):*

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- Fill in your address and zip code, and telephone number. These will NOT be published; it simply enables us to reach you if clarification is necessary.

Mail or fax the completed form to the address at the top of the form.

Alaska Board of Fisheries/Game  
P.O. Box 115526  
Juneau, AK 99811-5526  
Fax: 907-465-6094

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Original Proposal Currently Under Review

**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

**Proposals for this cycle are due April 8, 2016**

*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

- Subsistence     Personal Use  
 Sport             Commercial

**\*Which meeting would you like to submit your proposal to?**

- Lower Cook Inlet Area all Finfish             Upper Cook Inlet Area all Finfish  
 Kodiak Area all Finfish                             Statewide (except Southeast/Yakutat) King  
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**1. Alaska Administrative Code Number 5**

**AAC**

35.510(f)(1)

**\*2. What is the issue you would like the board to address and why?**

As it is currently written in regulation, the season closure date for *C. bairdi* Tanner crab in the Bering Sea District is March 31. This date was originally established as a way to protect molting and mating *C. bairdi* crab throughout the Eastern Subdistrict during the spring. Unfortunately, this date is based upon limited information and data for *C. bairdi* crab as determined in the Gulf of Alaska and not the Bering Sea. Applying the March 31 season closure date to both the eastern (EBT) and western (WBT) populations of *C. bairdi* Tanner crab in the Eastern Subdistrict unnecessarily restricts commercial harvesters targeting western *C. bairdi* Tanner crab. Regulations that incentivize full and efficient use of the crab resource will work to diminish wasteful discarding and unnecessary mortality. In order to allow commercial crab harvesters the opportunity to target western *C. bairdi* in the best and most efficient manner possible, while also minimizing potential negative impacts during a biologically sensitive life history period, the season ending date for *C. bairdi* Tanner crab (west of 166° W long.) should be extended to April 15.

While the western *C. bairdi* Tanner crab fishery had been closed since the 2008/2009 fishing season, commercial harvesters targeting this stock over the past several seasons (2013/2014, 2014/2015, 2015/2016) have now been encountering significant co-mingled populations of clean, legal-size *C. bairdi* and *C. opilio* during the course of their normal fishing operations for either species. With an increasing *C. bairdi* population (and increasing TAC) and a continued healthy population of *C. opilio*, vessels targeting western *C. bairdi* encounter high numbers of *C. opilio*. And when these same vessels make the conversion to target *C. opilio* after March 31, they continue to encounter high numbers of *C. bairdi* because of the geographic overlap and the biological similarity of these two species. Because the current western *C. bairdi* season closes six weeks sooner than the *C. opilio* season, early months of each season that had previously been spent targeting *C. opilio* crab are now spent targeting *C. bairdi* crab. However, a shorter season length in conjunction with currently restrictive incidental harvest limit regulations is causing vessels to unnecessarily discard incidental catch of legal male *C. opilio* crab during the early months of the season, which results in wasteful handling and discard mortality for this

population. Such data is incorporated into annual species stock assessments and can negatively impact population estimates, future population projections, and future total allowable catch (TAC) amounts.

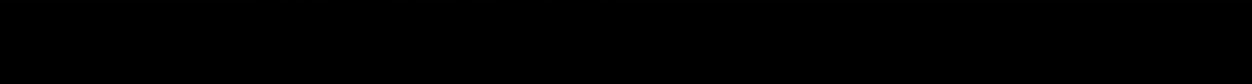
Commercial harvesters recognize and appreciate that the protection of sensitive mating and molting periods is one of the most basic and fundamental ways to conservatively manage crab stocks. As such, the actively avoid these periods during the course of their fishing operations (i.e., fishing at greater depths to avoid shallower areas where molting and mating is thought to occur). The federal King and Tanner Crab FMP states that fishing seasons are used to protect crabs during the molting and mating portions of their life cycle and that closed seasons are set to maximize the reproductive potential of crab populations; however, the FMP also states that king and Tanner crab seasons may be combined to minimize handling mortality, to maximize efficiency, and to reduce unnecessary administrative and enforcement burdens. The FMP states that seasons may also be combined when a given species is taken primarily as an incidental catch and it acknowledges that the specification of fishing seasons is important in achieving biological conservation, economic and social, vessel safety, and gear conflict objectives. For commercial harvesters, there is a need to strike a balance between unnecessary and wasteful mortality to one crab population with the minimal potential for fishery impacts to the sensitive life history period of another population.

If the current season closure date for *C. bairdi* crab is retained, discards and their associated mortality will likely increase as the overlap and species interaction between *C. bairdi* crab and *C. opilio* crab increases. One of the many benefits outlined and achieved with implementation of the Crab Rationalization program was improved resource conservation such that previously depleted stocks have been able to recover to healthy and sustainable levels. However, healthy populations of multiple, overlapping crab stocks now necessitate more flexibility for harvesters targeting those stocks so that unnecessary discards and mortality are not incentivized in direct opposition to the conservation benefits achieved. This flexibility will provide for increased efficiency in operations for harvesters by reducing the need for operators to focus solely on *C. bairdi* earlier in the season and by allowing the greatest maximum retention of all legal male crab species harvested. This will result in fewer pots being hauled throughout the season, which not only lessens the amount of time spent on the water while increasing CPUE, but it has the added benefit of increasing crew safety by decreasing the amount of time spent handling pot gear. Further, this flexibility will work to increase the efficiency of deliveries of crab to coastal communities, especially to the community of St. Paul. This will result in increased fish taxes, business taxes, and other fees (i.e., fuel sales and supplies), which are a critical source of revenue not only for coastal communities, but for the State of Alaska.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

5 AAC 35.510(f)(1) should be amended to read: “male *C. bairdi* Tanner crab east of 166° W long. may be taken from 12:00 noon October 15 until 11:59 p.m. March 31. Male *C. bairdi* Tanner crab west of 166° W long. may be taken from 12:00 noon October 15 until 11:59 p.m. April 15.”

**\*Submitted By:** Alaska Bering Sea Crabbers; Central Bering Sea Fishermen’s Association; and the City of St. Paul  
**Individual or Organization**



**\*Address** **\*City, State** **\*ZIP Code**

**\*Home Phone**

**\*Work Phone**

**\*Email**

Original Proposal Currently Under Review

**INSTRUCTIONS FOR COMPLETING  
PROPOSAL FORM**

(Revised 7/28/15)

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In the Togiak and Bay districts, herring may be taken by purse seines and hand purse seines from April 25 through **July 15** [JUNE 1]

**5 AAC 85.025(3). Unit 9(B) Caribou.**

NONRESIDENT HUNTERS: **2** [3] caribou; however, no more than 1 bull may be taken.

Alternatively, you may state your changes in clear sentences. For example, “Extend the season to July 15 in the Togiak and Bay districts,” or “Reduce the bag limit for caribou in Unit 9(B) to two caribou.”

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ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

**Proposals for this cycle are due April 8, 2016**

*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

- Subsistence     Personal Use  
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**1. Alaska Administrative Code Number 5**

AAC

39.645(e)

**\*2. What is the issue you would like the board to address and why?**

The briefing requirements contained in the Shellfish Onboard Observer Program outline a rigidly narrow scope for placing certified observers onboard commercial crab catcher vessels and catcher-processor vessels. Currently, prior to a commercial vessel engaging in any activity related to setting gear, hauling gear, and offloading/processing catch in a target crab fishery, that vessel must have an observer onboard that has been briefed for that specific fishery. In seeking to adjust the regulation at 39.670(c)(3)(D), commercial crab harvesters acknowledge that that change would be in conflict with the current Shellfish Onboard Observer Program in that a vessel would not be allowed to re-rig, bait, and set gear for a new target fishery because an observer for the new target fishery would not be onboard. To illustrate this point, an observed vessel seeking to re-rig, bait, and set gear for the *C. opilio* fishery at the conclusion (final haul) of their *C. bairdi* fishery prior to their offload of *C. bairdi* are prevented from doing so because their onboard observer has not been officially briefed for this next target (although this observer for the *C. bairdi* fishery may have been briefed previously for the *C. opilio* fishery) and through the processing of re-rigging and setting gear, a vessel is considered to be officially engaged in the new target fishery.

Flexibility in gear regulations for the purpose of increased efficiencies and safety also requires flexibility in the placement of observers as part of the Shellfish Onboard Observer Program. So long as a certified shellfish observer has been briefed for a specific crab fishery at some point in the current commercial season, vessels should not be operationally constrained by unnecessarily restrictive observer regulations. If this regulation (in conjunction with 39.670(c)(3)(D)) is not modified, vessel operators will continue to waste time (i.e., increased crew hours spent tending empty gear) and money (i.e., increased fuel costs from tending empty gear) in storing and pulling open pots prior to their ability to re-rig, bait, and set those pots for their next target crab species and will be subject to an increased likelihood of incurring a major injury during the extraneous handling of pot gear.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

5 AAC 39.645(e) should be amended to read, "In addition to the permit requirements in 5 AAC 34.055 and 5 AAC 35.055, the permit for a vessel that catches or catches and processes Tanner crab, red king crab, blue king crab, or golden king crab must require that an observer, approved by the department and provided by the permittee, be briefed by the department for the fishery in which the vessel participates [AND THAT THE OBSERVER BE ON BOARD THE VESSEL BEFORE THE VESSEL OBTAINS A TANK INSPECTION, BEFORE THE VESSEL TAKES CRAB, AND BEFORE THE START OF AND DURING ALL PROCESSING OPERATIONS]. For the purposes of 5 AAC 34.055, 5 AAC 35.055, and 5 AAC 39.140, the observer is a representative of the department. All information collected by the observer is confidential property of the department. The department shall develop guidelines for approval of observers, including training requirements, conflict-of-interests standards, data collection schedules and standards, record keeping and reporting requirements, and other criteria needed to ensure accurate and objective reporting.

**\*Submitted By:** Alaska Bering Sea Crabbers  
**Individual or Organization**



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208-275-1685  
**\*Work Phone**

Paul.Christiansen76@gmail.com  
**\*Email**

Original Proposal Currently Under Review

## INSTRUCTIONS FOR COMPLETING PROPOSAL FORM

(Revised 7/28/15)

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NONRESIDENT HUNTERS: **2** [3] caribou; however, no more than 1 bull may be taken.

Alternatively, you may state your changes in clear sentences. For example, “Extend the season to July 15 in the Togiak and Bay districts,” or “Reduce the bag limit for caribou in Unit 9(B) to two caribou.”

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**1. Alaska Administrative Code Number 5**

AAC

35.506(X)

**\*2. What is the issue you would like the board to address and why?**

Over the past several commercial fishing seasons for *C. bairdi* Tanner crab (2013/2014, 2014/2015, and 2015/2016), vessels targeting eastern *C. bairdi* crab (EBT) between 166° W long. and 163° W long. have been encountering increasing amounts of clean, legal-size male *C. opilio* during the course of their normal fishing operations. Because of the geographic overlap and biological similarity of these two species, vessels targeting eastern *C. bairdi* crab do incidentally harvest *C. opilio* crab as part of their normal fishing operations. Unfortunately, because the eastern boundary limit for retention of *C. opilio* in the directed fishery is at 166° W. long., these vessels are forced to discard all incidentally harvested *C. opilio* crab when targeting eastern *C. bairdi* crab. Regulations that require vessels to discard *C. opilio* crab results in unnecessary and wasteful mortality to the population of *C. opilio* as a whole. National Standard 9 states that “*Conservation and management measures shall, to the extent practicable, (a) minimize bycatch and (b) to the extent bycatch cannot be avoided, minimize the mortality of such bycatch.*” It is the minimization of bycatch mortality that is of concern. Mortality data from both directed catch and discard amounts (in both the directed fishery and as incidental catch) for a species are incorporated into annual stock assessments and can negatively impact population estimates, future population projections, and future total allowable catch (TAC) amounts. These discards of legal male *C. opilio* crab during the eastern *C. bairdi* crab target fishery results in compounded mortality calculations being incorporated into the *C. opilio* crab stock assessment because of the mortality associated with: 1) when a crab is taken as incidental catch; 2) when a crab is taken as directed catch; and 3) when a crab is taken as both incidental and directed catch. If a vessel operator has an adequate amount of *C. opilio* crab individual fishing quota (IFQ) available, that operator should not be required by regulation to discard *any* incidentally taken legal male *C. opilio* crab.

Additionally, during the 2015/2016 commercial Tanner crab season, an unusually high number of citations were issued to vessels regarding the retention of hybrid Tanner crab. Specifically, vessels targeting *C. bairdi* Tanner crab east of 166 ° W. long. were cited for possessing hybrid *C. opilio* Tanner crab. Because these hybrid crab are considered *C. opilio* crab under current

identification guidelines contained in regulation, vessels were in violation as *C. opilio* are not allowed to be retained and possessed east of 166° W. long. Vessels that received citations were utilizing the proper eastern *C. bairdi* pot gear and during the course of their fishing operations, crew were taking the time to actively sort the crab. Unfortunately, the mixed physical characteristics of these crab make it extremely difficult to quickly identify hybrid Tanner crab and remove them from the retained catch for eastern *C. bairdi* crab such that these vessels are not retaining any *C. opilio* crab. This point is emphasized in a study by ADF&G and University of Maine researchers in which experts encountered significant difficulty in consistently correctly identifying hybrid *C. opilio* crab. This same study also noted difficulty on the part of observer trainees in correctly identifying hybrid *C. opilio*.

If *C. opilio* crab are not allowed to be retained as incidental catch between 166° W long. and 163° W long. during the directed eastern *C. bairdi* fishery, regulatory discards and their associated mortality will continue. One of the many benefits outlined and achieved with implementation of the Crab Rationalization program was improved resource conservation such that previously depleted stocks have been able to recover to healthy and sustainable levels. Current healthy populations of multiple, overlapping crab stocks now necessitate a re-examination of previous stock boundaries and species retention to provide harvesters with the greatest flexibility so that unnecessary discards and mortality are not mandated in direct opposition to the conservation benefits achieved. This flexibility will provide for increased efficiency in operations for harvesters. Allowing the greatest maximum retention of all legal male crab species harvested will result in fewer pots being hauled throughout the season, which not only lessens the amount of time spent on the water while increasing CPUE, but it has the added benefit of increasing crew safety by decreasing the amount of time spent handling pot gear. Further, this flexibility will work to maximize deliveries of crab to coastal communities, especially to the community of St. Paul. This will result in increased fish taxes, business taxes, and other fees (i.e., fuel sales and supplies), which are a critical source of revenue not only for coastal communities, but for the State of Alaska.

Further, if retention of *C. opilio* as incidental catch between 166° W long. and 163° W long. during the directed eastern *C. bairdi* fishery is not addressed, vessel operators will likely continue to receive unnecessary citations and penalties for possessing hybrid Tanner crab for no conservation benefit. Hybrid Tanner crab are not accounted for in the stock assessment or harvest strategy calculations of either individual Tanner (*C. bairdi* or *C. opilio*) crab species. Because of this, the retention of hybrid Tanner crab can be viewed as a defacto conservation benefit (savings) for true *C. bairdi* and *C. opilio* crab and should not result in punishment. The proposed regulatory change allows for the continued accounting of all crab landed without unnecessarily punishing vessels for the retention of crab that are not even considered as part of either Chionoectes population.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

**In the Bering Sea District, a vessel operator that is registered to fish for the *C. bairdi* Tanner crab east of 166° W long. may also retain all legal male *C. opilio* Tanner crab taken incidentally during normal eastern *C. bairdi* Tanner crab commercial operations.**

**\*Submitted By:** Alaska Bering Sea Crabbers; Central Bering Sea Fishermen's Association; and the City of St. Paul

**Individual or Organization**



**\*Home Phone**

**\*Work Phone**

**\*Email**

Original Proposal Currently Under Review

**INSTRUCTIONS FOR COMPLETING  
PROPOSAL FORM**

(Revised 7/28/15)

**Top of form check boxes:**

- As appropriate, insert information about the fish or game management unit your regulation would change.
- Depending on the venue in which the regulation change will be heard, check the appropriate box(es) for the activities the regulation change would affect.  
[Alaska Legislature Infobase, 5AAC.](#)

**Fillable numbered boxes:**

1. If known, enter the series of letter and numbers which identify the regulation to be changed. For example, 5 AAC 72.055. If it will be a new section or provision, then enter 5 AAC 72.XXX.
2. Write a short explanation about the issue your proposal addresses, or why you are proposing the regulation change. Address only one issue per proposal. State the issue clearly and concisely. The board will reject proposals that contain multiple or confusing issues.

State why the regulation change should be adopted or provide an explanation about what will happen if the regulation is not changed.

To assist you in development of your issue statement (#2 on the form), you may want to consider the following:

- What would happen if nothing is changed?
- What are other solutions you considered? Why did you reject them?

3. Print or type your proposal as you would like to see it appear in the regulation book. The boards prefer that revised regulatory language is provided. **New or amended text should appear first and be in bold text and underlined.** [REGULATORY TEXT BEING DELETED SHOULD BE FULLY CAPITALIZED AND ENCLOSED IN BRACKETS]. It is not necessary to bold and underline text if entire change contains new language.

EXAMPLES: **5 AAC 27.810. Fishing seasons and periods.**

In the Togiak and Bay districts, herring may be taken by purse seines and hand purse seines from April 25 through **July 15** [JUNE 1]

**5 AAC 85.025(3). Unit 9(B) Caribou.**

NONRESIDENT HUNTERS: **2** [3] caribou; however, no more than 1 bull may be taken.

Alternatively, you may state your changes in clear sentences. For example, “Extend the season to July 15 in the Togiak and Bay districts,” or “Reduce the bag limit for caribou in Unit 9(B) to two caribou.”

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Mail or fax the completed form to the address at the top of the form.

Alaska Board of Fisheries/Game  
P.O. Box 115526  
Juneau, AK 99811-5526  
Fax: 907-465-6094

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If you have any questions or need assistance, please consult staff at any Fish and Game office.

Original Proposal Currently Under Review

**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

**Proposals for this cycle are due April 8, 2016**

*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

- Subsistence     Personal Use  
 Sport             Commercial

**\*Which meeting would you like to submit your proposal to?**

- Lower Cook Inlet Area all Finfish             Upper Cook Inlet Area all Finfish  
 Kodiak Area all Finfish                             Statewide (except Southeast/Yakutat) King  
and Tanner Crab

**Please answer all questions to the best of your ability. All answers will be printed in the proposal book along with the proposer's name (address and phone numbers will not be published). Use separate forms for each proposal. Address only one issue per proposal. State the issue clearly and concisely. The board will reject multiple or confusing items.**

**1. Alaska Administrative Code Number**

**5AAC**

39.670(c)(3)(D)

**\*2. What is the issue you would like the board to address and why?**

5 AAC 39.670(c)(3)(D) is a component of the BSAI Individual Fishing Quota (IFQ) Crab Fisheries Management Plan. Under this regulation as it is currently written, a vessel's crab pot gear may not be deployed unless that vessel is actively harvesting one of the rationalized crab species in the applicable registration area. As such, when a vessel is switching between target crab species, it is prevented from re-rigging, baiting, and setting its pot gear prior to delivery and registration for its next target species (pots not aboard the vessel and rigged for the species on board must be stored in the water unbaited and open), otherwise the vessel would be out of compliance for their target fishery. This regulation is extremely inefficient from a vessel operations standpoint as it requires vessel operators to waste time (i.e., increased crew hours spent tending empty gear) and money (i.e., increased fuel costs from tending empty gear) in storing and pulling open pots prior to their ability to re-rig, bait, and set those pots for their next target crab species. Further, the inefficiencies that result from this regulation provide no biological or conservation benefit to the rationalized crab stocks (i.e., protections for juvenile and female crab are maintained through pot gear specifications maintained in regulation).

At the time BSAI Crab Rationalization was implemented, it was important for ADF&G to accurately track fishing effort under this new management program. One way of initially achieving this was through strict vessel registration and gear deployment requirements for each target fishery. Experience now shows that the multitude of economic efficiencies and benefits achieved through Crab Rationalization are being diminished through continuation of this regulation without achieving any biological, conservation, or management benefits as a balance. The major cause of injuries aboard Bering Sea crab vessels occurs during the handling of pot gear. Regulations that result in extraneous gear interactions are in direct contrast to the multiple safety improvements achieved by this fleet through the Rationalization Program. Without adoption of the amended regulatory language as proposed below, vessel operators will be required to continue operating in an extremely inefficient manner and will be subject to unnecessary financial costs for no realized benefit to either the target crab stocks or management program. With the stipulations and conditions included in the proposed regulatory language,

ADF&G will maintain their ability to effectively monitor and record fishing effort and catch data without a decrease in management effectiveness.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

5 AAC 39.670(c)(3)(D) should be amended to read: “a vessel’s crab pot gear may not be deployed unless the vessel is actively participating in harvesting the species in the applicable area; **except that a vessel participating in a rationalized crab fishery may deploy crab pot gear for another rationalized target crab fishery if all of the following criteria are met: 1) while at sea, the vessel has notified ADF&G of its intent to switch target fishery within 48 hours of the final haul for the previous target fishery; 1) gear conversion and setting occurs only during the conclusion of the haul trip for the previously targeted species, prior to offload; 2) re-rigged and baited gear is hauled within 10 days after setting; and 3) hauling of re-rigged and baited gear does not occur prior to registering for the new target fishery.**”

\*Submitted By: Alaska Bering Sea Crabbers  
Individual or Organization



\*Home Phone

\*Work Phone

\*Email

Original Proposal Currently Under Review

## INSTRUCTIONS FOR COMPLETING PROPOSAL FORM

(Revised 7/28/15)

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[Alaska Legislature Infobase, 5AAC.](#)

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State why the regulation change should be adopted or provide an explanation about what will happen if the regulation is not changed.

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EXAMPLES: **5 AAC 27.810. Fishing seasons and periods.**

In the Togiak and Bay districts, herring may  
be taken by purse seines and hand purse  
seines from April 25 through **July 15** [JUNE 1]

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**5 AAC 85.025(3). Unit 9(B) Caribou.**

NONRESIDENT HUNTERS: **2** [3] caribou; however,  
no more than 1 bull may be taken.

Alternatively, you may state your changes in clear sentences. For example, “Extend the season to July 15 in the Togiak and Bay districts,” or “Reduce the bag limit for caribou in Unit 9(B) to two caribou.”

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Original Proposal Currently Under Review

**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

**Proposals for this cycle are due April 8, 2016**

*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

- Subsistence     Personal Use  
 Sport             Commercial

**\*Which meeting would you like to submit your proposal to?**

- Lower Cook Inlet Area all Finfish             Upper Cook Inlet Area all Finfish  
 Kodiak Area all Finfish                             Statewide (except Southeast/Yakutat) King  
and Tanner Crab

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**1. Alaska Administrative Code Number 5**

**AAC**

35.521(c)

**\*2. What is the issue you would like the board to address and why?**

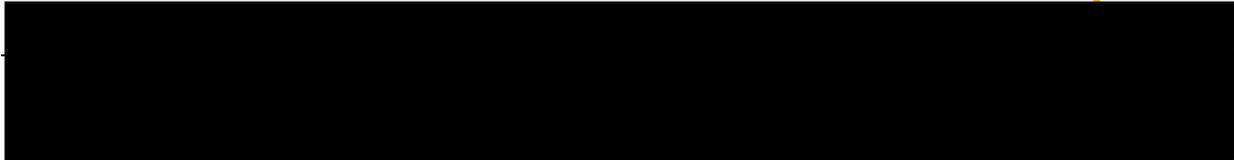
*Chionoecetes opilio* crab and *Chionoecetes bairdi* crab naturally crossbreed with one another with their offspring displaying physical characteristics from both parents (species). It is understood that for the purposes of accurate catch accounting during both the directed *C. opilio* and *C. bairdi* fisheries, ADF&G needs to account for all crab landed during the course of commercial crab fishery operations. As the regulations under 5 AAC 35.521 are currently written, unless a Tanner crab displays the exact characteristics of a *C. bairdi* crab (red eyes and notched upper lip at two points with angular V-shaped cuts from an "M" shape), for catch accounting purposes all other *Chionoecetes* crab are considered to be *C. opilio* irrespective of whether they are a true *C. opilio* or a hybrid Tanner crab. Unfortunately, this identification regulation as currently written has the potential to result in violations for vessels that unintentionally retain hybrid Tanner crab during a season and/or in an area that is prohibited. The mixed physical characteristics make it extremely difficult to identify hybrid Tanner crab in a quick and efficient manner, especially during active fishing operations. This point is emphasized in a study by ADF&G and University of Maine researchers in which experts encountered significant difficulty in consistently correctly identifying hybrid *C. opilio* crab. This same study also noted difficulty on the part of observer trainees in correctly identifying hybrid *C. opilio*.

If this regulation is not addressed, vessel operators will likely receive unnecessary citations and penalties for possessing hybrid Tanner crabs for no conservation benefit. Hybrid Tanner crab are not accounted for in the stock assessment or harvest strategy calculations of either individual Tanner (*C. bairdi* or *C. opilio*) crab species. Because of this, the retention of hybrid Tanner crab can be viewed as a defacto conservation benefit (savings) for true *C. bairdi* and *C. opilio* crab and should not result in punishment. The proposed change to the regulatory language outlined below allows for the continued accounting of all crab landed without unnecessarily punishing vessels for the retention of crab that are not even considered as part of either *Chionoecetes* population.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

5 AAC 35.521(c) should be amended to read: “For the purpose of 5 AAC 35.510(f)(3) and 5 AAC 35.520(b), a hybrid Tanner crab **is considered to be either a *C. bairdi* Tanner crab or a *C. opilio* Tanner crab dependent upon whichever target Tanner crab fishery the vessel is registered for and for which the vessel’s pot gear is actively rigged** [THAT CONFORMS TO THE DESCRIPTION IN (a) OF THIS SECTION IS CONSIDERED TO BE A C. BAIRDI TANNER CRAB, AND A HYBRID TANNER CRAB THAT DOES NOT CONFORM TO THAT DESCRIPTION IS CONSIDERED TO BE A C. OPILO TANNER CRAB].”

**\*Submitted By:** Alaska Bering Sea Crabbers  
**Individual or Organization**



**\*Home Phone**

**\*Work Phone**

**\*Email**

Original Proposal Currently Under Review

## INSTRUCTIONS FOR COMPLETING PROPOSAL FORM

(Revised 7/28/15)

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NONRESIDENT HUNTERS: **2** [3] caribou; however, no more than 1 bull may be taken.

Alternatively, you may state your changes in clear sentences. For example, “Extend the season to July 15 in the Togiak and Bay districts,” or “Reduce the bag limit for caribou in Unit 9(B) to two caribou.”

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**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

**Proposals for this cycle are due April 8, 2016**

*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

- Subsistence     Personal Use  
 Sport             Commercial

**\*Which meeting would you like to submit your proposal to?**

- Lower Cook Inlet Area all Finfish       Upper Cook Inlet Area all Finfish  
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**1. Alaska Administrative Code Number 5**

AAC

35.506(1)(2)

**\*2. What is the issue you would like the board to address and why?**

As currently outlined in regulation, vessel operators targeting Bristol Bay red king crab are only allowed to retain *C. bairdi* Tanner crab in an amount not to exceed five percent of the weight of Bristol Bay red king crab on board the vessel and reported on an ADF&G fish ticket. This regulation was originally adopted as a way for managers to accurately record effort and landings and to ensure that commercial vessel operators were using the appropriate gear type for the crab species they were targeting. Today, not only are vessels required to register for an individual target crab species, the pot gear used (with specifications codified in regulation) to target red king crab is configured differently from the pot gear used to target *C. bairdi* crab such that the pot gear utilized for targeting Bristol Bay red king crab has a larger mesh size and larger escapement rings than pot gear used for targeting *C. bairdi* Tanner crab. The naturally smaller *C. bairdi* crab have an increased ability to escape from red king crab pots. Regulated gear specifications, by target crab species, resulting in the physical difference in pot gear used, aids managers in their ability to distinguish between and track the effort of vessels targeting Bristol Bay red king crab versus those targeting *C. bairdi* crab, irrespective of the fact that these fisheries occur in an overlapping geographic area. But because of this geographic overlap, vessels targeting Bristol Bay red king crab do incidentally harvest *C. bairdi* crab as part of their normal fishing operations. If a vessel operator has an adequate amount of *C. bairdi* Tanner crab individual fishing quota (IFQ) available, that operator should not be incentivized by regulation to discard *any* incidentally taken legal male *C. bairdi* crab.

The rigidity found in an unnecessarily low incidental retention level is currently working in direct opposition to the management goal and objective of continued species conservation. One of the original (and continuing) goals of the Crab Rationalization Program outlined in the 2004 Final EIS focused on the need for reduction of bycatch and its associated mortality. Additionally, National Standard 9 states that “*Conservation and management measures shall, to the extent practicable, (a) minimize bycatch and (b) to the extent bycatch cannot be avoided, minimize the mortality of such bycatch.*” It is the minimization of bycatch mortality that is of concern. Over the past few years, survey and stock assessment information have indicated significant growth in

the *C. bairdi* Tanner crab population. With a continued increase in this population (and available TAC), it can reasonably be expected that vessel operators targeting Bristol Bay red king crab will encounter greater numbers of legal male *C. bairdi* crab on the fishing grounds. Regulations that incentivize full and efficient use of the crab resource will work to minimize unnecessary and wasteful mortality to this population whereas the current incidental regulation creates a disincentive for such usage. Data on both directed catch and discard amounts (and their associated mortality rate) for a species are incorporated into annual stock assessments and can negatively impact population estimates, future population projections, and future total allowable catch (TAC) amounts. These discards of legal male *C. bairdi* crab during the Bristol Bay red king crab target fishery will be directly targeted and harvested at a later time when king crab operations are complete. This results in compounded mortality calculations being incorporated into the *C. bairdi* stock assessment because of the mortality associated with: 1) when a crab is taken as incidental catch; 2) when a crab is taken as directed catch; and 3) when a crab is taken as both incidental and directed catch.

If the current incidental harvest limit for *C. bairdi* Tanner crab is retained, discards and their associated mortality will likely increase as the population overlap between *C. bairdi* crab and Bristol Bay red king crab increases. Available data may not seem to indicate that harvesters targeting Bristol Bay red king crab are actively retaining *C. bairdi* in amounts that approach the current 5% incidental limit, it is important to recognize that this information is generally presented in aggregate across the fleet. Such aggregate data masks the fact that on an individual level, vessels do encounter large numbers of *C. bairdi* crab on the grounds during their red king crab operations. Unfortunately, on an individual catcher vessel basis, a 5% (by weight) incidental catch limit is too small to effectively manage during fishing operations and vessel operators would rather discard their incidental catch than risk a penalty for exceeding the regulated limit.

Prior to rationalization, the *C. bairdi* Tanner crab population was in a severely depressed state. One of the many benefits outlined and achieved with implementation of the Crab Rationalization program was improved resource conservation such that previously depleted stocks have been able to recover to healthy and sustainable levels. However, healthy populations of multiple, overlapping crab stocks now necessitate more flexibility for harvesters targeting those stocks so that unnecessary discards and wasteful mortality are not incentivized in direct opposition to the conservation benefits achieved. Such flexibility will provide for increased efficiency in operations for harvesters. Allowing the greatest maximum retention of all legal male crab species harvested will result in fewer pots being hauled throughout the season, which not only lessens the amount of time spent on the water while increasing CPUE, but it has the added benefit of increasing crew safety by decreasing the amount of time spent handling pot gear. Further, this flexibility will work to maximize deliveries of crab to coastal communities. This will result in increased fish taxes, business taxes, and other fees (i.e., fuel sales and supplies), which are a critical source of revenue not only for the various communities, but for the State of Alaska.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

5 AAC 35.506(i)(2) should be amended to read: “east of 166° W, as incidental harvest while the vessel operator is registered for the Bristol Bay red king crab fishery; a vessel operator that is registered to fish for Bristol Bay red king crab may also retain **all legal male** *C. bairdi* Tanner crab **taken incidentally during normal Bristol Bay red king crab commercial operations** [IN AN AMOUNT NOT TO EXCEED FIVE PERCENT OF THE WEIGHT OF BRISTOL BAY RED KING CRAB ON BOARD THE VESSEL AND REPORTED ON AN ADF&G FISH TICKET].”

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**\*Submitted By:** Alaska Bering Sea Crabbers; Central Bering Sea Fishermen's Association; and the City of St. Paul

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**Individual or Organization**



**\*Home Phone**

**\*Work Phone**

**\*Email**

Original Proposal Currently Under Review



**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

Kenai River – Lower Kenai River Mainstem and Skilak Lake

Change; under METHODS AND MEANS

Gear restrictions:

- From the mouth of the Kenai River to ADF&G regulatory marker at Skilak Lake:
- January 1 – **July 31** [ June 30 ]
- Only one unbaited, single-hook lure is allowed

Delete; The rest of this section dealing with bait and unbaited requirements through July 31.

**\*Submitted By:** Kenai Area Fisherman's Coalition Ed Schmitt - Chairman

**Individual or Organization**

**\*Home Phone**

**\*Work Phone**

**\*Email**

Original Proposal Currently Under Review

**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

**Proposals for this cycle are due April 11, 2016**

*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

- Subsistence     Personal Use  
 Sport             Commercial

**\*Which meeting would you like to submit your proposal to?**

- Lower Cook Inlet Area all Finfish             Upper Cook Inlet Area all Finfish  
 Kodiak Area all Finfish                             Statewide (except Southeast/Yakutat) King  
and Tanner Crab

**Please answer all questions to the best of your ability. All answers will be printed in the proposal book along with the proposer's name (address and phone numbers will not be published). Use separate forms for each proposal. Address only one issue per proposal. State the issue clearly and concisely. The board will reject multiple or confusing items.**

**1. Alaska Administrative Code Number 5 AAC    21.360.**

**\*2. What is the issue you would like the board to address and why?**

Repeal the Kenai River late-run sockeye Optimum Escapement Goal (OEG)

The purpose of a salmon escapement goal is to both ensure sustainability and maximize the yield or harvest. State policy requires that escapement goals must be scientifically defensible.

Escapement goals should be established utilizing the best biological information and empirical data relating to production capacity and carrying capacity. Escapement goals should be periodically reviewed and adjusted to compensate for changing ecological factors. When escapement goals are exceeded or escapement goals are set too high, salmon populations are put at risk by exceeding the carrying capacity of the habitat. *“Over-escapement, in general, is not sustainable...”* ADF&G (SP No. 07-17).

Increasing goals based on annual variations in run size is not scientifically defensible. Repeated escapements over the top end of a goal are not sustainable. Escapements that are too large will produce oscillating returns, low return per spawner rates and other density-dependent effects. The extreme variability of returns on large escapements puts at risk both the sustainability of future runs and the economies that are built around the harvest of these salmon stocks.

The Kenai River is the only river in the state to have five different sockeye salmon goals. These goals are confusing to the public and fishery managers. The goals are often conflicting during the season due to misinterpretations and the uncertainties and often daily variations in the estimates of run timing, run strength and harvest rates. A result of this confusion, about which goal is appropriate, has contributed to sockeye escapements in the Kenai River being over the top end of the inriver goal for 5 of the last 5 years.

## Kenai River Goals

|   |  |
|---|--|
| Biological Escapement Goal (BEG)  | 600,000 - 900,000  |
| Sustainable Escapement Goal (SEG)   | 700,000 - 1,200,000  |
| 3 - Inriver Goals based on run size from <2.3 million to > 4.6 million.   | < 2.3 mil: 900 - 1,100,000<br>2.3 - 4.6 mil: 1,000,000 - 1,200,000<br>> 4.6 mil: 1,100,000 - 1,350,000 |
| Optimum Escapement Goal (OEG)   | 700,000 - 1,400,000  |
| * The Inriver Goals include an allocation range of 200 – 650 thousand sockeye for inriver users based on the magnitude of the sockeye run to the Kenai River. |  |

The “biological escapement goal,” or “BEG,” is the gold standard. This describes the escapement level that provides the greatest potential for “maximum sustained yield,” or “MSY,” which means the greatest average annual yield (harvest) from a salmon stock. However, a BEG can be difficult to achieve and manage for, particularly in mixed stock fisheries, so as an alternative for the Kenai River, the department instead uses a “sustainable escapement goal” or “SEG”.

The most recent ADF&G escapement goal review (FMS 13-13) for Cook Inlet states “*The committee recommended that the Kenai River late-run sockeye salmon SEG be kept at 700,000–1,200,000 spawners. This range approximately represents the escapement that, on average, will produce 90–100% of MSY. We prefer using the 90–100% range for an SEG because it results in a broader interval with the highest predicted yield near its center. Maintaining this goal is supported by a plot of yield versus escapement, showing that escapements in this range generally produce the highest yields, and that escapements above this range can produce highly variable yields.*”

Another recent ADF&G review (FMS 14-06) of a method commonly used (140 of 300 goals) throughout Alaska to establish an SEG determined that the upper end of many escapement goal ranges were in fact, unsustainable. The report stated that “*SEGs based on the current Percentile Approach, especially the upper bounds, may actually be unsustainable in that they may specify a spawning escapement that is close to or exceeds the carrying capacity of the stock where there is the expectation of no sustainable yields.*” The SEG for the Kenai River was not established by using the Percentile Approach but the report documents the risks in exceeding that level of escapement.

The “Optimum Escapement Goal,” or “OEG,” for Kenai River late run sockeye exceeds the SEG. The misnamed OEG is also inappropriate to use for inseason management as the sport harvest must be counted prior to determining if the goal was met or missed but the sport harvest isn’t known until 18 months after the season ends. The Kenai River OEG is incompatible with the findings of both of the latest ADF&G escapement goal reviews; it is confusing, redundant, conflicting and should be repealed.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

**5 AAC 21.360. Kenai River Late-Run Sockeye Salmon Management Plan.** (a) The department shall manage the Kenai River late-run sockeye salmon stocks primarily for commercial uses based on abundance. The department shall also manage the commercial fisheries to minimize the harvest of Northern District coho, late-run Kenai River king, and Kenai River coho salmon stocks in order to provide personal use, sport, and guided sport fishermen with a reasonable opportunity to harvest salmon resources.

(b) The Kenai River late-run sockeye salmon commercial, sport, and personal use fisheries shall be managed to

[(1) MEET AN OPTIMUM ESCAPEMENT GOAL (OEG) RANGE OF 700,000 – 1,400,000 LATE-RUN SOCKEYE SALMON;]

**(1)** [(2)] achieve inriver goals as established by the board and measured at the Kenai River sonar counter located at river mile 19; and

[(3) DISTRIBUTE THE ESCAPEMENT OF SOCKEYE SALMON EVENLY WITHIN THE OEG RANGE, IN PROPORTION TO THE SIZE OF THE RUN.]

**\*Submitted By:** United Cook Inlet Drift Association  
**Individual or Organization**

**\*Home Phone**

**\*Work Phone**

**\*Email**

Original Proposal Currently Under Review

ALASKA BOARD OF FISHERIES  
REGULATION PROPOSAL FORM 2014-2015  
PO BOX 115526, JUNEAU, ALASKA 99811-5526

*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

- Subsistence     Personal Use  
 Sport             Commercial

**\*Which meeting would you like to submit your proposal to?**

- Prince William Sound and Upper Copper/Upper Susitna Finfish  
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 Southeast and Yakutat Crab, Shrimp, Misc. Shellfish (including Dungeness, King and Tanner)  
 Statewide Dungeness Crab, Shrimp, Misc. Shellfish (except Southeast and Yakutat) and Supplemental Issues

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**1. Alaska Administrative Code Number 5 AAC**

**\*2. What is the issue you would like the board to address and why?**

Increase access to hatchery raised King Salmon in the Ketchikan area. Current regulations ensure that sport fishermen continue to lose the opportunity to catch hatchery King Salmon by not allowing increased bag limits in areas of increased hatchery abundance.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

Open an additional sub-area to the Ketchikan Sport Terminal Hatchery Area (STHA) with a two-fish daily bag limit, that coincides with the opening and closing of the Ketchikan STHA. This daily bag limit would not count against any annual limits.

This sub-area would abut the southern edge of the STHA in area 101-27 in Nichols Passage and extend further south to Hid Reef on the eastern corner, to the junction of 101-25 and 101-29 in Clarence Strait, and continue northward within area 101-29 to a line extending due west (True) from South Valpar Point to the western boundary of 101-29. It should be noted that this sub-area is extremely small in comparison to the Spring Troll Access Area for commercial harvesters. (See attached diagram of proposed sub-area)

This increased access would help alleviate the inequities between Inside and Outside sport fisheries in the early days of each season, and increase marketability of Inside sport fisheries, thereby stretching the season and increasing benefits to the local economy. It would benefit sport fishers in years of low Treaty King Salmon abundance, and would also reduce gear conflicts in the Neets Bay Chum Salmon troll fishery and seine and gillnet King Salmon fisheries inside the Neets Bay THA by giving sport fishers an alternative access to hatchery King Salmon.

**\*Submitted By:** Don Westlund and Larry McQuarrie  
Individual or Group

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**1. Alaska Administrative Code Number 5 AAC \_\_\_\_\_**

**\*2. What is the issue you would like the board to address and why?**

Currently only guided fishers are required to release non-pelagic rockfish at depth. Statistically it is estimated that there is as much as an 80% survival rate for non-pelagic rockfish that are released at depth. While it is not practical for the commercial fishery to release at depth, there is no reason why all other sport harvesters should not also be required to release non-pelagics at depth in order to conserve the resource.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

The regulation to release non-pelagic rockfish at depth as written for guided anglers should be extended to apply to all sport fishers, including the requirement to have on board at least one operable at-depth release mechanism.

All sport caught non-pelagic rockfish that are intended to be released must be released at the depth they were caught or at least 100', whichever is shallower.

**\*Submitted By:** Don Westlund and Larry McQuarrie

Individual or Group

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**1. Alaska Administrative Code Number 5 AAC**

**\*2. What is the issue you would like the board to address and why?**

Currently guided fishers are required to retain all non-pelagic rockfish until the limit is reached, after which, if additional non-pelagics are caught they must be released at depth.

a. Often very small non-pelagic rockfish are caught, retained and are wasted because they are too small to salvage any practical amount of meat after being filleted. They are considered simply not worth the effort.

b. In addition to smaller rockfish, it is common for larger non-pelagic rockfish to be caught while targeting other species. The fact the angler is targeting other species often indicates that rockfish are an unintended and unwanted catch. Rockfish are not allowed to be retained by crew. Under current regulations non-pelagic rockfish must be retained until a limit is achieved, whether they are wanted or not, often resulting in undesired retention and unnecessary mortalities.

The harvest and waste of non-pelagic rockfish can be prevented if the regulations allowed discretion in the release at depth of such fish prior to achieving a limit. Release at depth is estimated to result in 80% survivability, but a rockfish retained results in 100% mortality. The resulting waste causes frustration to clients and guides alike, and calls into question the practicality of the regulation as written.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

The regulation should be changed to eliminate the wording: "All non-pelagic rockfish caught must be retained until the bag limit is reached." No other changes to the regulation would be required.

**\*Submitted By:** Don Westlund and Larry McQuarrie  
Individual or Group

**\*Home Phone**

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**1. Alaska Administrative Code Number 5 AAC** \_\_\_\_\_

**\*2. What is the issue you would like the board to address and why?**

Increase the Lingcod minimum length for retention in the commercial fishery from 27" to 30".

Lingcod is a highly valued fish in commercial, sport, subsistence and personal use fisheries and as such, should be protected.

1. This can be done without harm to the commercial fishery due to the fact that the allocation is based on pounds, not number of fish.
2. The harvest will not change but the number of fish left in the water for recruitment in future years will increase.
3. The result will be a higher quality product and reduced processing costs.
4. It will bring size limits in line with the lower slot limit for inside sport fisheries.
5. Lingcod are a hardy fish and can tolerate being released if under the legal size limit.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

All lingcod retained must measure at least 30" from tip of snout to tip of tail or 22.75" from front of dorsal fin to tip of tail.

**\*Submitted By:** Don Westlund and Larry McQuarrie  
Individual or Group

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**1. Alaska Administrative Code Number 5 AAC**

**\*2. What is the issue you would like the board to address and why?**

Standardization and reduction of shrimp pot gear.

Currently the pot shrimp fishery is much like a derby fishery, with most districts open less than one month in order to prevent overfishing. This proposal would provide better control by managers and allow longer openings. Managers would be able to more accurately determine how much linear coverage is being fished in a district at any time.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

Limit shrimp pot gear as follows:

1. Small pots:
  - a. Reduce the maximum limit of small pots from 140 to 100 per license;
  - b. Limit each string to be comprised of 4 pots only; *25 STRING MAX.*
  - c. Pots must be 15 fathoms apart on a string.
2. Large pots:
  - a. Reduce the maximum limit of large pots from 100 to 75 per license;
  - b. Limit each string to be comprised of 3 pots only; *25 STRING MAX.*
  - c. Pots must be 20 fathoms apart on a string.
3. In addition to the pot limits described above, single pot deployment would not be allowed.
4. Gear would be limited to one pull per day, from 8 AM to 4 PM.

**\*Submitted By:** Don Westlund

**Individual or Group**

**\*Home Phone**

**\*Work Phone**

**\*Email**

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**1. Alaska Administrative Code Number 5 AAC** \_\_\_\_\_

**\*2. What is the issue you would like the board to address and why?**

1. Spiny Dogfish are currently an underutilized fishery.
2. In processing Spiny Dogfish nearly all of the carcass is utilized, (including some organs) except the head. When markets are developed this fishery could provide new revenue streams and opportunities for fishers, processors and communities.
3. Spiny Dogfish tend to travel in large dense packs by size and sex. Longline Spiny Dogfish fisheries in British Columbia's Strait of Georgia have resulted in concerns over the inability to fish selectively, resulting in unwanted harvests of fecund females. A pot fishery could resolve those issues by the fact that the fish are harvested live and can be released unharmed, coupled with regulations on:
  - a. Season duration,
  - b. Pot limits
  - c. Tunnel size
  - d. Escapement rings
  - e. Legal size retention (slot limits)

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

Create a new Spiny Dogfish pot fishery in Southeast Alaska with regulations as described above to be determined by ADF&G.

**\*Submitted By:** Don Westlund and Larry McQuarrie  
Individual or Group

\*Home Phone

\*Work Phone

\*Email

**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

Proposals for this cycle are due April 11, 2016

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1. Alaska Administrative Code Number 5 AAC 35.3.xx

**\*2. What is the issue you would like the board to address and why?**

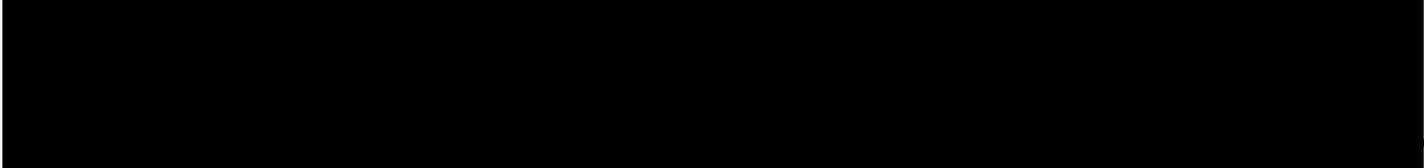
**There has been no commercial fishing of Crab in Prince William Sound (PWS) since 1988.**

The Alaska Department of Fish & Game (ADF&G) has by regulation blocked any commercial fishing of crab since 1999. From 1988 - 1999 commercial fishing was closed by Emergency Orders. Under current regulations, no commercial harvest can occur until the Department develops a harvest strategy. The Department has failed to develop a strategy for 18 years. At long last the Department will produce a harvest strategy for the 2017 Board of Fisheries (BOF) meeting; which apparently does not include commercial fishing. The Department's stance appears to contradict BOF Tanner and King crab policy which states as one of its goals: *"providing a sustained and reliable supply of high quality product to the industry and consumers which will provide substantial and stable employment in all sectors of the economy relating to these fisheries."* In its proposed harvest strategy the Department appears to base its threshold abundance level based on an average of statistics and catch figures compiled over thirty years ago in a commercial crab fishery, combined with statistics gathered in the Department's trawl survey. Due to budgetary constraints the Department has no plans to continue its trawl survey. A survey which by the way is destructive of habitat, and widely viewed as not indicative of actual crab stocks. Subsistence catches indicate a level of abundance that does not appear to mesh well with the thought processes of the Department. Under current regulations the Commissioner cannot issue a Commissioner's permit to conduct a fishery to provide the Department with a more accurate assessment of both Tanner and King crab stocks.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

In order to accurately cross check Department data, the Commissioner of ADF&G shall be empowered to issue commissioners permits for crab fisheries for any and all districts of PWS which have heretofore been closed either by Emergency Order or regulation for any period of which exceeds 4 years.

\*Submitted By: Robert A. Smith  
Individual or Organization



\*Home Phone

\*Work Phone

\*Email

Original Proposal Currently Under Review

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1. Alaska Administrative Code Number 5 AAC    02.220 (2) Subsistence Tanner Crab Fishery

**\*2. What is the issue you would like the board to address and why?**

**ADF&G has set size limits for Subsistence crab at 5.5 inches –**

Size limits for commercially caught crab are 5.3 inches. Requiring subsistence harvesters to adhere to a higher standard creates an additional burden and expense on subsistence fishermen. Currently subsistence users are the only user group permitted to harvest crab. The only user group data obtained by the Department comes from subsistence users. The discrepancy in size limits creates confusion among Department officials as well as harvesters in accurate reporting of subsistence harvests. This results in crab being reported as "sublegal" when they would qualify as legal under the 5.3 inch size limits for commercial fisheries.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

(2) Only male Tanner five and three tenths inches or greater in width of shell may be taken or possessed.

**\*Submitted By:** Wamy Chappel

**Individual or Organization**

**\*Home Phone**

**\*Work Phone**

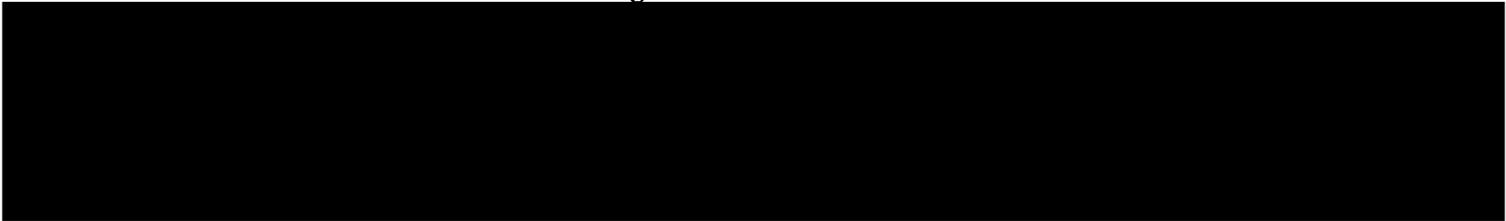
**\*Email**



\*Submitted By:

Robert A. Smith

Individual or Organization



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1. Alaska Administrative Code Number 5 AAC    35.310

**\*2. What is the issue you would like the board to address and why?**

**The Alaska Department of Fish & Game has apparently eliminated in perpetuity commercial crab fisheries in Prince William Sound (PWS)–**

The Department has since 1991 relied solely on its trawl survey for its data regarding tanner crab stocks in PWS Area E. Trawl surveys take place in a very limited area of PWS and their effectiveness in these areas is widely questioned. Area E encompasses approximately 13,000 square nautical miles. Vast swaths of Area E have neither been fished nor surveyed nor managed in any manner for three decades. The Department appears to be acting in contradiction to the Tanner and King crab policy established by the Board of Fisheries which states as one of its goals; *“providing a sustained and reliable supply of high quality product to the industry and consumers which will provide substantial and stable employment in all sectors of the economy relating to these fisheries.”*

The Western District of PWS which comprises roughly 4500 square nautical miles of the total PWS area has not had a pot survey, a trawl survey, or a fishery since 1988.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**  
On January 1<sup>st</sup> crab fishing will commence in the Western District of PWS and continue until March 15<sup>th</sup>, or until 500,000 lbs. of Tanner Crab are caught; whichever comes first. Vessels will be limited to 25 pots.

**\*Submitted By:** Robert A. Smith Robert A. Smith  
Individual or Organization

**\*Home Phone**

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Original Proposal Currently Under Review

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**The Alaska Department of Fish & Game has apparently eliminated in perpetuity commercial crab fisheries in Prince William Sound (PWS)–**

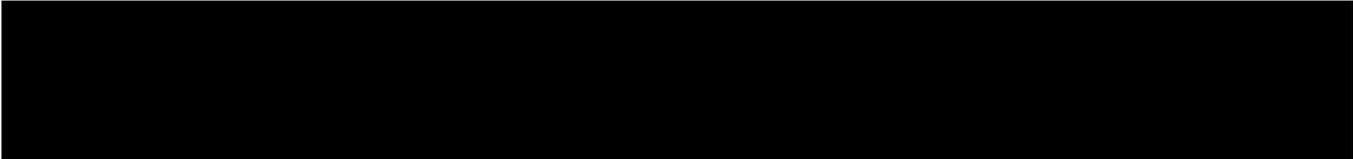
The Department has since 1991 relied solely on its trawl survey for its data regarding tanner crab stocks in PWS Area E. Trawl surveys take place in a very limited area of PWS and their effectiveness in these areas is widely questioned. Area E encompasses approximately 13,000 square nautical miles. Vast swaths of Area E have neither been fished nor surveyed nor managed in any manner for three decades. The Department appears to be acting in contradiction to the Tanner and King crab policy established by the Board of Fisheries which states as one of its goals; *“providing a sustained and reliable supply of high quality product to the industry and consumers which will provide substantial and stable employment in all sectors of the economy relating to these fisheries.”*

With the exception of Dungeness surveys the Eastern District of PWS which comprises roughly 4,700 square nautical miles of the total PWS area has not had a pot survey, a trawl survey, or a fishery since 1988.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

On January 1<sup>st</sup> crab fishing will commence in the Eastern District of PWS and continue until March 15<sup>th</sup>, or until 500,000 lbs. of Tanner Crab are caught; whichever comes first. Vessels will be limited to 25 pots.

\*Submitted By: Robert L. Sme  
Individual or Organization



\*Home Phone

\*Work Phone

\*Email

Original Proposal Currently Under Review

**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

Proposals for this cycle are due April 11, 2016

*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

- Subsistence     Personal Use  
 Sport             Commercial

**\*Which meeting would you like to submit your proposal to?**

- Lower Cook Inlet Area all Finfish             Upper Cook Inlet Area all Finfish  
 Kodiak Area all Finfish                             Statewide (except Southeast/Yakutat) King  
and Tanner Crab

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1. Alaska Administrative Code Number 5 AAC 02.220 (3)

**\*2. What is the issue you would like the board to address and why?**

**Small bag and possession limits for subsistence Tanner Crab –**

Subsistence catches for Tanner Crab are abundant. Current bag and possession limits burden harvesters with large fuel costs. Raising bag limits will lower fuel costs and provide more local residents with access to this resource. Additionally, reducing the cost of subsistence harvesting of crab will provide the Alaska Department of Fish & Game with additional data that it needs to make informed decisions.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

5 AAC 02.220 (3) – The daily bag and possession limit is twenty five male Tanner Crab.

\*Submitted By: Wynn Chan

Individual or Organization

\*Address

\*City, State

\*ZIP Code

**\*Home Phone**

**\*Work Phone**

**\*Email**

Original Proposal Currently Under Review

# FAX

To: Alaska Board of Fish From: Randy Takahashi

Fax: [Redacted]  
Ph: [Redacted]

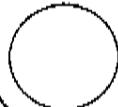
Re: \_\_\_\_\_ CC: \_\_\_\_\_

- Urgent
- For Review
- Please Comment
- Please Reply
- Please Recycle

Comments:

attached is a Board of Fish proposal dealing with Commercial Norton Sound Red King Crab Fishery.

Original Proposal Currently Under Review



**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

**Proposals for this cycle are due April 11, 2016**

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**BOARD OF FISHERIES REGULATIONS**

- Subsistence     Personal Use  
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**1. Alaska Administrative Code Number 5 AAC    34.935 (a)**

**\*2. What is the issue you would like the board to address and why?**

I would like the board to return the closure line along the north coast of Norton Sound to the old closure line that ran continuously on 64°15'N Lat. While closure areas are important to protect female and juvenile crab. The need for as much closed area has decrease with the commercial crab fleet now require to use escapement mesh or rings. The use of these ring has decrease the number female and juvenile crab handled by the commercial crab fleet. Returning to the old closure line will also allow the commercial crabbers to spread out and reduce gear conflicts between commercial crabbers. The straight line across will make it fair for crabbers leaving both Nome and Golovin. Currently crabbers from Golovin must travel further to get to open are that those in Nome.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**  
Make the north closure line straight across from west to East on the 64°15'N Lat. line.

- 5 AAC – 34.935. Closed waters in Registration Area Q.  
(a) Except as provided in 5 AAC 34.915 (a) (6), all waters of the Norton Sound Section enclosed by a line from 64° 24.00'N. lat., 166° 15.00'W long., to 64° 15.00'N. lat., 166° 15.00'W long., [to 64° 15.00'N. LAT., 163° 30.00'W LONG., to 64° 10.00'N. LAT., 163° 30.00'W LONG., to 64° 10.00'N. LAT., 162° 00.00'W LONG., to 64° 15.00'N. LAT., 162° 00.00'W LONG.,] to 64° 15.00'N. lat., 161° 30.00'W long., to 64° 00.00'N. lat., 161° 30.00'W long., to 64° 00.00'N. lat., 161° 15.00'W long., to 63° 32.00'N. lat., 161° 15.00'W long. are closed to the taking of king crab during the summer season.

**\*Submitted By:** Randy Takak  
**Individual or Organization**



71  
P Code

**\*Home Phone**

**\*Work Phone**

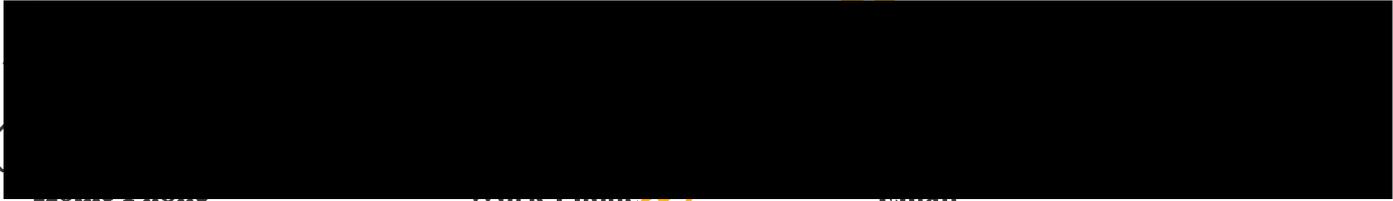
Original Proposal Currently Under Review



waters are specifically open to sport fishing for king salmon. That portion of Montana Creek downstream of the Alaska Railroad bridge and including all flowing waters within a one-half mile radius of its confluence with the Susitna River would remain closed as currently described in regulation. This proposal is not meant to change any aspect of the regulations within the times and areas currently open to fishing for king salmon.

\*Submitted By:

Joe Mattis / Montana Creek Campground  
Individual or Organization



Joe Mattis  
April 7, 2016

Original Proposal

REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526

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*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

- Subsistence     Personal Use  
 Sport             Commercial

**\*Which meeting would you like to submit your proposal to?**

- Lower Cook Inlet Area all Finfish             Upper Cook Inlet Area all Finfish  
 Kodiak Area all Finfish                             Statewide (except Southeast/Yakutat) King  
and Tanner Crab

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1. Alaska Administrative Code Number 5 AAC 02.607 SUBSISTENCE FISHING GEAR

**\*2. What is the issue you would like the board to address and why?**

Rakes are commonly used to harvest crab in the Norton Sound Section and may be used generally in the Northern District of the Bering Sea and Chukchi Sea. When handling it is common practice to place a rake in the ice hole so that it can be used to move the crab up through the hole. With the establishment of Spiny King Crab in in the Norton Sound Section, rakes have been found to be an effective method to catch crab wedged between boulders. During the transition period of ice break-up in eastern Norton Sound red King Crab are caught using rakes at Cape Denbigh, Besboro Island, and the rocky coast near Kliketarik.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

In that portion of the area north of the latitude of Cape Newenham, shell fish may only be taken by shovel, RAKE, jigging gear , pots and ring net.

5AAC 39.105. TYPES OF LEGAL GEAR. (d) (31) a **crab rake** is a handheld implement no longer than 16 feet, equipped with one or more prongs used to gather crab.

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**\*Submitted By:** Charles Lean

**Individual or Organization**

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**\*Home Phone**

**\*Work Phone**

**\*Email**

Original Proposal Currently Under Review

**REGULATION PROPOSAL FORM for the  
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P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

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 Kodiak Area all Finfish                             Statewide (except Southeast/Yakutat) King  
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**1. Alaska Administrative Code Number 5 AAC    18.350 Closed Waters**

**\*2. What is the issue you would like the board to address and why?**

Having the stream terminus of the Ayakulik River (stream #256-201) continuously open to commercial seine fishing that coexists with the run cycle of king salmon increases the mortality rate of king salmon returning to the Ayakulik River. The commercial seine fishery in the KMA is not allowed to retain king salmon over 28 inches in length from June 1<sup>st</sup> through July 5<sup>th</sup> with the possible extension from July 6<sup>th</sup> through July 30<sup>th</sup> for the Inner and Outer Ayakulik sections. However, with the high influence of constant seine nets being strung across the stream terminus of the Ayakulik River, king salmon virtually have no chance of successfully entering the Ayakulik River alive. The BEG of the Ayakulik River king salmon has not been met for many years, and yearly escapements since 2006 have averaged just 22% of escapements observed during the previous 10 year period. The 2014 escapement of approximately 900 fish was the 2<sup>nd</sup> lowest on record for this fish stock. Accordingly, the Ayakulik River king salmon run is now being considered for designation as a "Stock of Concern" under the Policy for the Management of Sustainable Salmon Fisheries (5 AAC 39.222). Restriction of commercial salmon fishing within 500 yards of the Ayakulik River stream terminus is imperative to help ensure the king salmon BEG is achieved.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

5 AAC 18.350 Closed Waters (a) (2) (A) **all waters within 500 yards of the terminus of the Ayakulik River (Red River)** [ALL WATERS EAST OF THE TERMINUS OF THE AYAKULIK RIVER (RED RIVER)]

**\*Submitted By:** Amy Fredette  
**Individual or Organization**

[Redacted area containing contact information fields: Home Phone, Work Phone, Email]

# *Ayakulik River, Kodiak*



Original Proposal Currently Under Review

**PROPOSAL** 5 AAC 18.360 (b) (c) Cape Igvak Salmon Management Plan. Adjust the current 15% allocation on Chignik-assigned sockeye salmon to 7.5% through July 25 while maintaining the 90% Chignik stock assignment and other plan provisions.

5 AAC 18.360 (b) (c) Cape Igvak Salmon Management Plan is amended to read:

The Department shall manage the fishery so that the number of sockeye salmon in the Cape Igvak Section by Area K fishermen shall approach as near as possible 7.5% [15%] the total Chignik sockeye salmon catch through July 25.

What is the issue: The Cape Igvak Section fishery was established in 1978 as an allocation fishery on Chignik-bound sockeye salmon. At the time Kodiak sockeye stocks were depressed from over-fishing. The two Chignik runs were healthy, and it was deemed reasonable to 'share the wealth' with Kodiak, a measure of income redistribution which some now believe is quite fashionable or progressive. Things have changed dramatically at Chignik and Kodiak from the 1970's. While Chignik's two sockeye runs are still healthy, the Area L salmon fishery is not. Chignik has gone from supporting several shore-based processors to none now owing to economic conditions within the Chignik fishery. Unlike Kodiak, Chignik's single industry, for all practical purposes, is salmon fishing. There are simply no jobs available, and our villages are losing residents.

When the Board assigned an allocation of Chignik sockeye salmon to the Igvak fishery in 1978 Kodiak had been harvesting less than 500 thousand sockeye salmon annually (avg. 1958-67: 437,000; avg. 1968-77: 494,000(ADF&G, Jackson et al. 2015)). Now according to ADF&G, Kodiak is averaging about 4.5 times that amount for the last 10-years (avg. 2006-15: 2.2 million sockeye harvest ( J. Jackson, 11/16/15)).

What solution do you recommend? The Board is requested to roll-back the Cape Igvak allocation by 50%, from an allocation of 15% to 7.5%, a measure that would improve the Chignik salmon fishery and overall Chignik conditions. Chignik salmon fisherman have no hatcheries to draw upon, and our local pink and chum runs are not managed to provide economic sustainability as was well addressed at last year's Board of Fisheries. Chignik salmon fishermen contribute 2% of their catch in a tax to support local management and safeguard fisheries habitat. This includes funding for an annual smolt study (to ADF&G), Black Lake and Chignik habitat monitoring (to FRI), and in-season stock separation genetics (to ADF&G). Chignik is battling for economic survival, and it has no options available for supplemental salmon production similar to those as achieved in Kodiak. We believe that relief from the Cape Igvak Section fishery on Chignik bound sockeye salmon is quite reasonable to the degree proposed.

Submitted by: George Anderson

**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

**Proposals for this cycle are due April 8, 2016**

*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

- Subsistence     Personal Use  
 Sport             Commercial

**\*Which meeting would you like to submit your proposal to?**

- Lower Cook Inlet Area all Finfish             Upper Cook Inlet Area all Finfish  
 Kodiak Area all Finfish                             Statewide (except Southeast/Yakutat) King  
and Tanner Crab

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**1. Alaska Administrative Code Number 5 AAC**    5 AAC 21.353

**\*2. What is the issue you would like the board to address and why?**

At the 2014 Alaska Board of Fisheries (BOF) meeting for Upper Cook Inlet (UCI) finfish, restrictions were added to the Central District Drift Gillnet Fishery Management Plan that make this plan very inflexible and significantly changed the intent of the plan from when it was adopted in 1999. This proposal seeks some relief from these overly burdensome restrictions so that the drift plan is more in line with 5 AAC 21.363 (a) (1), where it states that the harvest of UCI salmon should be allowed in order to maximize the benefits of these resources. The current drift gillnet management plan is too restrictive and does not allow ADF&G the tools it needs in order to harvest surplus Kenai and Kasilof river sockeye salmon stocks. An overly restrictive drift gillnet management plan can therefore result in over escapement of these stocks, which it has in two out of two years since the plan was changed. Over escapement results in immediate loss to fish harvesters of all sectors and it also poses unneeded economic loss to the people of Alaska by not maximizing the benefits of these resources!

Therefore, I urge the BOF to carefully consider providing ADF&G with as many flexible management tools as necessary to ensure the future health of our salmon resources by crafting management plans that are more flexible and less restrictive. Overly-restrictive management plans often hinder our manager's ability to do their most important job, i.e., managing fisheries to meet established escapement goals.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**  
**5 AAC 21.353. Central District Drift Gillnet Fishery Management Plan.**

(a) The purpose of this management plan is to ensure adequate escapement of salmon into the Northern District drainages and to provide management guidelines to the department. The department shall manage the commercial drift gillnet fishery to minimize the harvest of Northern District and Kenai River coho salmon in order to provide sport and guided sport fishermen a reasonable opportunity to harvest these salmon stocks over the entire run, as measured by the frequency of inriver restrictions. The department shall manage the Central District commercial

drift gillnet fishery as described in this section **to maximize the commercial harvest of sockeye salmon.**

(b) The regular weekly fishing periods are as described in 5 AAC 21.320(b). The fishing season will open the third Monday in June or June 19, whichever is later.

(c) From July 9 through [JULY 15] **July 20, or until an inseason assessment of Kenai River sockeye salmon run strength is determined by the department.**

(1) fishing during the first regular fishing period and second regular fishing period is restricted to the Expanded Kenai and Expanded Kasilof Sections of the Upper Subdistrict and Drift Gillnet Area 1;

(2) at run strengths greater than 2,300,000 sockeye salmon to the Kenai River, the commissioner may, by emergency order, open one additional 12-hour fishing period in the Expanded Kenai and Expanded Kasilof Sections of the Upper Subdistrict and Drift Gillnet Area 1;

**(3) at run strengths greater than 4,600,000 sockeye salmon to the Kenai River, the commissioner may, by emergency order, open additional 12-hour fishing periods in one or more of the following sections and areas:**

**(i) the Expanded Kenai Section of the Upper Subdistrict;**

**(ii) the Expanded Kasilof Sections of the Upper Subdistrict;**

**(iii) Drift Gillnet Area 1;**

**(iv) Drift Gillnet Area 2;**

**(4)** additional fishing time under this subsection is allowed only in the Expanded Kenai and Expanded Kasilof Sections of the Upper Subdistrict.

(d) From [July 16] **July 20** through July 31,

(1) at run strengths of less than 2,300,000 sockeye salmon to the Kenai River, fishing during all regular 12-hour fishing periods will be restricted to the Expanded Kenai and Expanded Kasilof Sections of the Upper Subdistrict;

(2) at run strengths of 2,300,000 – 4,600,000 sockeye salmon to the Kenai River,

(A) fishing during [ONE] **all** regular 12-hour fishing period per week will be [RESTRICTED TO ONE OR MORE OF] **opened in the following sections and areas:**

(i) Expanded Kenai Section of the Upper Subdistrict;

(ii) Expanded Kasilof Section of the Upper Subdistrict;

(iii) Anchor Point Section of the Lower Subdistrict;

(iv) Drift Gillnet Area 1;

(B) [THE REMAINING WEEKLY 12-HOUR REGULAR FISHING PERIOD WILL BE RESTRICTED TO ONE OR MORE OF THE FOLLOWING SECTIONS:] **Additional fishing time under this subsection is allowed in one or more of the following sections:**

- (i) Expanded Kenai Section;
- (ii) Expanded Kasilof Section;
- (iii) Anchor Point Section
- (iv) **Drift Gillnet Area 1**

(3) at run strengths greater than 4,600,000 sockeye salmon to the Kenai River, [ONE REGULAR 12-HOUR FISHING PERIOD PER WEEK] **all regular** fishing periods per week will be restricted to **one or more of the following areas or sections:**

- (A) Expanded Kenai Section;**
- (B) Expanded Kasilof Section;**
- (C) Anchor Point Section;**
- (D) Drift Gillnet Area 1;**
- (E) Drift Area 2;**
- (F) Central District;**

(4) additional fishing time under this subsection is allowed only in one or more of the following **areas or** sections:

- (A) Expanded Kenai Section;
- (B) Expanded Kasilof Section;
- (C) Anchor Point Section;
- (D) Drift Gillnet Area 1;**
- (E) Drift Area 2;**
- (F) Central District;**

(e) From August 1 through August 15, **on Kenai River sockeye salmon runs under 2,300,000 fish,** there are no mandatory area restrictions to regular fishing periods, except that if the Upper Subdistrict set gillnet fishery is closed under 5 AAC 21.310(b)(2)(C)(iii), or the department determines that less than one percent of the season's total drift gillnet sockeye salmon harvest has been taken per fishing period for two consecutive fishing periods in the drift gillnet fishery, regular fishing periods will be restricted to Drift Gillnet Areas 3 and 4. In this subsection, "fishing period" means a time period open to commercial fishing as measured by a 24-hour calendar day from 12:01 a.m. until 11:59 p.m. **On Kenai runs over 2,300,000 fish, from August 1 through August 15, there are no mandatory area restrictions to regular fishing periods.**

(f) From August 16 until closed by emergency order, Drift Gillnet Areas 3 and 4 are open for fishing during regular fishing periods.

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**\*Submitted By:**

**David Hillstrand**

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**Individual or Organization**

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**\*Address**

**\*City, State**

**\*ZIP Code**

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**\*Home Phone**

**\*Work Phone**

**\*Email**

Original Proposal Currently Under Review

**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

**Proposals for this cycle are due April 11, 2016**

*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

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**1. Alaska Administrative Code Number 5 AAC    5 AAC 35.500 through 35.599**

**\*2. What is the issue you would like the board to address and why?**

We are asking that the Board develop a management plan framework for Western Aleutian District tanner crab. Aleutian Island tanner crab were formerly managed under a Federal Fisheries Management Plan, but with the adoption of Amendment 24 Aleutian Island tanners were removed from the FMP and full responsibility was returned to ADF&G.

The Board did create a management plan for Eastern Aleutian District tanners, but the management plan for the Western Aleutian District tanners is much less complete. We propose that the management plan framework for WAI district tanners be fleshed out in a manner that generally follows the management framework the Board adopted for Adak Red King Crab, addressing: 1) Adak section boundaries, 2) registration requirements, 3) harvest strategy, 4) season dates, 5) pot limits 6) reporting requirements, 7) vessel size limits

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

**5 AAC 35.505. Description of Registration Area J districts**

(d) Western Aleutian District: all waters west of 172° W. long., and south of 54° 36' N. lat.

**(1) The Adak Section is comprised of the state waters of the Aleutian Islands Subdistrict between 175° W. long. and 178° W. long.**

## **5 AAC 35.506. Area J registration**

(5) for the Western Aleutian District *C. bairdi* Tanner crab fishery, the registration deadline is 5:00 p.m. October 10; **except that in the Adak Section a vessel must register at least 5 days prior to beginning fishing.**

## **5 AAC 35.50X. Western Aleutian District Tanner crab harvest strategy**

**(a) In the Western Aleutian District, a commercial Tanner crab fishery may be open based on the best scientific information available, if the department determines that there is a harvestable surplus of**

**(1) tanner crab available in the Adak Section, the commissioner may open, by emergency order, a commercial tanner crab fishery only in the Adak Section under 5 AAC 34.510(e);**

**(2) at least 1,000,000 pounds of tanner crab in the remainder of the Western Aleutian District, the commissioner may open, by emergency order, a commercial tanner crab fishery in the remainder of the Western Aleutian District**

## **5 AAC 35.510. Fishing seasons for Registration Area J**

(e) In the Western Aleutian District, pots may be operated to take Tanner crab only during a season opened by emergency order from 12:00 noon November 1 through 12:00 noon March 31, **except that in the Adak Section a season may be opened by emergency order from 12:00 noon August 1.**

## **5 AAC 35.525. Lawful gear for Registration Area J**

**(c) The following pot limits are in effect in Registration Area J:**

**(6) in the Adak Section of the Western Aleutian District no more than 50 pots per vessel is allowed.**

## **5 AAC 35.558. Reporting requirements for Registration Area J**

In the Eastern Aleutian District **and in the Western Aleutian District**, a validly registered Tanner crab vessel must report each day to the department

(1) the number of pot lifts;

(2) the number of crab retained for the 24-hour fishing period preceding the report; and

(3) any other information that the commissioner determines is necessary for the management and conservation of the fishery, as specified in the vessel registration

certificate issued under 5 AAC 35.020.

**5 AAC 35.590. Vessel length restrictions**

**(d) In the Adak Section of the Western Aleutian District, Tanner crab may not be taken by vessels over 60 feet overall length. In the remainder of the Western Aleutian District, Tanner crab may not be taken by vessels over 60 feet in overall length when the guideline harvest level for Tanner crab in the Western Aleutian District is 1,500,000 pounds or less.**

\*Submitted By: Adak Community Development Corporation  
**Individual or Organization**



\*Home Phone

\*Work Phone

\*Email

Original Proposal Currently

Review

**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

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

**1. Alaska Administrative Code Number**

**\*2. What is the issue you would like the board to address and why?**

Eliminate the current regulations' harvest limit of five king salmon, 20 inches or greater in length, for the Lower Cook Inlet recreational salt water troll fishery south of Anchor Point Light.

The Lower Cook Inlet recreational salt water troll fishery harvests primarily "feeder" king salmon which do not originate from Cook Inlet spawning aggregations.

As mounting scientific data confirms, the Lower Cook Inlet recreational salt water troll fishery does not pose a threat to conservation of returning Cook Inlet stocks-of-concern. Application of the 5 king salmon seasonal harvest limit to this recreational salt water troll fishery is neither a very effective nor reliable means for advancing sustainable management of Cook Inlet king salmon stocks of concern.

In addition to not providing any measurable benefit, the 5 king salmon seasonal harvest limit is unduly restrictive and disproportionately burdensome on the Lower Cook Inlet salt water king salmon sport fishery and its participants' opportunity to catch non-local "feeder" king salmon for consumption.

The 5 king salmon harvest limit deprives the public of sport fishing opportunities during months when non-Cook Inlet "feeder" king salmon are abundant and weather patterns are most favorable and less hazardous.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

**5 AAC 58.022. Waters; seasons; bag, possession, annual, and size limits; and special provisions for Cook Inlet - Resurrection Bay Saltwater Area** (a) Except as provided in (b) and (c) of this section, the following are the seasons, bag, possession, annual, and size limits, and special provisions for finfish and shellfish in the Cook Inlet - Resurrection Bay Saltwater Area: (1) king salmon: may be taken from January 1 - December 31; bag and possession limit of two fish; no size limit; an annual harvest limit of five king salmon 20 inches or greater in length, **except the “annual harvest limit of five king salmon 20 inches or greater in length” requirement shall not apply to the Lower Cook Inlet recreational troll king salmon fishery south of Anchor Point Light (59°46.14’ N. lat.),**

**\*Submitted By:** Cook Inlet Recreational Fishermen (CIRF)  
Pete Zimmerman, spokesman

**Individual or Organization**

**\*Home Phone**

**\*Work Phone**

**\*Email**

Original Proposal Currently Under Review



**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

**5 AAC 58.022. Waters; seasons; bag, possession, annual, and size limits; and special provisions for Cook Inlet - Resurrection Bay Saltwater Area** (a) Except as provided in (b) and (c) of this section, the following are the seasons, bag, possession, annual, and size limits, and special provisions for finfish and shellfish in the Cook Inlet - Resurrection Bay Saltwater Area: (1) king salmon: may be taken from January 1 - December 31; bag and possession limit of two fish; no size limit; an annual harvest limit of five king salmon 20 inches or greater in length, **except the “annual harvest limit of five king salmon 20 inches or greater in length” requirement shall not apply to the Lower Cook Inlet recreational troll king salmon fishery south of Anchor Point Light (59°46.14’ N. lat.),**

**\*Submitted By:** Cook Inlet Recreational Fishermen (CIRF)  
Pete Zimmerman, spokesman

**Individual or Organization**

**\*Home Phone**

**\*Work Phone**

**\*Email**

Original Proposal Current Under Review



**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

**5 AAC 58.022. Waters; seasons; bag, possession, annual, and size limits; and special provisions for Cook Inlet - Resurrection Bay Saltwater Area** (a) Except as provided in (b) and (c) of this section, the following are the seasons, bag, possession, annual, and size limits, and special provisions for finfish and shellfish in the Cook Inlet - Resurrection Bay Saltwater Area: (1) king salmon: may be taken from January 1 - December 31; bag and possession limit of two fish; no size limit; an annual harvest limit of five king salmon 20 inches or greater in length, except as provided in (c) of this section; a harvest record is required as specified in 5 AAC 75.006, **except a harvest record shall not be required for king salmon harvested in the Lower Cook Inlet recreational troll king salmon fishery south of Anchor Point Light (59°46.14' N. lat.),**

**\*Submitted By:** Cook Inlet Recreational Fishermen (CIRF)  
Pete Zimmerman, spokesman

**Individual or Organization**

**\*Home Phone**

**\*Work Phone**

**\*Email**

Original Proposal Currently Under Review

**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

**Proposals for this cycle are due April 11, 2016**

*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

- Subsistence     Personal Use  
 Sport             Commercial

**\*Which meeting would you like to submit your proposal to?**

- Lower Cook Inlet Area all Finfish             Upper Cook Inlet Area all Finfish  
 Kodiak Area all Finfish                             Statewide (except Southeast/Yakutat) King  
and Tanner Crab

**Please answer all questions to the best of your ability. All answers will be printed in the proposal book along with the proposer's name (address and phone numbers will not be published). Use separate forms for each proposal. Address only one issue per proposal. State the issue clearly and concisely. The board will reject multiple or confusing items.**

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

**1. Alaska Administrative Code Number**

**\*2. What is the issue you would like the board to address and why?**

Eliminate the harvest record requirement for Alaska residents for king salmon harvested from marine waters south of Anchor Point Light in the Lower Cook Inlet recreational salt water troll fishery.

The Lower Cook Inlet recreational salt water troll fishery harvests primarily "feeder" king salmon which do not originate from Cook Inlet spawning aggregations.

As mounting scientific data confirms, the Lower Cook Inlet recreational salt water troll fishery does not pose a threat to conservation of returning Cook Inlet stocks-of-concern. The harvest record requirement is neither a very effective nor reliable means for advancing sustainable management of Cook Inlet king salmon stocks of concern.

In addition to not providing any measurable benefit, the harvest record requirement is unnecessarily burdensome for Alaska residents participating in the Lower Cook Inlet salt water king salmon sport fishery.

In light of the above, the harvest record requirement for king salmon harvested by Alaska residents from marine waters south of Anchor Point Light in the Lower Cook Inlet recreational salt water troll fishery is viewed as unnecessary paperwork and should be eliminated.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

**5 AAC 58.022. Waters; seasons; bag, possession, annual, and size limits; and special provisions for Cook Inlet - Resurrection Bay Saltwater Area** (a) Except as provided in (b) and (c) of this section, the following are the seasons, bag, possession, annual, and size limits, and special provisions for finfish and shellfish in the Cook Inlet - Resurrection Bay Saltwater Area: (1) king salmon: may be taken from January 1 - December 31; bag and possession limit of two fish; no size limit; an annual harvest limit of five king salmon 20 inches or greater in length, except as provided in (c) of this section; a harvest record is required as specified in 5 AAC 75.006, **except a harvest record shall not be required of Alaska residents for king salmon harvested in the Lower Cook Inlet recreational troll king salmon fishery south of Anchor Point Light (59°46.14' N. lat.),**

**\*Submitted By:** Cook Inlet Recreational Fishermen (CIRF)  
Pete Zimmerman, spokesman

**Individual or Organization**

**\*Home Phone**

**\*Work Phone**

**\*Email**

Original Proposal Currently Under Review



**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

**5 AAC 58.022. Waters; seasons; bag, possession, annual, and size limits; and special provisions for Cook Inlet - Resurrection Bay Saltwater Area** (a) Except as provided in (b) and (c) of this section, the following are the seasons, bag, possession, annual, and size limits, and special provisions for finfish and shellfish in the Cook Inlet - Resurrection Bay Saltwater Area: (1) king salmon: may be taken from January 1 - December 31; bag and possession limit of two fish; no size limit; an annual harvest limit of five king salmon 20 inches or greater in length, **except the “annual harvest limit of five king salmon 20 inches or greater in length” requirement shall not apply to Alaska residents for king salmon harvested in the Lower Cook Inlet recreational troll king salmon fishery south of Anchor Point Light (59°46.14’ N. lat.),**

**\*Submitted By:** Cook Inlet Recreational Fishermen (CIRF)  
Pete Zimmerman, spokesman

**Individual or Organization**

**\*Home Phone**

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**REGULATION PROPOSAL FORM for the  
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P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

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**BOARD OF FISHERIES REGULATIONS**

- Subsistence     Personal Use  
 Sport             Commercial

**\*Which meeting would you like to submit your proposal to?**

- Lower Cook Inlet Area all Finfish**             **Upper Cook Inlet Area all Finfish**  
 **Kodiak Area all Finfish**                             **Statewide (except Southeast/Yakutat) King  
and Tanner Crab**

**Please answer all questions to the best of your ability. All answers will be printed in the proposal book along with the proposer's name (address and phone numbers will not be published). Use separate forms for each proposal. Address only one issue per proposal. State the issue clearly and concisely. The board will reject multiple or confusing items.**

**5 AAC 58.060(b)(2).**

**Lower Cook Inlet Winter Salt Water King**

**1. Alaska Administrative Code Number**    **Salmon Sport Fishery Management Plan.**

**\*2. What is the issue you would like the board to address and why?**

This proposal seeks to reduce the uncertainties and limitations inherent in the plan's reliance on estimates from the department's annual statewide harvest survey (SWHS), more particularly with respect to estimates of the sport harvest of king salmon originating from Cook Inlet spawning aggregations of concern. As a significant portion of this sport fishery catch comprises non-Cook Inlet and non-Alaska "feeder" king salmon, SWHS data is poorly suited for providing the Board of Fisheries with reliable and accurate harvest data so essential to sustainable management of wild Alaska salmon stocks for maximum sustained yield.

While the SWHS is a useful and valued postal survey, it is limited in its ability to provide verifiable and accurate geographic and temporal data. Similarly, the SWHS is unable to provide important fishery-specific information, e.g. stock-of-origin and significant biological and environmental data.

This proposal provides for the sport harvest-of-interest to be estimated as necessary by the department's science staff to assist the Board of Fisheries in management actions. This should improve the accuracy and reliability of data available to inform the Board of Fisheries in its management decisions. By allowing the Board to receive estimates as necessary, improved efficiency and reduced cost are anticipated.

The present proposal is respectfully submitted in an effort to clarify the purpose and goal of the management plan in light of these policies in order to help assess the sport fishery management performance, the status of Cook Inlet stocks-of-concern, and the socio-economic impacts on this fishery.

Alaska's policy for regulation and management of sustainable salmon fisheries is recognized and appreciated, as is the need for specific guiding principles and criteria. (5 AAC 39.222) In light of this policy, the existing annual sport harvest estimate required by the SWHS is vague, arbitrary, inconsistent with, and not proportionally related to, advancement of the conservation

standards contained in the sustainable salmon and mixed stock salmon policies.

When the management plan was first implemented, the Board understandably adopted a precautionary approach, taking into account the then-existing uncertainties. In the ensuing years, those uncertainties have been greatly reduced and the all-encompassing scope of an annual blanket sport harvest estimate under the GHL is no longer justified and is ill-suited to informing effective management of Cook Inlet salmon stocks for maximum sustained yield.

The sport harvest annual estimate by the SWHS set forth in the current management plan is not very effective for conserving Cook Inlet wild king salmon stocks of concern. The Lower Cook Inlet recreational troll king salmon fishery harvests primarily “feeder” king salmon that do not originate from Cook Inlet spawning aggregations. Great numbers of these “feeder” king salmon come to Lower Cook Inlet waters to feed on abundant bait resources in the area. The SWHS and its interpretation do not provide harvest estimates which accurately represent this sport fishery harvest.

The State of Alaska manages salmon populations to meet spawning (escapement) requirements first, allowing salmon that are surplus to escapement to be harvested in the commercial, sport, subsistence, and personal use fisheries. The Lower Cook Inlet recreational troll king salmon fishery has insignificant impact on wild king salmon originating from Cook Inlet spawning aggregations, especially during the management plan’s “winter” period, and the SWHS does not accurately reflect the geographic, temporal, catch composition and other important variables of this sport fishery.

*Without the proposed change*, the requirement for ADF&G to annually prepare a sport harvest estimate from the SWHS will continue to provide the Board of Fisheries with information ill suited for protecting Cook Inlet king salmon stocks-of-concern and achieving sustainable management of wild Alaska salmon stocks for maximum sustained yield. Instead, the plan’s annual harvest estimate requirement will continue to promote punitive, disproportional, overly complex and often confusing sport fishery regulations based on “insufficient data available.” And the belief will grow among sport fishermen that they are being punished for catching “feeder” king salmon originating from outside Cook Inlet and outside Alaska.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

(2) the sport harvest of king salmon originating from Cook Inlet spawning aggregations will be estimated as necessary [ANNUALLY] by the department's science staff to assist the Board of Fisheries in management actions [STATEWIDE HARVEST SURVEY];

**\*Submitted By:** Cook Inlet Recreational Fishermen (CIRF)  
Pete Zimmerman, spokesman

**Individual or Organization**

**\*Home Phone**

**\*Work Phone**

**\*Email**



Alaska's policy for regulation and management of sustainable salmon fisheries is recognized and appreciated, as is the need for specific guiding principles and criteria. (5 AAC 39.222)

The sustainable salmon fisheries policy states that salmon management objectives should be appropriate to the scale and intensity of uses (5 AAC 39.222(c)(3)(A)). The policy also provides that the burden of conservation should be shared among all fisheries in close proportion to their respective use (5 AAC 39.222(b)(4)(D) and (f)(4)). This idea of proportional burden sharing is also found in the mixed stock policy, which likewise provides that the burden of conservation should be shared among all fisheries in close proportion to their respective harvest on the stock of concern (5 AAC 39.220(b)).

**Without the proposed amendment**, the management plan will continue to state a purpose and goal that unnecessarily and improperly impose a punitive restriction on the recreational anglers seeking to fish for these feeder king salmon.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

- (a) The purpose of the management plan under this section is to meet the Board of Fisheries' goal of slowing the growth in the sport harvest of king salmon **originating from Cook Inlet spawning aggregations**, in the salt waters of Lower Cook Inlet during the winter, which occurs from October 1 through March 31.

**\*Submitted By:** Cook Inlet Recreational Fishermen (CIRF)  
Pete Zimmerman, spokesman

**Individual or Organization**

**\*Home Phone**

**\*Work Phone**

**\*Email**

Original Proposal Currently Under Review

**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

**Proposals for this cycle are due April 11, 2016**

*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

- Subsistence     Personal Use  
 Sport             Commercial

**\*Which meeting would you like to submit your proposal to?**

- Lower Cook Inlet Area all Finfish             Upper Cook Inlet Area all Finfish  
 Kodiak Area all Finfish                             Statewide (except Southeast/Yakutat) King  
and Tanner Crab

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**5 AAC 58.060(a). Lower Cook Inlet  
Winter Salt Water King Salmon Sport Fishery  
Management Plan.**

**1. Alaska Administrative Code Number**

**\*2. What is the issue you would like the board to address and why?**

This proposal would amend the plan's designation for the end date of "winter" fishery, from the presently stated March 31, to the proposed end date of April 30.

According to ADF&G records for the 8 year period of 2007-2014, a total of 38,248 king salmon entered the Anchor River. Yet, for the same 8-year period, a total of only 32 king salmon entered the Anchor River prior to May 13.

Years of data confirm that the numbers of king salmon passing the Anchor River weir prior to May 13 is very low and virtually insignificant. Yet despite these facts, this management plan imposes the 5 king salmon limit after March 31 on a salt water troll sport fishery that catches primarily non-local "feeder" king salmon and not king salmon returning to Cook Inlet spawning aggregations.

This management plan's March 31 date is not reflective of actual migration data for king salmon returning to Cook Inlet spawning aggregations.

The March 31 date set forth in the management plan arbitrarily and unnecessarily restricts sport fishing opportunities for the Lower Cook Inlet recreational troll fishery. Particularly in light of the fact that the fishery catches primarily non-Cook Inlet "feeder" king salmon. In addition, king salmon returning to Cook Inlet spawning aggregations benefit from designated "*Special Harvest Zones*" and "*Conservation Zones*" established to protect stocks of concern.

The sustainable salmon fisheries policy states that salmon management objectives should be appropriate to the scale and intensity of uses (5 AAC 39.222(c)(3)(A)). The policy also provides that the burden of conservation should be shared among all fisheries in close proportion to their respective use (5 AAC 39.222(b)(4)(D) and (f)(4)). This idea of proportional burden sharing is also found in the mixed stock policy, which likewise provides that the burden of conservation should be shared among all fisheries in close proportion to their respective harvest on the stock

of concern (5 AAC 39.220(b)).

The management plan's March 31 date imposes more of the conservation burden on the Lower Cook Inlet recreational king salmon troll fishery than is warranted in light of its very low impact on Cook Inlet king salmon stocks of concern. The best available information shows that the proposed April 30 amendment to the management plan will not generate any sustained yield concerns on Cook Inlet Chinook salmon spawning aggregations.

The Lower Cook Inlet recreational salt water troll fishery does not pose a threat to conservation of either Cook Inlet king salmon stocks or visiting non-local feeder king salmon.

However, it is an extremely important fishery for both the local economy and for personal and family consumption. King salmon fishing in what is typically viewed as the "off" season is very important for providing residents with the opportunity to obtain fish for personal or family consumption. Particularly in light of strict harvest restrictions on many traditional fishing locations, the chance to harvest abundant non-local feeder king salmon for personal consumption is a very important recreational fishing opportunity. One that should not be restricted any more than absolutely necessary.

For many recreational anglers, the current March 31 imposition of the 5 king salmon limit is viewed as an unnecessary restriction, one that is not rationally related to conservations, and a limit on their ability to catch fish for consumption purposes. As a result, their number of fishing trips would be reduced, along with the associated economic inputs, while their resentment may increase. Beside the economic impacts from the accumulation of lost recreational fishing opportunities, anglers may find themselves purchasing imported farmed salmon as an inadequate substitute.

Changing the plan's designated end of "winter" from the currently designated March 31 date, to the proposed date of April 30, is highly unlikely to have any effect on management concerns, but would have considerable benefit to the Lower Cook Inlet recreational feeder king troll fishery participants, their families, and the local and regional economy.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

(a) The purpose of the management plan under this section is to meet the Board of Fisheries' goal of slowing the growth in the sport harvest of king salmon in the salt waters of Lower Cook Inlet during the winter which occurs from October 1 through April 30 [MARCH 31].

**\*Submitted By:** Cook Inlet Recreational Fishermen (CIRF)  
Pete Zimmerman, spokesman

**Individual or Organization**

**\*Home Phone**

**\*Work Phone**

**\*Email**

**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

**Proposals for this cycle are due April 11, 2016**

*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

- Subsistence     Personal Use  
 Sport             Commercial

**\*Which meeting would you like to submit your proposal to?**

- Lower Cook Inlet Area all Finfish             Upper Cook Inlet Area all Finfish  
 Kodiak Area all Finfish                             Statewide (except Southeast/Yakutat) King  
and Tanner Crab

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**5 AAC 58.060(b)(1).**

**Lower Cook Inlet Winter Salt Water King**

**1. Alaska Administrative Code Number    Salmon Sport Fishery Management Plan.**

**\*2. What is the issue you would like the board to address and why?**

This proposal would amend the guideline harvest level (GHL) in effort to clarify the plan guiding principle to manage wild king salmon “*originating from Cook Inlet spawning aggregations*” rather than non-Cook Inlet “feeder” king salmon comprising the bulk of the recreational catch in the Lower Cook Inlet Winter Salt Water King Salmon Sport Fishery.

Alaska’s policy for regulation and management of sustainable salmon fisheries is recognized and appreciated, as is the need for specific guiding principles and criteria. (5 AAC 39.222) In light of this policy, the GHL is viewed as inconsistent and not proportionally related to advancement of the conservation standards contained in the sustainable salmon and mixed stock salmon policies.

The present proposal is respectfully submitted in an effort to clarify the purpose and goal of the management plan in light of these policies. When the management plan was first implemented, the Board understandably adopted a precautionary approach, taking into account the then-existing uncertainties. In the ensuing years, those uncertainties have been greatly reduced and the all-encompassing scope of a blanket GHL is no longer justified.

The GHL set forth in the current management plan is not very effective for conserving Cook Inlet wild king salmon stocks of concern. The Lower Cook Inlet recreational troll king salmon fishery harvests primarily “feeder” king salmon that do not originate from Cook Inlet spawning aggregations. Rather, as fishermen have long known and science has recognized, these “feeder” king salmon originate from hatcheries in Southeast Alaska, British Columbia, Washington, Oregon and elsewhere. Great numbers of these “feeder” king salmon come to Lower Cook Inlet waters to feed on abundant bait resources in the area.

In addition to not providing any measurable benefit, the plan’s GHL is unduly restrictive and disproportionately burdensome on the Lower Cook Inlet salt water king salmon sport fishery and its participants’ opportunity to catch non-local “feeder” king salmon for consumption.

The sustainable salmon fisheries policy states that salmon management objectives should be

appropriate to the scale and intensity of uses (5 AAC 39.222(c)(3)(A)). The policy also provides that the burden of conservation should be shared among all fisheries in close proportion to their respective use (5 AAC 39.222(b)(4)(D) and (f)(4)). This idea of proportional burden sharing is also found in the mixed stock policy, which likewise provides that the burden of conservation should be shared among all fisheries in close proportion to their respective harvest on the stock of concern (5 AAC 39.220(b)).

The management plan's GHL is unwarranted and inappropriate, particularly in light of the major proportion of this sport fishery's harvest of king salmon that do not originate from Cook Inlet spawning aggregations. Comparisons of Cook Inlet wild king salmon interceptions from various sources demonstrate the insignificant effect of this sport fishery on wild king salmon originating from Cook Inlet spawning aggregations.

The State of Alaska manages salmon populations to meet spawning (escapement) requirements first, allowing salmon that are surplus to escapement to be harvested in the commercial, sport, subsistence, and personal use fisheries. The Lower Cook Inlet recreational troll king salmon fishery has low to very low impact on wild king salmon originating from Cook Inlet spawning aggregations, especially during the management plan's "winter" period.

Accordingly, it is inappropriate and unnecessarily punitive to maintain this overly broad GHL to slow the growth in the sport harvest of king salmon in an effort to conserve specific Cook Inlet king salmon stocks of concern. This GHL imposes more conservation burden on the Lower Cook Inlet recreational troll king salmon fishery than is appropriate in full consideration of the fishery's very low impact on Cook Inlet king salmon stocks of concern.

*Without the proposed change*, the management plan will continue to unnecessarily and unfairly limit a sport fishery for catching primarily "feeder" king salmon originating from outside Cook Inlet and outside Alaska. This proposal seeks to help address the growing perception that this management plan punishes Alaska fishermen for catching non-Alaska fish.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

(1) the guideline harvest level is 3,000 king salmon **originating from Cook Inlet spawning aggregations;**

**\*Submitted By:** Cook Inlet Recreational Fishermen (CIRF)  
Pete Zimmerman, spokesman

**Individual or Organization**

**\*Home Phone**

**\*Work Phone**

**\*Email**

**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

**Proposals for this cycle are due April 11, 2016**

*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

- Subsistence     Personal Use  
 Sport             Commercial

**\*Which meeting would you like to submit your proposal to?**

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 Kodiak Area all Finfish                             Statewide (except Southeast/Yakutat) King  
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**5 AAC 58.060(b)(1).**

**Lower Cook Inlet Winter Salt Water King  
Salmon Sport Fishery Management Plan.**

**1. Alaska Administrative Code Number**

**\*2. What is the issue you would like the board to address and why?**

This proposal would remove the guideline harvest level (GHL) of 3,000 king salmon from the management plan. The GHL is viewed as unnecessary, overly broad, and not proportionally related to advancement of the conservation standards contained in the sustainable salmon and mixed stock salmon policies.

The present proposal is respectfully submitted in an effort to clarify the purpose and goal of the management plan in light of the best available scientific information. When the management plan was first implemented, the Board understandably adopted a precautionary approach, taking into account the then-existing uncertainties. In the ensuing years, those uncertainties have been greatly reduced and the GHL is no longer warranted.

Alaska's policy for regulation and management of sustainable salmon fisheries is recognized and appreciated as is the need for specific guiding principles and criteria. (5 AAC 39.222)

The GHL set forth in the current management plan is not very effective for conserving Cook Inlet king salmon stocks of concern. The Lower Cook Inlet recreational troll king salmon fishery harvests primarily "feeder" king salmon that do not originate from Cook Inlet spawning aggregations. Great numbers of these "feeder" king salmon come to Lower Cook Inlet waters to feed on abundant bait resources in the area.

In addition to not providing any measurable benefit, the plan's GHL is unduly restrictive and disproportionately burdensome on the Lower Cook Inlet salt water king salmon sport fishery and its participants' opportunity to catch non-local "feeder" king salmon for consumption.

The sustainable salmon fisheries policy states that salmon management objectives should be appropriate to the scale and intensity of uses (5 AAC 39.222(c)(3)(A)). The policy also provides that the burden of conservation should be shared among all fisheries in close proportion to their respective use (5 AAC 39.222(b)(4)(D) and (f)(4)). This idea of proportional burden sharing is also found in the mixed stock policy, which likewise provides that the burden of conservation

should be shared among all fisheries in close proportion to their respective harvest on the stock of concern (5 AAC 39.220(b)).

The management plan's GHL is unwarranted and inappropriate, particularly in light of the major proportion of this sport fishery's harvest of king salmon that do not originate from Cook Inlet spawning aggregations. Comparisons of Cook Inlet king salmon interceptions from various sources demonstrate the insignificant effect of this sport fishery on king salmon originating from Cook Inlet spawning aggregations.

The State of Alaska manages salmon populations to meet spawning (escapement) requirements first, allowing salmon that are surplus to escapement to be harvested in the commercial, sport, subsistence, and personal use fisheries. The Lower Cook Inlet recreational troll king salmon fishery has low to very low impact on king salmon originating from Cook Inlet spawning aggregations, especially during the management plan's "winter" period.

Accordingly, it is inappropriate and unnecessarily punitive to impose this GHL to slow the growth in the sport harvest of king salmon in an effort to conserve specific Cook Inlet king salmon stocks of concern. This GHL imposes more conservation burden on the Lower Cook Inlet recreational troll king salmon fishery than is appropriate in full consideration of the fishery's very low impact on Cook Inlet king salmon stocks of concern.

*Without the proposed change*, the management plan unnecessarily and unfairly limits a sport fishery for catching "feeder" king salmon originating primarily from outside of Cook Inlet and outside of Alaska. This proposal seeks to help address the growing perception that this management plan punishes Alaska fishermen for catching non-Alaska fish.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

[(1) THE GUIDELINE HARVEST LEVEL IS 3,000 KING SALMON;]

**\*Submitted By:** Cook Inlet Recreational Fishermen (CIRF)  
Pete Zimmerman, spokesman

**Individual or Organization**

**\*Home Phone**

**\*Work Phone**

**\*Email**



**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

(a) The purpose of the management plan under this section is to meet the Board of Fisheries' goal of slowing the growth in the sport harvest of king salmon in the salt waters of Lower Cook Inlet during the winter, which occurs from August 10 [OCTOBER 1] through March 31.

**\*Submitted By:** Cook Inlet Recreational Fishermen (CIRF)  
Pete Zimmerman, spokesman

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**Individual or Organization**

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**\*Home Phone**

**\*Work Phone**

**\*Email**

Original Proposal Currently Under Review

1 of 5



DATE: FRIDAY, APRIL 8, 2016

Send to: ADF&G  
Attention: GLENN HAIGHT  
Office Location: ANCHORAGE  
Fax Number: 907-465-6094



COMMENTS:

Please see attached proposal for the Commercial Statewide Tanner and King Crab Submission

Let us know if you have any questions,  
Have a good day!

Original Proposal Currently Under Review

fax cover

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## PROPOSAL XX - COMMERCIAL STATEWIDE KING AND TANNER CRAB

**CITE THE REGULATION THAT WILL BE CHANGED IF THIS PROPOSAL IS ADOPTED.** 5 AAC 35.31x, 5 AAC 35.310, 5 AAC 35.325, and 5 AAC 55.022 .

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

Cordova District Fishermen United (CDFU) is a non-profit membership organization representing over 300 family fishermen who participate in the commercial fisheries in the Prince William Sound and Copper River region. It is our mission is to preserve, promote and perpetuate the commercial fishing industry in Area E in the state of Alaska; to further promote legislation, conservation, management and the general welfare for the mutual benefit of not just our members, but all commercial fishing families in Area E. It has been 27 years since the last tanner crab fishery in PWS. The CDFU Board of Directors finds that adoption of a commercial harvest strategy in PWS is warranted and implores the BOF serious consideration of the provisions contained herein.

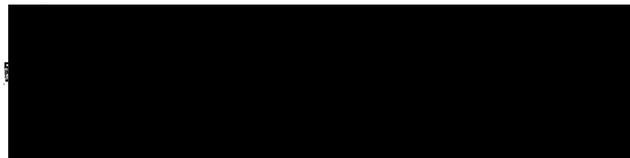
The department has been conducting a trawl survey and producing abundance estimates for Tanner crab in PWS since 1991 but has failed to produce a harvest strategy. Currently, regulation 5 AAC 35.310, which was adopted in 1999, states that the commercial harvest of Tanner crab in the Prince William Sound Area (PWS) is closed until the Board of Fisheries (BOF) adopts a harvest strategy. ***PWS is the only area in the state that has a stock assessment for Tanner crab and no harvest strategy in regulation.*** At the 2014 statewide king and Tanner BOF meeting, ADF&G promised that they would prepare a harvest strategy for consideration at the 2017 statewide king and Tanner meeting, and furthermore, the BOF encouraged submission of an agenda change request for consideration of a harvest strategy for PWS Tanner crab in advance of the next scheduled meeting. ADF&G asserted at this meeting that they already had enough information to create a harvest strategy. Tanner crab abundance has been increasing in PWS as documented through ADF&G trawl surveys and subsistence harvests since 2008. With a properly crafted Tanner crab harvest strategy a commercial fishery in PWS could provide economic opportunity to local fishermen and communities.

ADF&G has endured severe budget cuts in fiscal year 16 and given the current fiscal situation in the state of Alaska they are expected to endure equally severe cuts next year. Fishery surveys are being eliminated, and surveys conducted by the Commercial Fisheries Division that have no commercial fishery associated with them are most likely to be cut. ***If a harvest strategy is not adopted now, we risk the loss of the survey and with it any hope for a commercial Tanner crab fishery in PWS; it is imperative that we use the data from the trawl survey to create a harvest strategy now.***

**WHAT SOLUTION DO YOU PREFER?** A harvest strategy should be formulated from the trawl survey data. Thresholds above which a commercial fishery could occur and guideline harvest levels (GHLs) can be determined conservatively using the same format and formulas used for the Eastern Aleutians District Tanner crab harvest strategy in the Westward Area (5 AAC 35.509), which supports a small commercial Tanner crab fishery in most years.

The departments trawl survey occurs in two commercial districts, the Northern and Hinchinbrook Districts, and threshold levels of abundance as well as guideline harvest levels (GHL) can be determined based on population estimates for these districts combined (threshold = 95,000 mature crab; one-half the long-term average of mature male abundance 1991-2001). Because the department does not survey in the Western and Eastern Districts, a threshold level of abundance cannot be determined; these districts should have the opportunity for a commissioners permit fishery if conditions warrant. Season

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dates should be consistent with other commercial Tanner crab fisheries (January 15 – March 31). Gear limits should be set conservatively with a maximum overall number allowed in order to prevent a commercial fishery from overwhelming the available resource (maximum 300 in the fishery and maximum 30 per vessel). A registration deadline of January 5 will allow ADF&G to establish and announce vessel pot limits before the beginning of the fishery each year. Reporting requirements should be set for once each day from fishing vessels and should include at a minimum the number of pots lifted and the number of crab retained. The fishery should remain superexclusive, which is currently in regulation. The Tanner crab size limit for the commercial fishery should remain at 5.3 inches, which is currently in regulation. A sport fishery for Tanner crab in PWS should be established in regulation consistent with the subsistence fishery regulations and limits.

The harvest strategy and fishery regulations should be as follows:

**5 AAC 35.310. Fishing Seasons for Registration Area E.** (a) In the Northern and Hinchinbrook Districts, pots may be operated to take Tanner crab only from 8:00 a.m. to 5:59 p.m., with a soak time of 14 hours, from 6:00 p.m. to 7:59 a.m., from 12:00 noon January 15 until 12:00 noon March 31, unless closed earlier by emergency order.

(b) For the purposes of this section, “soak time” means the period of time that Tanner crab pot gear is submerged in the water in fishing condition and not being operated.

**5 AAC 35.31x. Registration Area E Tanner crab harvest strategy.** (a) In the Northern and Hinchinbrook Districts, a commercial Tanner crab fishery may only open if analysis of preseason survey data indicates that the subject population meets or exceeds the threshold level of mature male abundance specified in (b) of this section, which is one-half the long-term average of mature male abundance (1991-2011).

(b) The threshold level of mature male abundance in numbers of crab for the Northern and Hinchinbrook Districts combined is 95,000.

(c) In the Northern and Hinchinbrook Districts, the registration deadline is 5:00 p.m. January 5.

(d) If the commercial Tanner crab fishery is opened under (a) of this section and the threshold level of mature male abundance

(1) is equal to or less than the long-term average of mature male abundance, the guideline harvest level will be no more than 10 percent of the molting mature male abundance and no more than 30 percent of the legal size male abundance;

(2) exceeds the long-term average of mature male abundance, the guideline harvest level will be no more than 20 percent of the molting mature male abundance and no more than 30 percent of the legal size male abundance.

(e) In implementing the harvest strategy under this section, the board understands that the department will consider the reliability of the estimates of abundance on Tanner crab, the manageability of the fishery, and other factors deemed necessary to be consistent with sustained yield principles and to use the best scientific information available.

(f) Tanner crab in the Western and Eastern Districts may only be taken under the authority and conditions of a permit issued by the commissioner.

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(g) The long-term average of mature male abundance in numbers of crab for the Northern and Hinchinbrook Districts combined is 190,000.

(h) For the purposes of this section,

(1) "long-term average of mature male abundance" means the long-term average of the estimated abundance of male Tanner crab greater than 113 mm in carapace width;

(2) "molting mature male abundance" means the estimated abundance of 100 percent of newshell, and 15 percent of oldshell Tanner crab that are more than 113 mm in carapace width.

**5 AAC 35.325. Lawful gear for Registration Area E.** (a) Tanner crab may only be taken with Tanner crab pots. Tanner crab taken by other means must be returned to the water without further harm.

(b) Each tanner crab pot must have no less than four escape rings of no less than four and three-quarters inches (121 mm) inside diameter installed on the vertical plane to permit escapement of undersized Tanner crab.

(c) In the Northern and Hinchinbrook Districts, the total number of pots allowed in the fishery is 300; the department will establish the individual vessel pot limit by dividing the 300 total pot limit by the number of vessels that register before the season opens; no more than 30 pots per vessel is allowed.

**5 AAC 35.35x. Reporting requirements for Registration Area E.** In the Prince William Sound Area, a validly registered Tanner crab vessel must report each day to the department

- (1) The number of pot lifts;
- (2) The number of crab retained for the 24-hour fishing period preceding the report; and
- (3) Any other information that the commissioner determines is necessary for the management and conservation of the fishery, as specified in the vessel registration certificate issued under 5 AAC 35.306.

**5AAC 55.022. General provisions for seasons, bag, possession, and size limits, and methods and means for the Prince William Sound Area.** (b) (3) Tanner crab may be taken as follows:

(A) Tanner crab may be taken only from October 1 through March 31;

(B) only male Tanner crab 5 and one-half inches or greater in width of shell may be taken or possessed:

(C) the daily bag and possession limit is five male Tanner crab.

(D) Tanner crab may be taken only under a permit issued by the department; a harvest recording form under 5 AAC 75.016 is required;

(E) no more than two pots per person with no more than two pots per vessel may be used to take Tanner crab

(F) each Tanner crab pot must have no less than two escape rings of no less than four and three-eighths inches inside diameter

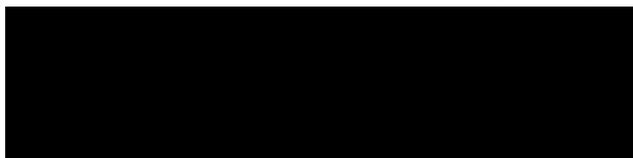
5 of 5



(G) a Tanner crab pot may not have any portion of the line attaching the pot to a buoy floating on the surface of the water at any time, except for that portion of the line connecting the main buoy to any auxiliary buoy or buoys.

**SUBMITTED BY:**

Cordova District Fishermen United (CDFU)



Original Proposal Currently Under Review

**PROPOSAL XXX – 5 AAC 21.330. Gear.** Move the eastern boundary of the area near Halibut Cove where commercial set gillnet gear is permitted.

5 AAC 21.330. Gear.

(b) Set gillnets may be used only in the following locations:

(1) Southern District: within 1,000 feet of beach areas that at mean low water are connected by exposed land to the shore, except as specified in (1)(E) of this section, and only in the following locations:

(A) on Ismailof Island east of 151° 13.10' W. long., and the mainland south of Ismailof Island from 151° 13.10' W. long., to 151° [12.25' W. long.] **12.12' W. long.**;

**What is the issue that you would like the board to address and why?** In March 1993, DNR Shore Fisheries Leasing staff issued a shore fisheries lease that was approximately 400 feet beyond the regulatory boundary for set gillnet gear in the Halibut Cove area. This error was not identified by DNR staff in the Shore Fishery Lease section, by ADF&G staff responsible for regulating this fishery, or by Public Safety personnel responsible for regulatory compliance monitoring until June 2015. This location has been fished consistently for 22 years since that time. This proposal would align closed water and shore lease fishery boundaries and allow commercial fishing at this location.

**PROPOSED BY:** Elaine Chalup (HQ-F16-056)

\*\*\*\*\*

Original Proposal Currently Under Review

**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

Proposals for this cycle are due April 11, 2016

\*Indicates a required field



**BOARD OF FISHERIES REGULATIONS**

- Subsistence     Personal Use  
 Sport             Commercial

\*Which meeting would you like to submit your proposal to?

- Lower Cook Inlet Area all Finfish       Upper Cook Inlet Area all Finfish  
 Kodiak Area all Finfish                       Statewide (except Southeast/Yakutat) King and Tanner Crab

Please answer all questions to the best of your ability. All answers will be printed in the proposal book along with the proposer's name (address and phone numbers will not be published). Use separate forms for each proposal. Address only one issue per proposal. State the issue clearly and concisely. The board will reject multiple or confusing items.

1. Alaska Administrative Code Number 5 AAC 28.330 Lawful gear for Cook Inlet Area

\*2. What is the issue you would like the board to address and why?

Fishing Sablefish w/pots in the Cook Inlet Area.  
This proposal follows existing state water Sablefish regulations in other areas

\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)

A Ground Fish POT MAY NOT BE ATTACHED TO A  
LINE CONNECTED TO ANOTHER GROUND FISH POT  
EXCEPT, THAT IN THE COOK INLET SABLEFISH FISHERY,  
GROUND FISH POTS MAY BE CONNECTED IF EACH END  
OF THE BOUY LINE IS MARKED AS SPECIFIED BY  
(d) OF THIS SECTION

\*Submitted By: Randy Arsenault  
Individual or Organization

**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

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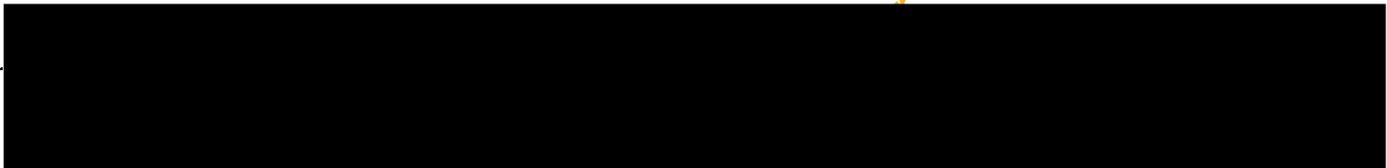
*\*Indicates a required field*

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|--|---|
| <p><b>BOARD OF FISHERIES REGULATIONS</b></p> <p><input type="checkbox"/> Subsistence    <input type="checkbox"/> Personal Use<br/><input checked="" type="checkbox"/> Sport            <input type="checkbox"/> Commercial</p>   | <div style="border: 2px solid black; padding: 5px; width: fit-content; margin: 0 auto;"><p style="margin: 0; font-size: 1.2em; letter-spacing: 0.2em;">R E C E I V E D</p><p style="margin: 0; font-size: 1.2em;">APR 11 2016</p><p style="margin: 0; font-size: 0.8em;">BOARDS</p></div> |
| <p><b>*Which meeting would you like to submit your proposal to?*</b></p> <p><input type="checkbox"/> Lower Cook Inlet Area all Finfish            <input checked="" type="checkbox"/> Upper Cook Inlet Area all Finfish<br/><input type="checkbox"/> Kodiak Area all Finfish                            <input type="checkbox"/> Statewide (except Southeast/Yakutat) King and Tanner Crab</p>   |   |
| <p><b>Please answer all questions to the best of your ability. All answers will be printed in the proposal book along with the proposer's name (address and phone numbers will not be published). Use separate forms for each proposal. Address only one issue per proposal. State the issue clearly and concisely. The board will reject multiple or confusing items.</b></p>   |   |
| <p><b>1. Alaska Administrative Code Number 5 AAC 57.140 (2016 Reg. Book pg. 11)</b></p>  |   |
| <p><b>*2. What is the issue you would like the board to address and why?</b></p> <p>The intent of the current regulation was to limit guiding to 6:00am to 6:00pm Tuesday – Saturday so that private anglers could enjoy some time on the river where they wouldn't have to compete with guide activity. During the predominant King fishery of the 1990s and early 2000s the guide industry built up to around 400 guides and the volume of activity, crowding and competition for fishing spots became too much for many private anglers and they left the King fishery figuring they would be satisfied with fishing for Sockeye and Silvers.</p> <p>Since the collapse of the King fishery after around 2011, the guide industry shifted its efforts towards Sockeye and Silvers. This was an understandable business adjustment but it has had unintended consequences on private anglers once again. When this adjustment occurred the guides soon realized that they could fish 24/7 with their clients for Sockeye since it was a bank fishery and they were no longer restricted under the "Guides fishing from a boat" requirement.</p> <p>Now it has reached the point where private fishermen are now being displaced from the Sockeye fishery just like they were from the King fishery. It is common practice now for many guides to homestead the best Sockeye fishing locations all day long and well into the evening hours shuttling groups of clients in and out throughout the day. People wanting to fish after work or with their families in the evening are having increased difficulty trying to find a suitable place to fish because of the increasing guided effort in the Sockeye fishery.</p> <p>I fully appreciate the guide's needs to adapt to changes in the fisheries for their financial well being, but I would ask that their time of guiding efforts be limited to 6am – 6pm so that private fishermen can have a time of the day where they don't have to compete with the guides and they can once again find the level of enjoyment they once knew in the Sockeye sport fishery.</p> |   |

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

In the regulations referencing SOUTHCENTRAL ALASKA GUIDING REGULATIONS under the heading KENAI RIVER change the language to: **FISHING GUIDES ON THE KENAI RIVER.** [FISHING FROM GUIDE BOATS ON THE KENAI RIVER]

\*Submitted By: DOUGLAS WILSON  
Individual or Organization



CELL Phone

\*Work Phone

\*Email

Original Proposal Currently Under Review

**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

**Proposals for this cycle are due April 11, 2016**

*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

Subsistence     Personal Use  
X Sport         Commercial

**\*Which meeting would you like to submit your proposal to?**

X **Lower Cook Inlet Area all Finfish**                       **Upper Cook Inlet Area all Finfish**  
 **Kodiak Area all Finfish**                                       **Statewide (except Southeast/Yakutat) King  
and Tanner Crab**

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**1. Alaska Administrative Code Number 5 AAC**    21.373

**\*2. What is the issue you would like the board to address and why?**

**Trail Lakes Hatchery Salmon Management Plan** Modify the Bear Lake Special Harvest Area to exclude the fresh waters that are currently open to salmon sport fishing below the Seward Highway Bridge.

The current Bear Creek Special Harvest Area [SHA] does not accurately reflect the commercial and noncommercial use that occurs in the common property fisheries that Cook Inlet Aquaculture [CIAA] supports in the North Gulf Coast.

Within the Bear Lake Special Area defined by 5 AAC 21.373[e][4], CIAA may harvest salmon on or after the third Monday in May [by emergency order] using purse seines, hand purse seines, beach seines and weirs

Concurrently, there exists a special freshwater fishery defined in 5 AAC 56.122[a][9][D] where "the waters downstream from the Seward Highway and downstream from Nash Road are open to sport fishing for salmon, except king salmon from June 16-December 31; only single hook, artificial lures may be used; the bag and possession limit is three salmon per day of which only 2 may be coho salmon" This fishery is in an area that is defined as fresh water down to the where ADF&G places the fresh/salt water boundary markers. This small area is the only portion of the Resurrection Bay drainage that is open to sport fishing for salmon.

This proposal would remove waters from the Seward Highway down to the ADF&G fresh/salt water boundary markers from the current Bear Creek SHA so that the SHA would accurately reflect commercial and noncommercial use. This proposal would not affect the prosecution of either fishery in any way.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**  
5AAC 21.373 [b] [1] is amended to read:

**5AA 21.373 Trail Lakes Hatchery Salmon Management Plan [b] [1]** Bear Lake Special Harvest Area: the marine waters of Resurrection Bay, in the Eastern District north of a latitude of Caines Head at approximately 59 58.93' N. lat. And the fresh waters of Bear Creek, Salmon Creek, and Resurrection River downstream from and including the Bear Lake weir, **excluding the freshwaters downstream from the Seward Highway and downstream from Nash Road to the ADF&G fresh/salt water boundary markers.**

**\*Submitted By:** SEWARD FISH AND GAME ADVISORY COMMITTEE  
**Individual or Organization**

**\*Home Phone** **\*Work Phone** **\*Email**

Original Proposal Currently Under Review

**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

**Proposals for this cycle are due April 11, 2016**

*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

Subsistence     Personal Use  
X Sport         Commercial

**\*Which meeting would you like to submit your proposal to?**

X Lower Cook Inlet Area all Finfish         Upper Cook Inlet Area all Finfish  
 Kodiak Area all Finfish                             Statewide (except Southeast/Yakutat) **King and Tanner Crab**

Please answer all questions to the best of your ability. All answers will be printed in the proposal book along with the proposer's name (address and phone numbers will not be published). Use separate forms for each proposal. Address only one issue per proposal. State the issue clearly and concisely. **The board will reject multiple or confusing items.**

**1. Alaska Administrative Code Number 5 AAC**    21.373

**\*2. What is the issue you would like the board to address and why?**

**Trail Lakes Hatchery Salmon Management Plan.** Modify the boundaries of the Bear Lake Special Harvest Area to reduce conflict between sport fisherman and the cost recovery fleet operating for CIAA.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

5AAC 21.373 [b][1] would be amended to read:

**5AA 21.373 Trial Lakes Hatchery Salmon Management Plan [b][1] Bear Lake Special Harvest Area: the marine waters of Resurrection Bay, in the Eastern District north of a latitude of Caines Head at approximately 59 58.93' N. latitude. The SHA boundary will be pulled off of the beach by 50 feet of water distance from 4<sup>th</sup> of July Creek, 60 04.85' N by 149 20.80' W, north to the head of Resurrection Bay SHA boundary, 60 07.41' N by 149 24.55'W. From 4<sup>th</sup> of July south to the southeastern SHA boundary at 59 58.93' N by 149 19.00'W as well as the area on the southwest side of the SHA boundary at Caines Head, 59 58.93 N by 149 23.20 W north to 60 00.48' by 149 24.25' the SHA boundary will be pulled off the beach 100 yards of water distance**

**\*Submitted By:** SEWARD FISH & GAME ADVISORY COMMITTEE  
**Individual or Organization**

**\*Home Phone**

**\*Work Phone**

**\*Email**

Original Proposal Currently Under Review

**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

**Proposals for this cycle are due April 11, 2016**

*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

- Subsistence     Personal Use  
 Sport             Commercial

**\*Which meeting would you like to submit your proposal to?**

- Lower Cook Inlet Area all Finfish             Upper Cook Inlet Area all Finfish  
 Kodiak Area all Finfish                             Statewide (except Southeast/Yakutat) King  
and Tanner Crab

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**1. Alaska Administrative Code Number 5 AAC    39.222**

**\*2. What is the issue you would like the board to address and why?**

Repeal the stock of yield concern designation for Susitna River sockeye salmon. The basis for this designation has been scientifically proven to be invalid, by two different ADF&G studies.

According to the Sustainable Salmon Fishery Policy (5AAC 39.222) a stock of yield concern is defined as *“a concern arising from a chronic inability, despite the use of specific management measures, to maintain expected yields, or harvestable surpluses, above a stock’s escapement needs...”*

In 2008, the BOF designated Susitna sockeye a stock of yield concern due to a chronic inability to meet the Yentna SEG (range 90-160,000) as measured by sonar. In 2009 that sonar system was determined by the department to be grossly underestimating the number of sockeye returning to the Susitna River system. The 2006-09 ADF&G escapement goal review (FMS 09-01) for the Susitna River revealed that for the prior 27 years (since 1982) the Susitna River escapement goal had been met 100 percent of the time and exceeded 96 percent of the time. In other words, for 26 of the 27 years, there were large harvestable surpluses above the stock’s escapement needs.

As a result of the escapement goal review, the system wide goal for Susitna sockeye was eliminated and a sustainable escapement goal (SEG) was adopted for three individual lakes in the watershed based on the Percentile Approach to the data set for each lake. From 2010 to 2015 these goals were met or exceeded 67 percent of the time. However, these three goals have recently been determined to be excessive and may actually be at unsustainably high levels.

The most recent ADF&G review (FMS 14-06) of escapement goals states that *“SEGs based on the current Percentile Approach, especially the upper bounds, may actually be unsustainable in that they may specify a spawning escapement that is close to or exceeds the carrying capacity of the stock where there is the expectation of no sustainable yields.”*

Therefore, based on the latest and best available science, the stock of yield concern designation for Susitna sockeye salmon should be repealed.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

**Repeal the stock of yield concern designation for Susitna sockeye salmon**

**\*Submitted By:** United Cook Inlet Drift Association  
**Individual or Organization**

**\*Home Phone**

**\*Work Phone**

**\*Email**

Original Proposal Currently Under Review

ATTN: NAT Nichols

REGULATION PROPOSAL FORM for the ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE P.O. BOX 115526, JUNEAU, ALASKA 99811-5526

Proposals for this cycle are due April 8, 2016

\*Indicates a required field

BOARD OF FISHERIES REGULATIONS

- Subsistence
- Personal Use
- Sport
- Commercial

\*Which meeting would you like to submit your proposal to?

- Lower Cook Inlet Area all Finfish
- Kodiak Area all Finfish
- Upper Cook Inlet Area all Finfish
- Statewide (except Southeast/Yakutat) King and Tanner Crab

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1. Alaska Administrative Code Number SAAC ~~5 AAC 35.595~~ 5 AAC 35.595 (c)(3) (A)

\*2. What is the issue you would like the board to address and why? South Alaska Peninsula Tanner Crab  
20 PBT Limit Tanner Crab SAAC 35.525  
CRAB ARE HAVING A HARD TIME COMING BACK, A SMALLER PBT LIMIT WILL HELP EVERYONE INCLUDING THE CRAB.

\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)  
Overall Limit 4,000 PBT  
Each Boat - 20 PBT  
Help smaller boats  
Weather is a issue  
Safety is a issue  
Ben Mobeck

(A) That will give everybody a chance at the fishing

\*Submitted By: William Doshkin, Paul Gundessen, Ben Mobeck  
Individual or Organization



Work Phone: William Doshkin  
Email: Paul K. Gundessen

**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

**Proposals for this cycle are due April 11, 2016**

*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

- Subsistence     Personal Use  
 Sport             Commercial

**\*Which meeting would you like to submit your proposal to?**

- Lower Cook Inlet Area all Finfish             Upper Cook Inlet Area all Finfish  
 Kodiak Area all Finfish                             Statewide (except Southeast Yakutat) King  
and Tanner Crab

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**1. Alaska Administrative Code Number 5 AAC    21.366 (5)**

**\*2. What is the issue you would like the board to address and why?**

When the Northern District King Salmon Management Plan was adopted in November 1985, it contained language limiting the number of nets a person could operate in that fishery to one set net per permit. At that time, a person could only own and operate one SOH4 permit. In 2011, the Board of Fisheries allowed for a Cook Inlet set netter to own and operate two set gillnet permits (SOH4), making the current language in 5 AAC 21.366 (5) confusing and inconsistent with the intent of the regulation allowing a person to own and operate two set gillnet permits.

The current language in 5AAC 21.366 (5) states that "No CFEC permit holder may operate more than one set gill net at a time"

This proposal is a bookkeeping measure to eliminate confusion in wording in the management plan, make the current language consistent with the original intent of the gear restriction, and make the two regulations consistent.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

Amend 5 AAC 21.366 (5) to read "No CFEC permit holder may operate more than one set gillnet per permit at a time.

**\*Submitted By:** Northern District Set Netters of Cook Inlet  
**Individual or Organization**

**\*Home Phone**

**\*Work Phone**

**\*Email**

**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

**Proposals for this cycle are due April 11, 2016**

*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

- Subsistence     Personal Use  
 Sport             Commercial

**\*Which meeting would you like to submit your proposal to?**

- Lower Cook Inlet Area all Finfish             Upper Cook Inlet Area all Finfish  
 Kodiak Area all Finfish                             Statewide (except Southeast/Yakutat) King  
and Tanner Crab

**Please answer all questions to the best of your ability. All answers will be printed in the proposal book along with the proposer's name (address and phone numbers will not be published). Use separate forms for each proposal. Address only one issue per proposal. State the issue clearly and concisely. The board will reject multiple or confusing items.**

**1. Alaska Administrative Code Number 5 AAC**

18.350. Closed Waters (a) (6) Afognak  
District (B) Kitoi Bay

**\*2. What is the issue you would like the board to address and why?**

Current published regulations for closed waters in Kitoi Bay for Big Kitoi Creek and Little Kitoi Creek indicate coordinates inconsistent with existing markers and practice. Additionally, listed coordinates do not reference land-based points. Rather, they indicate points that are located mid-water in the bay. We would like to correct the coordinates listed for closed waters in Kitoi Bay to reflect accurate reference points for commercial salmon markers.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

(B) Kitoi Bay: all waters near the terminus of Big Kitoi Creek (Stream No. 252-324) west of a line from 58° 11.531' N Lat., 152° 21.768' W Long., to 58° 11.253' N Lat., 152° 21.693' W Long., [58° 11.45' N LAT., 152° 21.84' W LONG., TO 58° 11.34' N LAT., 152° 21.66' W LONG.,] and all waters near the terminus of Little Kitoi Creek (stream No. 252-323) west of a line from 58° 11.694' N Lat., 152° 21.594' W Long., to 58° 11.545' N Lat., 152° 21.594' W Long., [58° 11.59' N LAT., 152° 21.65' W LONG., TO 58° 11.50' N LAT., 152° 21.61 W LONG.,]

**\*Submitted By:** Kodiak Regional Aquaculture Association, Tina Fairbanks  
**Individual or Organization**



907-486-6555

907-486-6555

kraa@gen.net

**\*Home Phone**

**\*Work Phone**

**\*Email**

Original Proposal Currently Under Review

**REGULATION PROPOSAL FORM for the  
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**1. Alaska Administrative Code Number 5 AAC**

01.525.10 and 01.525.11 Waters closed to  
subsistence fishing

**\*2. What is the issue you would like the board to address and why?**

We would like to correct the coordinates listed for waters closed to subsistence fishing in Kitoi Bay to reflect accurate reference points and markers. Current published Subsistence regulations for closed waters in Kitoi Bay for Big Kitoi Creek and Little Kitoi Creek indicate coordinates inconsistent with existing markers and practice. Current practice commonly aligns subsistence markers with commercial and/or sport fishing markers. Additionally, listed coordinates do not reference shore-based points. Rather, they indicate points that are located mid-water or inland in the bay and surrounding area.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

(10) from June 1 through October 31, all waters seaward of the terminus of Big Kitoi Creek to a line extending northwesterly from 58° 11.552' N Lat., 152° 22.126' W Long., to 58° 11.336' N Lat., 152° 22.003' W Long.; [58\_ 11.42' N. LAT., 152\_ 21.95' W. LONG., to 58\_ 11.59' N. LAT., 152\_ 22.03' W. LONG.;

(11) from August 15 through September 30, all waters seaward of the terminus of Big Kitoi Creek (Stream No. 252-324) west of a line from 58° 11.531' N Lat., 152° 21.768' W Long., to 58° 11.253' N Lat., 152° 21.693' W Long., and all waters near the terminus of Little Kitoi Creek (stream No. 252-323) west of a line from 58° 11.694' N Lat., 152° 21.594' W Long., to 58° 11.545' N Lat., 152° 21.594' W Long.; [OF BIG KITOI BAY WEST OF THE LONGITUDE OF 152\_ 21.55' W LONG.;

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**\*Submitted By:** Kodiak Regional Aquaculture Association, Tina Fairbanks  
**Individual or Organization**



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1. Alaska Administrative Code Number 5 AAC      18.366 (b) Spiridon Bay Sockeye Salmon  
Management Plan

**\*2. What is the issue you would like the board to address and why?**

Current language in published regulations for harvest of enhanced salmon in Spiridon Bay and the Spiridon Bay Special Harvest Area (SBSHA) is not consistent with language for the management of enhanced stocks in the Kiti Bay Special Harvest Area. This proposal seeks to amend regulatory language to reflect cost recovery activities conducted by the Kodiak Regional Aquaculture Association within the SBSHA.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

(b) The purpose of the Spiridon Bay harvest strategy is to allow the orderly harvest of sockeye salmon returning to Telrod Cove from the Spiridon Lake enhancement project while providing adequate protection for local natural salmon stocks returning to other streams in the bay. The intent of the enhancement project is for the harvest of returning enhanced salmon to occur in traditional commercial fishing areas of the Northwest Kodiak District during openings directed at harvesting Karluk sockeye and westside pink and chum salmon stocks. **Throughout the season, fishing time in Telrod Cove may be restricted in order to meet cost recovery goals for enhanced sockeye salmon.**

**\*Submitted By:** Kodiak Regional Aquaculture Association, Tina Fairbanks  
**Individual or Organization**

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and Tanner Crab**

**1. Alaska Administrative Code Number 5 AAC**

21.331 Gillnet Specifications and  
Operations

**\*2. What is the issue you would like the board to address and why?**

East Side set net fisheries targeting sockeye continue to harvest significant numbers of king salmon despite a 40 year-old Board of Fisheries directive to minimize the harvest of Kenai River late-run king salmon [5 AAC 21.360]. Research conducted at the request of the Alaska Department of Fish and Game and widespread experience of set net fishermen both demonstrate that fishing with shallower set net gear will more selectively harvest large numbers of sockeye with reduced harvest of king salmon. Most fishermen currently use 45 mesh depth gear. A maximum net depth of 29 meshes is currently thought to provide the best efficiency for harvesting sockeye while avoiding kings.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

Limit the depth of set gillnets used in the Upper Subdistrict of the Central District to no more than 29 meshes.

**\*Submitted By:** Kenai River Sportfishing Association  
**Individual or Organization**

**\*Home Phone**

**\*Work Phone**

**\*Email**



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|---------------------------------------|--|
| <b>BOARD OF FISHERIES REGULATIONS</b> |  |
| <input type="checkbox"/> Subsistence  | <input checked="" type="checkbox"/> Personal Use |
| <input type="checkbox"/> Sport        | <input type="checkbox"/> Commercial              |

**\*Which meeting would you like to submit your proposal to?**

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|--|--|
| <input type="checkbox"/> Lower Cook Inlet Area all Finfish | <input checked="" type="checkbox"/> Upper Cook Inlet Area all Finfish              |
| <input type="checkbox"/> Kodiak Area all Finfish           | <input type="checkbox"/> Statewide (except Southeast/Yakutat) King and Tanner Crab |

|   |   |
|---|---|
| <b>1. Alaska Administrative Code Number 5 AAC</b> | 77.540 Upper Cook Inlet Personal Use Salmon Fishery Management Plan |
|---|---|

**\*2. What is the issue you would like the board to address and why?**  
Provide additional area for personal use fishing from a boat.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

Extend the Kenai River personal use boat fishery farther upstream (to Cunningham Park).  
Currently, little sport fishing occurs below Cunningham Park without bait with current low participation. The king sport fishery in this area is only viable in years when water conditions just right. This area is within the Kenai River Special Management Area, where boat motors while fishing are restricted to 50 hp or less. Extending the PU boat fishery up to Cunningham Park would provide additional area for boats with the hp restriction to fish and reduce congestion in the area from the Kenai City Dock up to the KRSMA boundary at RM 4.

**\*Submitted By:** Kenai River Sportfishing Association  
**Individual or Organization**

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| <b>*Home Phone</b> | <b>*Work Phone</b> | <b>*Email</b> |
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**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

Option 1:

Drop “inriver goal” from the list of escapement goals in 21.363(e) since in-river goals are allocative in nature and the department should not be put in a position of favoring one allocation strategy over another without consultation with the Board. The Kenai River is the only location in the state where in-river goals exist in regulation.

Option 2:

Realign in-river and escapement goals to avoid continuing confusion. Standardize the upper end of the in-river goal for each tier at 1.5 million which is equal to the upper end of the SEG (1.2 million) plus 300,000 sockeye which is the current maximum sport harvest above the sonar. The lower end of in-river goals for each tier should be retained as is in order to continue to ensure that escapements are distributed throughout the goal range and large runs are shared among fisheries.

**\*Submitted By:** Kenai River Sportfishing Association

**Individual or Organization**

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**\*Home Phone**

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Original Proposal Currently Under Review



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| <b>BOARD OF FISHERIES REGULATIONS</b>  |   |
| <input type="checkbox"/> Subsistence   | <input type="checkbox"/> Personal Use   |
| <input type="checkbox"/> Sport   | <input checked="" type="checkbox"/> Commercial  |
| <b>*Which meeting would you like to submit your proposal to?</b>   |   |
| <input type="checkbox"/> Lower Cook Inlet Area all Finfish   | <input checked="" type="checkbox"/> Upper Cook Inlet Area all Finfish                     |
| <input type="checkbox"/> Kodiak Area all Finfish   | <input type="checkbox"/> Statewide (except Southeast/Yakutat) <b>King and Tanner Crab</b> |
| <b>1. Alaska Administrative Code Number 5 AAC</b>  | 21.365 Kasilof River Salmon Management Plan   |
| <b>*2. What is the issue you would like the board to address and why?</b>  |   |
| <p>Current plans do not provide adequate protection for Kasilof late-run kings particularly during years of large Kasilof sockeye returns. Precautionary king protection measures are necessary in the absence of escapement monitoring and goals for the Kasilof River.</p> <p>Recent research and genetic analysis of east side set net harvest has shown that the Kasilof River supports a substantial population of late-run king salmon. King populations throughout UCI are suffering from a period of record low returns. Current management fails to protect escapement of Kasilof late-run kings because run strength is not assessed and escapement goals have not been identified.</p> <p>After July 7 the “windows” provisions of the Kenai River Late-Run Sockeye Salmon Management Plan apply to the Kasilof section and provide significant protection to both Kenai and Kasilof kings. However, windows protections are reduced between June 25 and July 7 when the set net fishery in the Kasilof section is regulated by the Kasilof River Salmon Management Plan. After July 7, Kenai plan windows do not currently apply to the Kasilof River Special Harvest Area which is being fished intensively in recent years. Harvest of Kasilof kings in the KRSHA counteracts benefits of district-wide limitations on set net fishing time.</p> |   |
| <b>*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)</b>   |   |
| <p>Provide adequate protection of Kasilof king escapement by increased use of no-fishing windows in the Kasilof area set gillnet fishery:</p> <ol style="list-style-type: none"> <li>a. Through July 7, bolster windows protection in Kasilof salmon management plan adding a fixed 24 hr. on Tuesday (in addition to the current 36 hour window at the end of the week).</li> <li>b. After July 7, adopt mandatory windows for the Kasilof River Special Harvest Area the same as those found in the Kenai River late-run sockeye management plan.</li> </ol>   |   |

**\*Submitted By:** Kenai River Sportfishing Association  
**Individual or Organization**

**\*Home Phone**

**\*Work Phone**

**\*Email**



this provision.

**AAC 57.160 Kenai River and Kasilof River Early-run King Salmon Management Plan**

(a) The purpose of this management plan is to ensure an adequate escapement of early-run king salmon into the Kenai and Kasilof Rivers, to conserve the unique large size early-run king salmon in the Kenai River, and to provide the department with management guidelines.

(b) The department shall manage the Kenai River early-run king salmon sport and guided sport fisheries to achieve the optimal escapement goal of 5,300 – 9,000 fish, to provide reasonable harvest opportunities over the entire run, and to ensure **escapement of a representative age and size composition of the run** [THE AGE AND SIZE COMPOSITION OF THE HARVEST CLOSELY APPROXIMATES THE AGE AND SIZE COMPOSITION OF THE RUN].

(c) The department shall manage the Kasilof River early-run king salmon sport and guided sport fisheries to achieve the sustainable escapement goal, to provide reasonable harvest opportunities over the entire run while ensuring adequate escapement of naturally-produced king salmon, and to minimize the effects of conservation actions for the Kenai River on the Kasilof River.

(d) In the Kenai River,

(1) **Repeal** the seasons, bag, possession, and size limits, and other special provisions for early-run king salmon set out in 5 AAC 57.120(a)(2)(i) and (iii) the provision in 5 AAC 57120 (b)(1) addressing the annual limit of king salmon less than 28 inches in length taken from the Kenai River from January 1 through June 30 and **Replace as follows.**

(2) if the spawning escapement is projected to be less than the lower end of the optimal escapement goal, the commissioner shall, by emergency order, restrict as necessary the taking of king salmon in the sport and guided sport fisheries in the Kenai River to achieve the optimal escapement goal using one of the following methods:

(A) prohibit the retention of king salmon **greater than** [LESS THAN 55 INCHES IN LENGTH, EXCEPT KING SALMON LESS THAN] 20 inches in length, downstream from an ADF&G regulatory marker located at the outlet of Skilak Lake through June 30, and require that upstream from an ADF&G regulatory marker located approximately 300 yards downstream from the mouth of Slikok Creek to an ADF&G regulatory marker located at the outlet of Skilak Lake, from July 1 through July 14, only one unbaited, barbless, single-hook, artificial lure, as described in 5 AAC 57.121(1) (J), may be used when sport fishing for king salmon and only king salmon less than 20 inches in length [~~AND 55 INCHES OR GREATER IN LENGTH~~] may be retained; or  
(B) close the sport and guided sport fisheries to the taking of king salmon in the Kenai River

(i) downstream from an ADF&G regulatory marker located at the outlet of Skilak Lake through June 30; and

(ii) from July 1 through July 14, upstream from an ADF&G regulatory marker located approximately 300 yards downstream from the mouth of Slikok Creek to an ADF&G regulatory marker located at the outlet of Skilak Lake;

(3) if the spawning escapement is projected to fall within the optimal escapement goal, the commissioner may, by emergency order, liberalize the sport fishery downstream from an ADF&G regulatory marker located at the outlet of Skilak Lake, [~~BY ALLOWING THE USE OF BAIT~~] if the department projects that the total harvest under a liberalized sport fishery will not reduce the spawning escapement below the optimal escapement goal as follows;

**(i)** only king salmon less than **30** [42] inches in length [~~OR 55 INCHES OR~~

GREATER IN LENGTH MAY] to be retained;

**(ii) only one unbaited, barbless, single-hook, artificial lure, as described in 5 AAC 57.121(1) (J), may be used when sport fishing for king salmon and;**

**(iii) allow one king salmon less than 30 inches to be retained per day in addition to daily and annual bag limits and allow an individual who retains a king salmon less than 30 inches to continue to fish for king salmon.**

**(4) if the spawning escapement is projected to exceed the optimal escapement goal, the commissioner may, by emergency order, liberalize the sport fishery downstream from an ADF&G regulatory marker located at the outlet of Skilak Lake, by one or more of the following:**

**(i) allow the use of bait;**

**(ii) allow retention of king salmon of all sizes**

**(iii) allow one king salmon less than 30 inches to be retained per day in addition to daily and annual bag limits and allow an individual who retains a king salmon less than 30 inches to continue to fish for king salmon.**

~~(4) a person may not possess, transport, or export from this state, a king salmon 55 inches or greater in length taken from the Kenai River from January 1 through July 31, unless the fish has been sealed by an authorized representative of the department within three days after the taking; the person taking the fish must sign the sealing certificate at the time of sealing; the seal must remain on the fish until the preservation or taxidermy process has commenced; a person may not falsify any information required on the sealing certificate; in this paragraph,~~

~~(A) "sealing" means the placement of an official marker or locking tag (seal) by an authorized representative of the department on a fish and may include~~

~~(i) collecting and recording biological information concerning the conditions under which the fish was taken;~~

~~(ii) measuring the specimen, submitted for sealing; and~~

~~(iii) retaining specific portions of the fish for biological information, including scales, fin rays, and vertebrae;~~

~~(B) "sealing certificate" means a form used by the department for recording information when sealing a fish. ]~~

(e) In the Kasilof River, the seasons, bag, possession, and size limits, and other special provisions for king salmon are set out in 5 AAC 56.120(1) and 5 AAC 56.122(a) (8).

**\*Submitted By:** Kenai River Sportfishing Association  
**Individual or Organization**

**\*Home Phone**

**\*Work Phone**

**\*Email**

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**1. Alaska Administrative Code Number 5 AAC**    5 AAC 77.540 (c)(D)

**\*2. What is the issue you would like the board to address and why?**

There is not enough access being made available to the shore based Personal Use Dip Net fishery in the Kenai River during years of exceptionally large runs of late-run sockeye salmon. During years when the SEG for Kenai River late-run sockeye salmon is assured the Department may increase the bag limit in the sport fishery from 5 to 6 fish. In addition if the Department determines that the abundance of Kenai River late-run sockeye salmon is greater than 2,300,000 fish they may extend by emergency order, the personal use fishery in the Kenai River from 17 to 24 hours per day. At the same time the Commercial fishery is fishing the maximum number of hours allowed unless under restriction due to the conservation of late-run king salmon. Under these circumstances, the sonar count of these fish often exceeds the upper bound of the in-river goal leaving significant numbers of these fish, which are already in the river, above the current geographic boundaries of the personal use fishery and in excess of the capacity of the sport fishery are available for harvest.

Shore based dipnetting along the Kenai River is currently restricted to areas below the Warren Ames Bridge. Opening up shore based dipnetting to property owners along the Kenai River who have fish habitat friendly structures on their property would allow those property owners to partake in the dipnet fishery from fish habitat friendly structures to protect bank habitat, and reduce crowding in the current areas on the Kenai where dipnetting is allowed.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.) In that portion of the Kenai River from a regulatory marker located at the outlet of Skilak Lake downstream to the downstream side of the Warren Ames Bridge when the bag and possession limit in the sport fishery for late-run sockeye salmon is increased from 3 to 6 fish, 5 AAC 77.540 (c)(1) would be amended such that, the department may, by emergency order, allow personal use fishing with a dip net as follows:**

1. Only on private land from a previously approved shoreline habitat protective structure.
2. A permit must be acquired from the Kenai River Center attesting to the authenticity of the habitat protective structure; and
3. The permit must be displayed at all times that personal use dip net fishing is taking place.

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**\*Submitted By:** South Central Alaska Dipnetters Association (SCADA)  
**Individual or Organization**

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**\*Home Phone**

**\*Work Phone**

**\*Email**

Original Proposal Currently Under Review

## INSTRUCTIONS FOR COMPLETING PROPOSAL FORM

(Revised 7/28/15)

### Top of form check boxes:

- As appropriate, insert information about the fish or game management unit your regulation would change.
- Depending on the venue in which the regulation change will be heard, check the appropriate box(es) for the activities the regulation change would affect.  
[Alaska Legislature Infobase, 5AAC.](#)

### Fillable numbered boxes:

1. If known, enter the series of letter and numbers which identify the regulation to be changed. For example, 5 AAC 72.055. If it will be a new section or provision, then enter 5 AAC 72.XXX.
2. Write a short explanation about the issue your proposal addresses, or why you are proposing the regulation change. Address only one issue per proposal. State the issue clearly and concisely. The board will reject proposals that contain multiple or confusing issues.

State why the regulation change should be adopted or provide an explanation about what will happen if the regulation is not changed.

To assist you in development of your issue statement (#2 on the form), you may want to consider the following:

- What would happen if nothing is changed?
- What are other solutions you considered? Why did you reject them?

3. Print or type your proposal as you would like to see it appear in the regulation book. The boards prefer that revised regulatory language is provided. **New or amended text should appear first and be in bold text and underlined.** [REGULATORY TEXT BEING DELETED SHOULD BE FULLY CAPITALIZED AND ENCLOSED IN BRACKETS]. It is not necessary to bold and underline text if entire change contains new language.

EXAMPLES: **5 AAC 27.810. Fishing seasons and periods.**

In the Togiak and Bay districts, herring may  
be taken by purse seines and hand purse  
seines from April 25 through **July 15** [JUNE 1]

**5 AAC 85.025(3). Unit 9(B) Caribou.**

NONRESIDENT HUNTERS: **2** [3] caribou; however,  
no more than 1 bull may be taken.

Alternatively, you may state your changes in clear sentences. For example, “Extend the season to July 15 in the Togiak and Bay districts,” or “Reduce the bag limit for caribou in Unit 9(B) to two caribou.”

*Bottom of form (submission block):*

- Write the name of the organization that voted to submit the proposal or your name if you are submitting the proposal. This name will be published in the proposal book. The boards of Fisheries and Game will not consider anonymous proposals.
- Fill in your address and zip code, and telephone number. These will NOT be published; it simply enables us to reach you if clarification is necessary.

Mail or fax the completed form to the address at the top of the form.

Alaska Board of Fisheries/Game  
P.O. Box 115526  
Juneau, AK 99811-5526  
Fax: 907-465-6094

NOTE: Proposals must be received by the deadline in the call for proposals; there are no exceptions. A fax is considered an original. The form must be physically received by fax or mail; postmark is not adequate.

If you have any questions or need assistance, please consult staff at any Fish and Game office.

Original Proposal Currently Under Review

**REGULATION PROPOSAL FORM for the  
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 Sport             Commercial

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**1. Alaska Administrative Code Number 5 AAC**    35.510(f)(2)

**\*2. What is the issue you would like the board to address and why?**

Over the past several commercial fishing seasons for *C. bairdi* Tanner crab, vessels targeting eastern *C. bairdi* crab (EBT) between 166° W long. and 163° W long. have been encountering increasing amounts of clean, legal-size male *C. opilio* during the course of their normal fishing operations. Unfortunately, because the eastern boundary limit for retention of *C. opilio* is at 166° W. long., these vessels are forced to discard all *C. opilio* crab.

There is a healthy population of *C. opilio* beyond the current eastern boundary. Requiring vessels to discard *C. opilio* crab forces unnecessary and wasteful mortality to the population of *C. opilio* as a whole. Mortality data from both directed catch and discard amounts are incorporated into annual stock assessments and can negatively impact population estimates and future population projections.

If the current eastern boundary for *C. opilio* crab is retained, regulatory discards and associated mortality will continue. Forced discards of legal male *C. opilio* crab are an unnecessary source of mortality that should be minimized and avoided to the greatest extent practicable. One of the many benefits outlined and achieved with implementation of the Crab Rationalization program was improved resource conservation, which should be a continuing focus and goal as commercial crab regulations are refined.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

5 AAC 35.510(f)(2) should be amended to read: "in waters west of 165° W. long., [166° W. LONG.] male *C. opilio* Tanner crab may be taken from..."

**\*Submitted By:** Peter Liske

**Individual or Organization**

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**\*Home Phone**

**\*Work Phone**

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Original Proposal Currently Under Review

**INSTRUCTIONS FOR COMPLETING  
PROPOSAL FORM**

(Revised 7/28/15)

**Top of form check boxes:**

- As appropriate, insert information about the fish or game management unit your regulation would change.
- Depending on the venue in which the regulation change will be heard, check the appropriate box(es) for the activities the regulation change would affect.  
[Alaska Legislature Infobase, 5AAC.](#)

**Fillable numbered boxes:**

1. If known, enter the series of letter and numbers which identify the regulation to be changed. For example, 5 AAC 72.055. If it will be a new section or provision, then enter 5 AAC 72.XXX.
2. Write a short explanation about the issue your proposal addresses, or why you are proposing the regulation change. Address only one issue per proposal. State the issue clearly and concisely. The board will reject proposals that contain multiple or confusing issues.

State why the regulation change should be adopted or provide an explanation about what will happen if the regulation is not changed.

To assist you in development of your issue statement (#2 on the form), you may want to consider the following:

- What would happen if nothing is changed?
- What are other solutions you considered? Why did you reject them?

3. Print or type your proposal as you would like to see it appear in the regulation book. The boards prefer that revised regulatory language is provided. **New or amended text should appear first and be in bold text and underlined.** [REGULATORY TEXT BEING DELETED SHOULD BE FULLY CAPITALIZED AND ENCLOSED IN BRACKETS]. It is not necessary to bold and underline text if entire change contains new language.

EXAMPLES: **5 AAC 27.810. Fishing seasons and periods.**

In the Togiak and Bay districts, herring may be taken by purse seines and hand purse seines from April 25 through **July 15** [JUNE 1]

**5 AAC 85.025(3). Unit 9(B) Caribou.**

NONRESIDENT HUNTERS: **2** [3] caribou; however, no more than 1 bull may be taken.

Alternatively, you may state your changes in clear sentences. For example, “Extend the season to July 15 in the Togiak and Bay districts,” or “Reduce the bag limit for caribou in Unit 9(B) to two caribou.”

*Bottom of form (submission block):*

- Write the name of the organization that voted to submit the proposal or your name if you are submitting the proposal. This name will be published in the proposal book. The boards of Fisheries and Game will not consider anonymous proposals.
- Fill in your address and zip code, and telephone number. These will NOT be published; it simply enables us to reach you if clarification is necessary.

Mail or fax the completed form to the address at the top of the form.

Alaska Board of Fisheries/Game  
P.O. Box 115526  
Juneau, AK 99811-5526  
Fax: 907-465-6094

NOTE: Proposals must be received by the deadline in the call for proposals; there are no exceptions. A fax is considered an original. The form must be physically received by fax or mail; postmark is not adequate.

If you have any questions or need assistance, please consult staff at any Fish and Game office.

Original Proposal Currently Under Review

**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

**Proposals for this cycle are due April 8, 2016**

*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

- Subsistence     Personal Use  
 Sport             Commercial

**\*Which meeting would you like to submit your proposal to?**

- Lower Cook Inlet Area all Finfish             Upper Cook Inlet Area all Finfish  
 Kodiak Area all Finfish                             Statewide (except Southeast/Yakutat) King  
and Tanner Crab

**Please answer all questions to the best of your ability. All answers will be printed in the proposal book along with the proposer's name (address and phone numbers will not be published). Use separate forms for each proposal. Address only one issue per proposal. State the issue clearly and concisely. The board will reject multiple or confusing items.**

**1. Alaska Administrative Code Number 5 AAC**    35.506(i)(3)

**\*2. What is the issue you would like the board to address and why?**

Over the past several commercial fishing seasons, vessels targeting Bristol Bay red king crab have been encountering increasing amounts of clean, legal-size male *C. bairdi* crab as this population continues to grow and increase to healthy, sustainable levels. Unfortunately, because the eastern boundary limit for retention of eastern *C. bairdi* Tanner crab is at 163° W. long., these vessels are unable to retain any *C. bairdi* crab eastward of 163 W. long, including any *C. bairdi* harvested incidentally during directed red king crab operations.

Overlapping populations of both Bristol Bay red king crab and eastern *C. bairdi* are stable. Regulations that require or incentivize vessels to discard legal male *C. bairdi* crab forces unnecessary and wasteful mortality to the population of *C. bairdi* as a whole. Mortality data from both directed catch and discard amounts are incorporated into annual stock assessments and can negatively impact population estimates and future population projections.

If the current eastern boundary for *C. bairdi* crab is retained, discards and associated mortality will likely continue, especially as the *C. bairdi* population continues to grow. Any discards of legal male *C. bairdi* crab are an unnecessary source of mortality that should be minimized and avoided to the greatest extent practicable. One of the many benefits outlined and achieved with implementation of the Crab Rationalization program was improved resource conservation, which should be a continuing focus and goal as commercial crab regulations are refined. Further, adjusting the boundary eastward by one degree of latitude will not negatively impact sensitive life stages or time periods of Bristol Bay red king crab because: 1) bycatch of female and juvenile red king crab will be allowed to escape as the size of the escapement rings and mesh used for bairdi and 2) the season closure of eastern bairdi would be remain March 31 to protect sensitive life periods.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

5 AAC 35.506(i)(3) should be amended to read: "in a directed *C. bairdi* Tanner crab fishery occurring between **162° W. long.** [163° W. LONG.] and 166° W. long.;"

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**\*Submitted By:** Peter Liske

**Individual or Organization**

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**\*Home Phone**

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Original Proposal Currently Under Review

**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

**Proposals for this cycle are due April 11, 2016**

*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

- Subsistence     Personal Use  
 Sport             Commercial

**\*Which meeting would you like to submit your proposal to?**

- Lower Cook Inlet Area all Finfish             Upper Cook Inlet Area all Finfish  
 Kodiak Area all Finfish                             Statewide (except Southeast/Yakutat) King  
and Tanner Crab

**Please answer all questions to the best of your ability. All answers will be printed in the proposal book along with the proposer's name (address and phone numbers will not be published). Use separate forms for each proposal. Address only one issue per proposal. State the issue clearly and concisely. The board will reject multiple or confusing items.**

**1. Alaska Administrative Code Number 5 AAC**    21.359

**\*2. What is the issue you would like the board to address and why?**

Currently, the Kenai Late Run King plan allows for the use of bait in the inriver sport fishery anytime the inriver run of King Salmon is above 22,500, or the midpoint of the escapement goal. Any time bait is not allowed, severe restrictions are placed on other fisheries out of interest for parity. This proposal seeks to establish no bait as the "normal" setting for the inriver fishery, allowing for bait to be used as a liberalization when runs are expected to exceed escapement. It also seeks to eliminate the 12 hour restrictions placed on the setnet fishery, as 12 hours is not practical for managing escapements into 2 rivers over 80 miles of beach.

We feel this change will help ensure adequate passage of Kenai Late Run Kings into the Kenai River, and will make Kenai Late Run Sport regulations consistent with Kenai Early Run sport regulations by allowing the use of bait when escapements are projected to be exceeded. It will also help to ensure adequate opportunity in the sport, personal use, and commercial fisheries while giving ADFG the flexibility to make yield tradeoff decisions in our mixed-stock fisheries.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

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

(a) The purposes of this management plan are to ensure an adequate escapement of late-run king salmon into the Kenai River system and to provide management guidelines to the department. The department shall manage the late-run Kenai River king salmon stocks primarily for sport and guided sport uses in order to provide the sport and guided sport fishermen with a reasonable opportunity to harvest these salmon resources over the entire run, as measured by the frequency or inriver restrictions.

(b) The department shall manage the late run of Kenai River king salmon to achieve a

sustainable escapement goal of 15,000 - 30,000 king salmon as described in this section.

(c) In the sport fishery,

(1) if the sustainable escapement goal is projected to be exceeded, the commissioner may, by emergency order, **open the fishery to the use of bait, and** extend the sport fishing season up to seven days during the first week of August;

(2) from July 1 through July 31, a person may not use more than one single hook in the Kenai River downstream from an ADF&G regulatory marker located at the outlet of Skilak Lake;

(3) that portion of the Kenai River downstream from an ADF&G regulatory marker located at the outlet of Skilak Lake is open to unguided sport fishing from a nonmotorized vessel on Mondays in July; for purposes of this paragraph, a nonmotorized vessel is one that does not have a motor on board.

(d) If the projected late-run king salmon escapement is less than 15,000 king salmon, the department shall

(1) close the sport fisheries in the Kenai River and in the salt waters of Cook Inlet north of the latitude of Bluff Point to the taking of king salmon;

(2) close the commercial drift gillnet fishery in the Central District within one mile of the Kenai Peninsula shoreline north of the Kenai River and within one and one-half miles of the Kenai Peninsula shoreline south of the Kenai River; and

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

(e) From July 1 through July 31, if the projected inriver run of late-run king salmon is less than 22,500 fish, in order to achieve the sustainable escapement goal and provide reasonable harvest opportunity, the commissioner may, by emergency order, establish fishing seasons as follows:

(1) in the Kenai River sport fishery,

[(A) THE USE OF BAIT IS PROHIBITED; OR]

**(A)**[(B)] the [USE OF BAIT AND] retention of king salmon **is** [ARE] prohibited, and only one unbaited, barbless, single-hook, artificial lure, as described in 5 AAC 57.121(1)(J), may be used when sport fishing for king salmon;

(2) [IN THE KENAI RIVER PERSONAL USE FISHERY, IF THE USE OF BAIT OR RETENTION OF KING SALMON IS PROHIBITED IN THE KENAI RIVER SPORT FISHERY UNDER (1) OF THIS SUBSECTION,] the retention of king salmon is prohibited in the personal use fishery;

(3) in the Upper Subdistrict set gillnet commercial fishery, notwithstanding the provisions of 5 AAC 21.360(c)(1)(B), (2)(B), and (3)(B), based on the abundance of sockeye salmon returning to the Kenai and Kasilof Rivers,

(A) if the **retention of king salmon** [USE OF BAIT] is prohibited in the Kenai River sport fishery under (1)(A) of this subsection, commercial fishing periods are open for no more than 36 hours per week, with a 36-hour continuous closure per week beginning between 7:00 p.m. Thursday and 7:00 a.m. Friday, during which the number of set gillnets operated may also be restricted to either

(i) three set gillnets that are each not more than 35 fathoms in length and 29 meshes in depth or two set gillnets that are each not more than 35 fathoms in length and 45 meshes in depth; set gillnets used that are not more than 29 meshes in depth must be identified at the end of the gillnet with an attached blue buoy that is not less than nine and one-half inches in diameter; or

(ii) two set gillnets that are each not more than 35 fathoms in length and 29 meshes in depth or one set gillnet that is not more than 35 fathoms in length and 45 meshes in depth; set gillnets used that are not more than 29 meshes in depth must be identified at the end of the gillnet with an attached blue buoy that is not less than nine and one-half inches in diameter; or

[(B) IF THE USE OF BAIT AND THE RETENTION OF KING

SALMON ARE PROHIBITED IN THE KENAI RIVER SPORT FISHERY UNDER (L)(B) OF THIS SUBSECTION, COMMERCIAL FISHING PERIODS ARE OPEN FOR NO MORE THAN 12 HOURS PER WEEK, WITH A 36-HOUR CONTINUOUS CLOSURE PER WEEK BEGINNING BETWEEN 7:00 P.M. THURSDAY AND 7:00 A.M. FRIDAY.]

(f) From August 1 through August 15, if the projected escapement of king salmon into the Kenai River is at least 16,500, but less than 22,500 fish, notwithstanding the provisions of 5 AAC 21.360(c)(1)(B), (2)(B), and (3)(B), the commissioner may open, by emergency order, the commercial set gillnet fishery in the Upper Subdistrict to no more than 36 hours of fishing time.

(g) Consistent with the purposes of this management plan and 5 AAC 21.360, if the projected inriver return of king salmon is less than 40,000 fish, the department may not reduce the closed waters at the mouth of the Kenai River described in 5 AAC 21.350(b).

(h) The provisions of this section do not apply to provisions of the Kasilof River Salmon Management Plan contained in 5 AAC 21.365(f) that pertain to the Kasilof Special Harvest Area.

(i) The department will, to the extent practicable, conduct habitat assessments on a schedule that conforms to the Board of Fisheries (board) triennial meeting cycle. If the assessments demonstrate a net loss of riparian habitat caused by noncommercial fishermen, the department is requested to report those findings to the board and submit proposals to the board for appropriate modification of this plan.

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

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**\*Submitted By:** Kenai Peninsula Fishermen's Association Contact: Andy Hall  
**Individual or Organization**

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**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

**Proposals for this cycle are due April 11, 2016**

*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

- Subsistence     Personal Use  
 Sport             Commercial

**\*Which meeting would you like to submit your proposal to?**

- Lower Cook Inlet Area all Finfish             Upper Cook Inlet Area all Finfish  
 Kodiak Area all Finfish                             Statewide (except Southeast/Yakutat) King  
and Tanner Crab

**Please answer all questions to the best of your ability. All answers will be printed in the proposal book along with the proposer's name (address and phone numbers will not be published). Use separate forms for each proposal. Address only one issue per proposal. State the issue clearly and concisely. The board will reject multiple or confusing items.**

**1. Alaska Administrative Code Number 5 AAC**    21.354(c)

**\*2. What is the issue you would like the board to address and why?**

The Pink Salmon Management Plan currently in place allows for a maximum potential of two extra days of fishing time, late in August, every other year. This plan was implemented to attempt to address underutilized surpluses of pink salmon that sometimes occur. In reality this is relatively rare. Since it was implemented the pink salmon plan has been used on only two occasions. Participation was very low. A large contributing factor to this is the current requirement on mesh size that prohibits people from fishing their normal gear. Due to the rare occurrences and relatively low value of the potential opening, most fishermen are unable to justify building special gear. We would like to see this mesh size requirement removed in order that the fishery may be better utilized when the opportunity occurs.

This proposal seeks to remove the language requiring smaller gear be used for pink salmon openers, allowing gillnetters to use their standard gear which is limited to 6" or less by regulation.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**  
5 AAC 21.354

(c) During a pink salmon commercial fishing period opened under this section, [A (1) SET GILLNET MAY NOT HAVE A MESH SIZE GREATER THAN FOUR AND THREE-QUARTERS INCHES; AND]

(2) [DRIFT GILLNET GEAR MAY NOT HAVE A MESH SIZE GREATER THAN FOUR AND THREE-QUARTERS INCHES, AND] Fishing with drift gillnet gear will only be opened

in the areas defined in 5 AAC 21.200(b)(2)(B)

**\*Submitted By:** Kenai Peninsula Fishermen's Association Contact: Andy Hall  
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Original Proposal Currently Under Review

**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

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**BOARD OF FISHERIES REGULATIONS**

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- Lower Cook Inlet Area all Finfish             Upper Cook Inlet Area all Finfish  
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**1. Alaska Administrative Code Number 5 AAC**    21.310(b)(C)(iii)

**\*2. What is the issue you would like the board to address and why?**

Currently, setnetting in the Upper Subdistrict closes in August based on the one-percent rule. The 1% rule states that after July 31<sup>st</sup>, if less than one percent of the season's total setnet sockeye harvest has been taken per fishing period for 2 consecutive periods, the fishery is closed for the season.

The original intent of the 1% rule was to allocate additional Kenai River coho salmon to inriver fisheries. This, however, comes at the expense of harvest opportunity by the Upper Subdistrict set gillnet fishery on Kenai and Kasilof river sockeye salmon during the final days of their season, with months of inriver coho season remaining. It is important to note that in the past 10 years (2006-2015), the Kenai River sockeye salmon inriver goal has been exceeded 7 times, and the Kasilof River sockeye salmon BEG has been exceeded 9 times. Meanwhile, based on average harvest and total run estimates from 2000 to 2004, ADFG estimated that the harvest rate of Kenai River Coho salmon by all commercial fisheries at about 3% and the harvest rate by the sport fishery at about 38%. Additionally, for every fishing period from August 11 to August 15, the set gillnet fishery harvests only about 1.2% of the total run of Kenai River coho salmon (see staff comments on 2014 proposals 116 & 117). The board has addressed Kenai river coho salmon conservation in the Upper Subdistrict setnet fishery through the season ending date of August 15, with only regular periods allowed from 11-15. There are currently no conservation concerns for Kenai River coho salmon.

In order to provide a reasonable opportunity to harvest surplus sockeye salmon bound for the Kenai and Kasilof rivers, this proposal seeks to remove the 1% rule for the Upper Subdistrict setnet fishery.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

5 AAC 21.310(b)(C)(iii) Fishing Seasons

(iii) Kenai, Kasilof, and East Forelands Sections: [IN THE COMBINED KENAI AND EAST FORELANDS SECTIONS, AND SEPARATELY IN THE KASILOF SECTION,] the season will close August 15, [UNLESS CLOSED EARLIER BY EMERGENCY ORDER AFTER JULY 31, IF THE DEPARTMENT DETERMINES THAT LESS THAN ONE PERCENT OF THE SEASON'S TOTAL SOCKEYE HARVEST HAS BEEN TAKEN PER FISHING PERIOD FOR TWO CONSECUTIVE FISHING PERIODS IN THE COMBINED KENAI AND EAST FORELANDS SECTIONS OR SEPARATELY IN THE KASILOF SECTION]; from August 11 through August 15, the fishery is open for regular fishing periods only; for purposes of this sub-subparagraph, "fishing period" means a time period open to commercial fishing as measured by a 24-hour calendar day from 12:01 a.m. until 11:59 p.m.;

**\*Submitted By:** Kenai Peninsula Fishermen's Association Contact: Andy Hall  
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Original Proposal Currently Under Review





contained restrictive provisions to commercial fisheries to conserve this stock. These actions were later placed into subsection (c) of the NDSMP (5AAC 21.358 (c)). Every year since the adoption of subsection (c), the entire Northern District has been subject to gear restrictions from July 20th to August 6th, which is the peak of the sockeye salmon run. Here is the current version of subsection (c).

From July 20 through August 6, if the department's assessment of abundance indicates that restrictions are necessary to achieve the escapement goal, the commissioner may, by emergency order, close the commercial set gillnet fishery in the Northern District and immediately reopen a season during which the number of set gillnets that may be used is limited to the following options selected at the discretion of the commissioner, except that from July 31 through August 6, the commissioner may allow the use of two set gillnets in that portion of the General District south of the Susitna River:

- (1) three set gillnets that are not more than 105 fathoms in aggregate length;
- (2) two set gillnets that are not more than 70 fathoms in aggregate length;
- (3) one set gillnet that is not more than 35 fathoms in length.

Since the adoption of this plan, the most restrictive option (3), the one-net-per-permit restriction, has been implemented every season. This 2/3 gear reduction occurs during the peak of the sockeye salmon run, negatively impacting the economic viability of the fishery for all Northern District fishermen.

Based on Genetic Stock Identification (GSI) data from sockeye salmon harvests in the Northern District which show the very low percentages of Susitna River sockeye harvested in the Eastern Sub-district (Table 1), this proposal seeks to provide ADF&G with more flexibility in their management of the Northern District setnet fishery by allowing them to de-couple the Eastern Sub-district from the General Sub-district for management actions, specifically with regard to 5AAC 21.358 (c).

### **Supporting Information and Data:**

Table 1. GSI estimate of the number of Susitna River sockeye commercially harvested in the Eastern Sub-district of the Northern District, 2006-2013.

| Year     | Eastern Sub-district |               |     |              | General Sub-district |               |     |              | Total Susitna Run |
|----------|----------------------|---------------|-----|--------------|----------------------|---------------|-----|--------------|-------------------|
|          | SusYen/JCL           | Total Harvest | %   | Harvest Rate | SusYen/JCL           | Total Harvest | %   | Harvest Rate |                   |
| 2006     | 1,716                | 9,305         | 18% | 0.40%        | ND                   | 3,159         | 30% | -            | 476,723           |
| 2007     | 1,260                | 9,222         | 14% | 0.20%        | ND                   | 8,265         | 30% | -            | 595,276           |
| 2008     | 3,612                | 16,652        | 22% | 0.80%        | 3,044                | 9,578         | 32% | 0.70%        | 462,179           |
| 2009     | 1,139                | 18,057        | 6%  | 0.30%        | 5,866                | 22,595        | 26% | 1.80%        | 332,279           |
| 2010     | 1,219                | 15,051        | 8%  | 0.40%        | 4,981                | 25,126        | 20% | 1.60%        | 311,265           |
| 2011     | 696                  | 9,945         | 7%  | 0.10%        | 10,610               | 25,515        | 42% | 1.90%        | 548,799           |
| 2012     | 1,399                | 10,765        | 13% | 0.40%        | 2,035                | 11,815        | 17% | 0.60%        | 327,150           |
| 2013     | 1,205                | 11,037        | 11% | 0.30%        | 5,526                | 12,386        | 45% | 1.30%        | 426,647           |
| Averages | 1,531                | 12,504        | 12% | 0.36%        | 5,344                | 14,805        | 30% | 1.32%        | 435,040           |

Figure 1. Map of the Northern District



The Susitna River is at the head of the General (western) Sub-district, entering Cook Inlet in its north-western corner. The Eastern Sub-district is on the other side of the inlet and is not geographically aligned with the Susitna river (Figure 1). This has long led Eastern sub-district fisherman to believe that they catch a minority of Susitna fish. GSI data of the commercial sockeye salmon harvest from 2006-2013 (Table 1) confirm this.

From 2006 to 2013 the average annual harvest of Susitna River sockeye salmon in the Eastern Sub-district of the Northern District was approximately 1,500 fish, representing only 12% of the Eastern Sub-district's total harvest. This means 88% of the fish caught in the Eastern Sub-district are bound for streams other than the Susitna - the system upon which the entire Northern District is currently being managed.

The same GSI data show that in the General Sub-district the average annual harvest of Susitna sockeye was approximately 5,300 fish – about 3.5 times the harvest of the Eastern Sub-district. However, within the NDSMP, restrictive actions to conserve Susitna River sockeye salmon lump the Eastern Sub-district together with the General Sub-district.

Additionally, and perhaps more pertinent, the GSI data show that on average, the Eastern Sub-district's total catch of Susitna River sockeye represents only 0.36% of the Susitna River's annual sockeye return (see Harvest Rate, Table 1).

### **Conclusion:**

Based on these GSI data, there should be allowance within the NDSMP for ADF&G to manage the Eastern and General sub-districts independently from each other, specifically with regard to subsection (c) of the plan. Since its adoption, this regulation has been used each season to require the Eastern Sub-district to be restricted to fishing with only 1 net/permit from July 20th through Aug 6th, which is the peak of the sockeye salmon run. The reason for this restriction is to conserve Susitna River sockeye salmon. However, as just noted, the GSI data in Table 1 show that the Eastern Sub-district harvests a statistically small number of sockeye salmon bound for the Susitna River, both as measured against Eastern Sub-district total harvests, or as the Harvest Rate of the total Susitna run.

The data are clear: The majority of the sockeye harvested by Eastern Sub-district fishermen are

bound for other systems (88%) and the impact of the Eastern Sub-district on the Susitna sockeye run is miniscule (0.36%).

Therefore, Eastern Sub-district fishermen should not be held to the restrictions outlined in subsection (c) to conserve a stock of which they harvest only a very small portion.

This is why I am proposing that with regard to subsection (c), the Eastern Sub-district should be de-coupled from the General Sub-district, removing this restriction and allowing these fishermen to simply continue to fish their two, regularly scheduled 12-hr periods per week with a full complement of gear.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

5 AAC 21.358 Northern District Salmon Management Plan

(c) From July 20 through August 6, if the department's assessment of abundance indicates that restrictions are necessary to achieve the escapement goal, the commissioner may, by emergency order, close the commercial set gillnet fishery in **the General District of** the Northern District and immediately reopen a season during which the number of set gillnets that may be used is limited to the following options selected at the discretion of the commissioner, except that from July 31 through August 6, the commissioner may allow the use of two set gillnets in that portion of the General District south of the Susitna River:

- (1) three set gillnets that are not more than 105 fathoms in aggregate length;
- (2) two set gillnets that are not more than 70 fathoms in aggregate length;
- (3) one set gillnet that is not more than 35 fathoms in length.

**Other solutions considered:**

1) Break down the GSI data further by each Northern District statistical area and de-couple specific statistical areas that catch a minority of Susitna sockeye stock. There are data reported in *Genetic Stock Identification of Upper Cook Inlet Sockeye Salmon Harvest, 2010* (Barclay, Habicht, Tobias, Willette. pp 12-13), showing that statistical areas 247-41, 247-42, and 247-43 in the General District (all three adjacent, and to the northeast of the mouth of the Susitna River) also harvest a minimal percentage of Susitna sockeye, as low as 3% of their annual catch. However, I only found these data reported for 2010.

2) Repeal subsection (c) of the NDSMP completely, based on the GSI data that show the very small percentage of Susitna drainage sockeye stocks harvested by all Northern District commercial fishermen (Total Harvest, Table 1).

3) Change the language of subsection (c) to give the commissioner more specific direction regarding the use of options (1), (2), and (3), so that option (2) may be a more realistic possibility - seeing as how it has never been used. This specific direction may come from specific conditions being met at the three weirs (JCL) the year before, or some averaging or combinations of several years past. And/or, it may need to involve specific direction from "other salmon abundance indices" as stated in the preamble to the NDSMP.

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**\*Submitted By:** Trevor E. Rollman

**Individual or Organization**

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**\*Home Phone**

**\*Work Phone**

**\*Email**

Original Proposal Currently Under Review

**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

**Proposals for this cycle are due April 11, 2016**

*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

- Subsistence     Personal Use  
 Sport             Commercial

**\*Which meeting would you like to submit your proposal to?**

- Lower Cook Inlet Area all Finfish             Upper Cook Inlet Area all Finfish  
 Kodiak Area all Finfish                             Statewide (except Southeast/Yakutat) King  
and Tanner Crab

**Please answer all questions to the best of your ability. All answers will be printed in the proposal book along with the proposer's name (address and phone numbers will not be published). Use separate forms for each proposal. Address only one issue per proposal. State the issue clearly and concisely. The board will reject multiple or confusing items.**

**1. Alaska Administrative Code Number 5 AAC**    5 AAC 39.222(d)(6)

**\*2. What is the issue you would like the board to address and why?**

The purpose of the Alaska Board Fisheries Policy for the Management of Sustainable Salmon Fisheries is “to ensure conservation of salmon and salmon's required marine and aquatic habitats, protection of customary and traditional subsistence uses and other uses, and the sustained economic health of Alaska's fishing communities.” 5 AAC 39.222(b). Under this policy, “salmon habitats should not be perturbed beyond natural boundaries of variation; ... all essential salmon habitat in marine, estuarine, and freshwater ecosystems ... should be protected; ... [and] salmon habitat in fresh water should be protected on a watershed basis, including appropriate management of riparian zones, water quality, and water quantity.” 5 AAC 39.222(c). Finally, in the face of uncertainty, the Board of Fish policies embrace a conservative precautionary approach toward salmon habitat management and protection. 5 AAC 39.222(c)(5).

The Chuitna River flows from the base of the Alaska Range into Upper Cook Inlet, and supports all five species of Pacific wild salmon in addition to resident fish. A Delaware corporation, PacRim Coal LLC, is now seeking permits to strip up to 30 square miles of the Chuitna River watershed to produce coal for export to Asian countries. Some salmon-bearing tributaries to the Chuitna River will be mined directly, and according to PacRim's Clean Water Act permit application, the proposed Chuitna coal strip mine will discharge an average of seven (7) million gallons of mine waste and run off to the Chuitna River drainage each day. Wide-scale wetlands destruction will irreparably alter the local hydrologic system, compromising its capacity to support adequate in-stream flow for fish and fish habitat.

In 2010, the Board of Fisheries designated the Chuitna River a “stock of concern” for King salmon. Unfortunately, the proposed permits and regulatory mechanisms currently available for the Chuitna coal mine will not protect Alaska fishery resources. For example, PacRim Coal's current plans call for mining directly through over a dozen miles of salmon habitat – down to depths of 350 feet or more. PacRim claims it can build new salmon streams when it's done, but no one has ever succeeded reclaiming wild salmon streams after such large-scale impacts. The draft Environmental Impact Statement for the project is due out in June 2016, with associated permits and authorizations occurring through 2017.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

This proposal requests the Board of Fisheries take action pursuant to 5 AAC 39.222(d)(6). That rule states that “where actions needed to regulate human activities that affect salmon and salmon's habitat that are outside the authority of the department or the board, the department or board shall correspond with the relevant authority, including the governor, relevant boards and commissions, commissioners, and chairs of appropriate legislative committees, to describe the issue and recommend appropriate action.” Id. Accordingly, this proposal requests the Board of Fish to (1) hold one or more public hearings where ADFG and other biologists testify on the baseline studies and anticipated fish habitat impacts related to the Chuitna coal strip mine;(2) correspond with the Commissioners of the Alaska Department of Natural Resources and Alaska Department of Fish & Game, and ensure that permits for the proposed Chuitna Coal Mine truly protect fish and fish habitat; and (3) oppose the proposed Chuitna coal strip mine if relevant agencies and the project proponent cannot show that wild fish and wild fish habitat will be adequately protected in the long term from coal strip mine development.

**\*Submitted By:** Cook Inletkeeper

**Individual or Organization**



**\*Home Phone**

**\*Work Phone**

**\*Email**

Currently Under Review  
Original Proposed



**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

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*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

X Subsistence      X Personal Use

X Sport              X Commercial

**\*Which meeting would you like to submit your proposal to?**

- |  |   |
|--|---|
| <input type="checkbox"/> Lower Cook Inlet Area all Finfish | X Upper Cook Inlet Area all Finfish   |
| <input type="checkbox"/> Kodiak Area all Finfish           | <input type="checkbox"/> Statewide (except Southeast/Yakutat)<br>King and Tanner Crab |

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**1. Alaska Administrative Code Number 5 AAC 39.XXX**

This proposal is for the Board of Fish to recommend the legislature clarify criteria for fish habitat permitting to better protect Cook Inlet's fisheries.

**\*2. What is the issue you would like the board to address and why?**

Cook Inlet includes both the most populated and heavily developed watersheds in Alaska as well as some of the state's largest intact salmon producing fresh water systems. As the Board of Fish Policy for the Management of Sustainable Salmon Fisheries has recognized, "in the aggregate, Alaska's salmon fisheries are healthy and sustainable largely because of abundant pristine habitat and the application of sound, precautionary, conservation management practices" 5 AAC 39.222(a)(1).

But the habitat of Cook Inlet faces combined impacts that require clearer regulation criteria to ensure continued access for Alaskans to Cook Inlet fisheries. As the state's economic hub, Cook Inlet drainages are subject to a variety of impacts to salmon habitat stemming from urbanization, non-renewable resource extraction and climate change. Operating under the precautionary principle, when specific criteria are guaranteed and planned for, development authorization should be encouraged, predictable, fair, simple, and reviewable.

Currently, Alaska's fish habitat permitting process (AS 16.05.871) lacks criteria necessary to determine whether permitting decisions will adequately protect salmon populations and related fish habitat from these threats in Cook Inlet. By law, an activity that will "use, divert, obstruct, or change the natural flow or bed of a specified river, lake or stream" requires a Fish Habitat Permit. AS 16.05.871(a). The Commissioner of the Department of Fish and Game is directed to issue the permit unless the plans for the proposed construction work are "insufficient for the proper protection of fish and game." AS 16.05.871(a). The problem is: neither the law nor regulation defines what is sufficient for the proper protection of fish and game and no review criteria exists to ensure that permitting decisions will protect resident and anadromous fish species and related fish-

dependent habitat processes. We propose that the Board of Fish address this problem.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

The Board of Fish developed the Sustainable Salmon Policy to “ensure conservation of salmon and salmon’s required marine and aquatic habitats, protection of customary and traditional subsistence uses and other uses, and the sustained economic health of Alaska’s fishing communities.” 5 AAC 39.222(b). This policy specifically identifies the importance of conserving fish habitat to maintain healthy salmon populations and recognizes that habitat related permitting decisions may impact the sustainability of the state’s strong salmon fisheries.

Elements of this body’s Sustainable Salmon Policy should be incorporated into Title 16 and applied to ADF&G permitting decisions. We propose that the Board of Fish recommends that the Alaska Legislature amend Title 16 to require the Alaska Department of Fish and Game to comply with the principles and criteria in the Board of Fish’s Sustainable Salmon Policy whenever it issues a Fish Habitat Permit pursuant to AS 16.05.871.

**\*Submitted By:** Lindsey Bloom, Fisheries Consultant, on behalf of authors listed below  
**Individual or Organization**

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**\*Home Phone**

**\*Work Phone**

**\*Email**

Board of Fish Proposal Authors

**Marc Lamoreaux PhD (Land and Environment Director)**

**Joel Cooper (Personal Use Fisherman)**

**Benjamin Jackinsky (Eastside Setnet Permit Holder)**

**Rob Ernst (Eastside Setnet Permit Holder)**

**Willow King (Eastside Setnetter)**

**Heidi Wild (Sportfish, Wild on the Fly Custom Flyrods)**

**Mike Wood (Westside Setnet Permit Holder)**

**Israel Mahay (Commercial Guide on upper Susitna)**

**Steve Harrison Jr. (Westside Setnet Permit Holder)**

**Dave Atcheson (Sport fisherman)**

**Bruce King (Retired ADFG Biologist)**

**Dave Athons (Retired ADFG Biologist)**

Original Proposal Currently Under Review

**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

Proposals for this cycle are due April 11, 2016

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 Sport             Commercial

**\*Which meeting would you like to submit your proposal to?**

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1. Alaska Administrative Code Number 5 AAC \_\_\_\_\_

**\*2. What is the issue you would like the board to address and why?**

Windows - a failed allocation

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

Eliminate windows.  
 The reason for windows has not put more fish in the river. The affect of windows has been only to hamstring our talented fishery managers. When fish are present the fishery should be open.

**\*Submitted By:** John McCoy  
 Individual or Organization



\*Home Phone

Work Phone

Thank you

**REGULATION PROPOSAL FORM for the  
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1. Alaska Administrative Code Number 5 AAC \_\_\_\_\_

**\*2. What is the issue you would like the board to address and why?**

Eliminate paired restriction (ESSN+In-River Fishery)  
 The only similarity in these fisheries is the mutual antagonism which paired restrictions have only enhanced. This in 2014 was a board generated allocation proposal

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

Paired restrictions are not necessary in times of abundance.  
 In times of shortage managers can make in season adjustments.  
 We have many capable biologists on staff

\*Submitted By: John McComb  
 Individual or Organization



\*Home Phone

\*Work Phone

\*Email

Thank you.

REGULATION PROPOSAL FORM for the ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE P.O. BOX 115526, JUNEAU, ALASKA 99811-5526

Proposals for this cycle are due April 11, 2016

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BOARD OF FISHERIES REGULATIONS

- Subsistence Personal Use Sport Commercial

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1. Alaska Administrative Code Number 5 AAC 21.753 - A - F

\*2. What is the issue you would like the board to address and why?

Drift Fishery - Area H area restriction 2014 restriction was wasteful, costly to fishermen + processors, board general

\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)

Drift Fishery open Inlet wide 7-7 Mondays + Thursdays Additional time in restricted areas based on test boat data + abundance

\*Submitted By: John McCombs Individual or Organization



\*Home Phone

\*Work Phone

\*Email

Thank you.

REGULATION PROPOSAL FORM for the ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE P.O. BOX 115526, JUNEAU, ALASKA 99811-5526

Proposals for this cycle are due April 11, 2016

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1. Alaska Administrative Code Number 5 AAC 21.353(e)

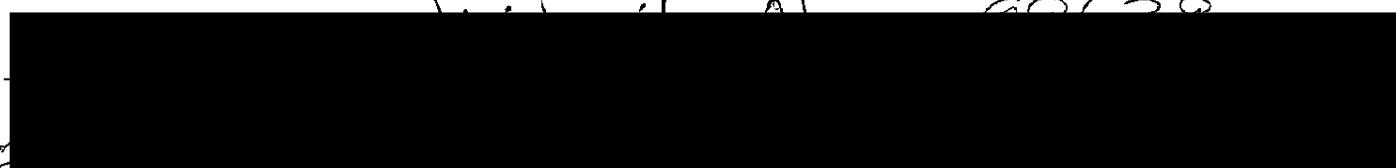
\*2. What is the issue you would like the board to address and why?

1st Rule Drift & Set Net

\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)

Alaska harvestable surplus is wasted, early closures and late returns equal wasted harvestable surplus. Repeal the 1st Rule

\*Submitted By: John McCombs Individual or Organization



\*Home Phone \*Work Phone \*Email

Thank you.

**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
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1. Alaska Administrative Code Number 5 AAC 39222(a)

\*2. What is the issue you would like the board to address and why?

Habitat Report Shows habitat loss. No action has been taken since 1997 zero net loss of habitat Dr. White. Guides, fly netters, and in-river traffic all remain unlimited. Why? No kings.

\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)

Make Tenai River drift boat only supposed by the whole river is a park.

\*Submitted By: John McCombs  
Individual or Organization



\*Home Phone

\*Work Phone

\*Email

Thank you.





\*Submitted By: John M. Johanson  
Individual or Organization



\*Home Phone

\*Work Phone

\*Email

Original Proposal Currently Under Review

**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

Proposals for this cycle are due April 8, 2016

*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

- Subsistence     Personal Use  
 Sport             Commercial

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**1. Alaska Administrative Code Number 5 AAC    5 AAC 28.130(a)**

**\*2. What is the issue you would like the board to address and why?**

Several of the Southern Southeast Sablefish longline permit holders have not been able to harvest their quota and thus have not been able to realize the economic benefits of their permits because of marine mammal interaction. Changing the timing and use of different gear types would minimize the loss of black cod due to marine mammal interaction, cut down on bycatch, cut down on smaller fish, cut down on bait costs, and finally, have less waste due to hagfish and sand flea issues.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

The solution that I recommend is to allow sablefish permit holders for the Southern Southeast Area to fish using longline gear or pots at their discretion. Currently there are a grand total of 22 permit holders, but 19 of those must use longline gear.

Administrative code sections should read as follows:

5 AAC 28.130(a) Lawful gear for Eastern Gulf of Alaska Area

In the Northern Southeast Inside Subdistrict, the Southeast Outside Subdistrict, and the East Yakutat District, sablefish may be taken only with longlines. In the Southern Southeast Inside Subdistrict, sablefish may be taken only with longlines **and pots. Permit holders have the option to use either type of gear at their discretion during the time specified in 5AAC 28.110(a)(2)**

*John M. Johanson*

John M. Johanson

**\*Submitted By:** \_\_\_\_\_  
**Individual or Organization**



**\*Home Phone**

**\*Work Phone**

**\*Email**

Original Proposal Currently Under Review

1

**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

**Proposals for this cycle are due April 11, 2016**

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|  |  |            |
|--|--|------------|
| <b>BOARD OF FISHERIES REGULATIONS</b>  |  |            |
| <input type="checkbox"/> Subsistence   | <input type="checkbox"/> Personal Use  |            |
| <input type="checkbox"/> Sport   | <input checked="" type="checkbox"/> Commercial                                     |            |
| <b>*Which meeting would you like to submit your proposal to?</b>   |  |            |
| <input type="checkbox"/> Lower Cook Inlet Area all Finfish   | <input checked="" type="checkbox"/> Upper Cook Inlet Area all Finfish              |            |
| <input type="checkbox"/> Kodiak Area all Finfish   | <input type="checkbox"/> Statewide (except Southeast/Yakutat) King and Tanner Crab |            |
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| <b>1. Alaska Administrative Code Number 5 AAC</b>  |  | 21.310 XXX |
| <b>*2. What is the issue you would like the board to address and why?</b><br>1% rule by Section. Arbitrary demarcation date by Sections by harvest relative to escapements. In addition arbitrary time limitations under 5AAC 21.359, along with CPUE fraction ratio on harvest of pink salmon under 5AAC 21,354. In addition use of the KRSHA in July has created conflict and transfer of harvestable surplus sockeye salmon stocks. |  |            |
| <b>*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)</b><br><br>Add new provision in 21.310 (b) (C) (iv) stat area 244-31 is part of 244-42 on or after July 20 <sup>th</sup> .  |  |            |

**\*Submitted By:** Brandie Ware

**Individual or Organization**

**\*Add**

**\*Home Phone**

**\*Work Phone**

**\*Email**

**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

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|---|--|--|
| <b>BOARD OF FISHERIES REGULATIONS</b>   |  |  |
| <input type="checkbox"/> Subsistence  | <input type="checkbox"/> Personal Use  |  |
| <input type="checkbox"/> Sport  | <input checked="" type="checkbox"/> Commercial                                     |  |
| <b>*Which meeting would you like to submit your proposal to?</b>  |  |  |
| <input type="checkbox"/> Lower Cook Inlet Area all Finfish  | <input checked="" type="checkbox"/> Upper Cook Inlet Area all Finfish              |  |
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| <b>1. Alaska Administrative Code Number 5 AAC</b> <u>21.310</u>   |  |  |
| <b>*2. What is the issue you would like the board to address and why?</b><br>If the department estimates that 50,000 sockeye salmon are in the Kasilof River before June 25, but on or after June 20 the commissioner may immediately, by emergency order, open the fishery.<br><br>However somehow conflict between department divisions has occurred and stalls the implementation. Including not "immediately" implementing opening somehow over Kenai early-run king salmon when 0 or perhaps 2 would be caught but cause historical sockeye escapement rates before July 8 <sup>th</sup> and increased the likelihood that the department will not manage within the BEG range based on run timing and run strength. |  |  |
| <b>*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)</b><br><br>Amend (b) (2) (C) (i): If the department estimates that 50,000 sockeye salmon are in the Kasilof River before June 25, but on or after June 20 the commissioner shall [may] immediately, by emergency order, open the fishery;...   |  |  |

**\*Submitted By:** Jeff Beaudoin  
**Individual or Organization**

**\*Add**

**\*Home Phone**

**\*Work Phone**

**\*Email**

1

**REGULATION PROPOSAL FORM for the  
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|   |
|---|
| <b>BOARD OF FISHERIES REGULATIONS</b><br><input type="checkbox"/> Subsistence <input type="checkbox"/> Personal Use<br><input type="checkbox"/> Sport <input checked="" type="checkbox"/> Commercial  |
| <b>*Which meeting would you like to submit your proposal to?</b><br><input type="checkbox"/> Lower Cook Inlet Area all Finfish <input checked="" type="checkbox"/> Upper Cook Inlet Area all Finfish<br><input type="checkbox"/> Kodiak Area all Finfish <input type="checkbox"/> Statewide (except Southeast/Yakutat) King and Tanner Crab   |
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| <b>1. Alaska Administrative Code Number 5 AAC</b> _____ 21.260  |
| <b>*2. What is the issue you would like the board to address and why?</b><br>Consecutive and repeated spawning escapement that exceed the upper SEG ranges on runs above 2.3 million while not maintaining or evenly distributing sockeye salmon escapements within the range.<br><br>In addition, the three tier inriver goal ranges are misrepresented in current regulations in a number of ways. For example, the first tier table (ADFG, RC 213) Bendix to DIDSON was correctly stated as 850,00 (700,000 plus 150,000) – 1,050,000 as the inriver allocation was set as 150,000 on runs less than 2.3 million while the second and third tier was incorrectly formatted upwards from the inriver allocations considered by the BOF. Compounding the issue is the SEG range of 700,000 – to 1,200,000 in DIDSON units was rounded up at the upper range in 100,000 units instead of 50,000 increments; i.e. the upper SEG range should be closer expressed at 1,100,000 spawners instead.<br><br>The Kenai late-run sockeye salmon goal was managed for decades under one inriver goal range which clearly presented the missions and duties to the department to manage to within the BEG/SEG escapement goal range. The risk on Yield, the Sustained Yields within the SEG range are expressed biologically and scientifically to maintain recruitments of 4 to 5 recruits per spawner. Instead, risk increased to diminished Yields (2 recruits per spawner) when exceeding the upper range which has occurred regularly under the tiers.<br><br>The third tier has only caused the department to exceed the upper end of the SEG range and further caused a complete inability to manage to within the range or mid-point of the SEG range. Furthermore the inriver sport allocation on runs above 4.6 million is not affected with the third tier removed, in fact by doing so places spawning escapements within the established SEG range.<br><br>The Board needs to address habitat loss for appropriate modification of the Kenai River late-run sockeye salmon inriver goal. |

2/

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

Reformat the provisions to express two management inriver goal ranges and delete third tier in management.

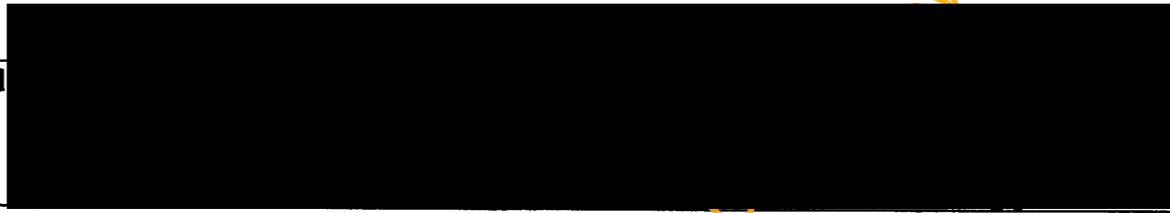
Amend to achieve an inriver goal range of 850,000 – 1,050,000 late-run sockeye salmon on runs under 2.3 million. Runs greater than 2.3 million an inriver goal range of 950,000 – 1,150,000.

**\*Submitted** Mark Ducker, Jeff Beaudoin

**By:**

\_\_\_\_\_  
**Individual or Organization**

**\*Add**



**\*Home Phone**

**\*Work Phone**

**\*Email**

Original Proposal Currently **view**



**\*Submitted By:** Brandie Ware  
**Individual or Organization**

2

**\*Add**



**\*Home Phone**

**\*Work Phone**

**\*Email**

Original Proposal Currently Under Review

**REGULATION PROPOSAL FORM for the  
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**BOARD OF FISHERIES REGULATIONS**

- Subsistence                       Personal Use  
 Sport                              **XX** Commercial

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 Kodiak Area all Finfish                                       Statewide (except Southeast/Yakutat) King  
and Tanner Crab

Please answer all questions to the best of your ability. All answers will be printed in the proposal book along with the proposer's name (address and phone numbers will not be published). Use separate forms for each proposal. Address only one issue per proposal. State the issue clearly and concisely. The board will reject multiple or confusing items.

**1. Alaska Administrative Code Number 5**

**AAC**

21.310

**\*2. What is the issue you would like the board to address and why?**

The 1% "rule" was attached to the Kenai River Coho conservation plan which has been repealed for nearly a decade. The ESSN harvest of Kenai bound coho is less than 3% of the total average runs. There is no conservation concerns over this stock and the ESSN foregone millions in annual salmon harvests under the former Coho plan due to one poor return year in the mid 1990's.

The 1% rule makes no sense in mandating a CFEC permit holder to no salmon harvest while all sockeye salmon escapement goals have been met or exceeded due to prescriptive closures. Sport fishermen remain opened for a number of stocks year round, including months of coho fishing opportunity to November. Conservation is not defined by a 3 or 4% exploitation rate limited solely upon commercial fisheries alone when no Guideline Harvest Levels exist when coho stocks can be exploited at 63% with Sustained Yields. Run timing has proven over 17% of the sockeye run occurs in August and there is no reason to assume the department or anyone can predict what happens in August during any given year from one day to the next or one week to the next.

This is nothing more than an anti commercial fishing provision and fishery conflict proviso to create economic harm. The Board and Department have a responsibility to reduce fishery conflicts and promote fishing that support fishing communities who depend on the salmon resources of this state.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

Amend and delete: (b) (C) (iii) after the words: the season will close August 15<sup>th</sup>, unless closed earlier by emergency order [after July 31, if ...until 11:59 p.m.]

**\*Submitted  
By:**

Mark Ducker

**Individual or Organization**

**\*Add**



**\*Home Phone**

**\*Work Phone**

**\*Email**

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Original Proposal Currently Under Review





**\*Submitted By:** Jeff Goodman  
**Individual or Organization**

**\*Add**



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**\*Home Phone**

**\*Work Phone**

**\*Email**

Original Proposal Currently Under Review

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**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

Proposals for this cycle are due April 11, 2016

*\*Indicates a required field*

|   |  |  |
|---|--|--|
| <b>BOARD OF FISHERIES REGULATIONS</b>   |  |  |
| <input type="checkbox"/> Subsistence  | <input type="checkbox"/> Personal Use  |  |
| <input type="checkbox"/> Sport  | <input checked="" type="checkbox"/> Commercial                                     |  |
| <b>*Which meeting would you like to submit your proposal to?</b>  |  |  |
| <input type="checkbox"/> Lower Cook Inlet Area all Finfish  | <input checked="" type="checkbox"/> Upper Cook Inlet Area all Finfish              |  |
| <input type="checkbox"/> Kodiak Area all Finfish  | <input type="checkbox"/> Statewide (except Southeast/Yakutat) King and Tanner Crab |  |
| <b>Please answer all questions to the best of your ability. All answers will be printed in the proposal book along with the proposer's name (address and phone numbers will not be published). Use separate forms for each proposal. Address only one issue per proposal. State the issue clearly and concisely. The board will reject multiple or confusing items.</b> |  |  |
| <b>1. Alaska Administrative Code Number 5 AAC</b> _____ 21.365  |  |  |
| <b>*2. What is the issue you would like the board to address and why?</b><br>The KRSHA and the redistribution / reallocation of sockeye to the KRSHA contrary to the Kasilof River sockeye salmon preamble and contrary to Board Finding on KRSHA.  |  |  |
| <b>*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)</b><br><br>Amend language under (c) (4) to reflect:<br><br>The KRSHA cannot open prior to July 25 <sup>th</sup> if an unforeseen run event similar to 1985 does not occur.       |  |  |

**\*Submitted By:** Dan Ducker

**By:** \_\_\_\_\_  
**Individual or Organization**

**\*Address:** \_\_\_\_\_

**\*Home Phone**                      **\*Work Phone**                      **\*Email**

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**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

**Proposals for this cycle are due April 11, 2016**

*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

- Subsistence                       Personal Use  
 Sport                               Commercial

**\*Which meeting would you like to submit your proposal to?**

- Lower Cook Inlet Area all Finfish                       Upper Cook Inlet Area all Finfish  
 Kodiak Area all Finfish                                       Statewide (except Southeast/Yakutat) King  
and Tanner Crab

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**1. Alaska Administrative Code Number 5  
AAC**

21365

**\*2. What is the issue you would like the board to address and why?**

The issue is the 600 ft. opening provision in the Kasilof plan. Direct EO abuse and use of the 600 ft provision that was outside the intent of the Board over one-half mile openings in the Kasilof section.

The provision in the current plan is attached to a management objective, the commissioner can open to 600 ft and further restrict area waters normally open in order to meet the minimum Kenai late-run sockeye goal if necessary.

However, the Commissioner's EO were repeatedly used to "reduce Kasilof River sockeye escapements." Including, one opening to within 600 ft. to reduce both Kasilof sockeye escapement and conserve Kenai late-run king salmon when the Department projected the Kenai late-run king salmon in-river goal was well over 22,500 fish during the EO order dated July 21, 2015 and when the in-river run projection was above 28,800 fish

In fact, the one half-mile opening caught six times the number of sockeye and less Kenai late-run king salmon. In fact, the Kasilof escapement goal was exceeded and repeatedly occurred over the last 5 years. Clearly, in the past the Department only utilized one-half mile openings and consistent with the BOF intent within the KRSHA states: Before the commissioner opens the KRSHA, it is the Boards intent that additional fishing time be allowed in the remainder of the Kasilof Section first"...

And, clearly under (c) (4) after July 8, if the Kasilof Section set gillnet fishery is restricted to within first one-half mile of shore, the commissioner may open the KRSHA... However, this directive was abused as an EO half-mile opening occurred well after the KRSHA being opened.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

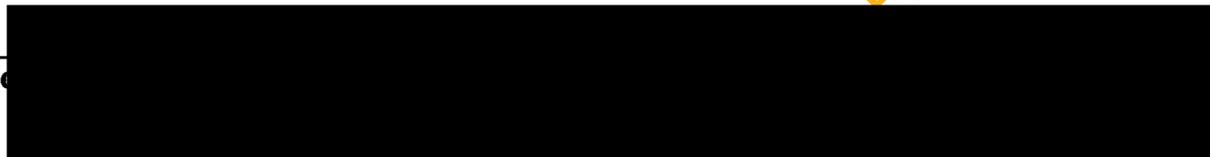
Amend and delete (c) (3) after [“if the commissioner determines that further restrictions are necessary to aid in achieving the lower end of the Kenai River escapement goal, the commissioner may, in an emergency order under this paragraph, further restrict fishing to within 600 feet of the high tide mark in the Kasilof Section.]

Amend (c) (4) that if the KRSHA opens, it shall be in conjunction with opening at the least one-half mile from shore in the Kasilof Section.

**\*Submitted By:** Dan Ducker

\_\_\_\_\_  
**Individual or Organization**

**\*Address**



**\*Home Phone**

**\*Work Phone**

**\*Email**

Original Proposal Currently Under Review

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**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

**Proposals for this cycle are due April 11, 2016**

*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

- Subsistence     Personal Use  
 Sport             Commercial

**\*Which meeting would you like to submit your proposal to?**

- Lower Cook Inlet Area all Finfish             Upper Cook Inlet Area all Finfish  
 Kodiak Area all Finfish                             Statewide (except Southeast/Yakutat) King  
and Tanner Crab

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**1. Alaska Administrative Code Number 5 AAC \_\_\_\_\_ 21.365.**

**\*2. What is the issue you would like the board to address and why?**

The KRSHA and Kasilof escapement. It is in conflict with the BOF intent to harvest salmon in fisheries that have historically harvested them) including the methods, means, times, and locations of those fisheries.

Created fisheries conflicts, quality of the resource lowered, and lowers the economic benefit (ex-vessel price) within the fisheries.

"Fishing time allocated in the current management plan prior to July 9 is not sufficient to harvest excess fish (two regular periods plus up to 48 hours of additional EO time. The window closure has been problematic during that period of time large passage rates have occurred. These two factors have kept the department from being able to manage for the escapement goal."

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

1/ Reduce the closed fishery period from 36 hours (Friday window) to a minimum 24 hours prior to July 9<sup>th</sup> and increase the allowable EO fishing time from 48 to 63 hours. 'This would provide the department the ability to manage for the Kasilof River sockeye salmon BEG prior to Kenai River sockeye salmon stocks entering the fishery.'

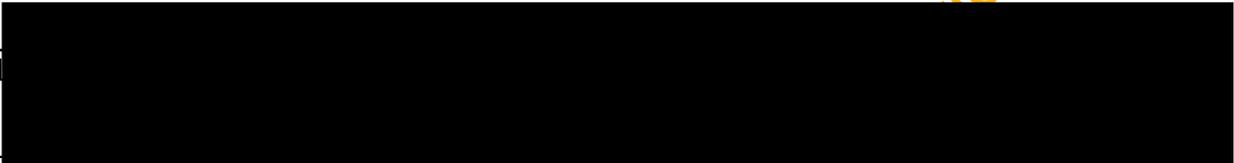
2/ 'Beginning July 9, the set gillnet fishery in the Kasilof Section is managed in concert with the Kenai ad East Forelands sections. The date of July 9 may be too early to manage the Kasilof River sockeye salmon stock based on Kenai River sockeye salmon run strength. Begin managing the Kasilof River in concert with the Kenai and East Forelands sections July 15<sup>th</sup> instead of July 9. This would provide additional time to harvest Kasilof River sockeye salmon prior to the arrival of the majority of the Kenai River sockeye salmon entering the fishery.'

2/

3/ Provide an additional 24 hours of fishing time within one-half mile in the Kasilof Section after July 8. Currently, after July 15<sup>th</sup>, if the department determines that the Kenai River late-run sockeye salmon run strength is less than 2,300,000 and the 390,000 optimal escapement goal for the Kasilof River sockeye salmon may be exceeded, the commissioner may, by emergency order, open fishing for an additional 24 hours per week in the Kasilof Section within one-half mile of shore and as specified in 5 AAC 21.360 (c). Note: "this date and the additional time may not be sufficient to harvest Kasilof sockeye."

**\*Submitted By:** Mark Ducker  
**Individual or Organization**

**\*Add**



**\*Home Phone**

**\*Work Phone**

**\*Email**

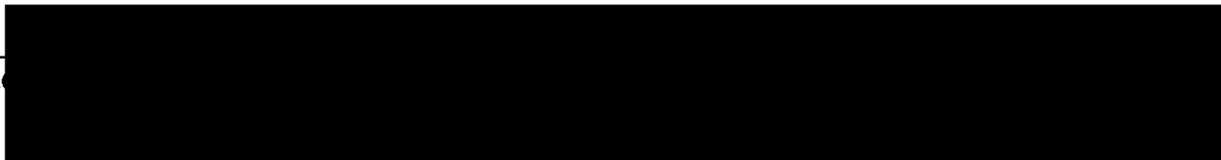
Original Proposal Currently Under Review



**\*Submitted By:** Jeff Beaudoin  
**Individual or Organization**

2/

**\*Address**



**\*Home Phone**

**\*Work Phone**

**\*Email**

Original Proposal Currently Under Review

**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

**Proposals for this cycle are due April 11, 2016**

*\*Indicates a required field*

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| <b>BOARD OF FISHERIES REGULATIONS</b>  |  |
| <input type="checkbox"/> Subsistence   | <input type="checkbox"/> Personal Use  |
| <input type="checkbox"/> Sport   | <input checked="" type="checkbox"/> Commercial                                     |
| <b>*Which meeting would you like to submit your proposal to?</b>   |  |
| <input type="checkbox"/> Lower Cook Inlet Area all Finfish   | <input checked="" type="checkbox"/> Upper Cook Inlet Area all Finfish              |
| <input type="checkbox"/> Kodiak Area all Finfish   | <input type="checkbox"/> Statewide (except Southeast/Yakutat) King and Tanner Crab |
| <p><b>Please answer all questions to the best of your ability. All answers will be printed in the proposal book along with the proposer's name (address and phone numbers will not be published). Use separate forms for each proposal. Address only one issue per proposal. State the issue clearly and concisely. The board will reject multiple or confusing items.</b></p>   |  |
| <b>1. Alaska Administrative Code Number 5 AAC</b>  | <u>21.359</u>  |
| <p><b>*2. What is the issue you would like the board to address and why?</b></p> <p>Difficulty in the management of large runs of sockeye salmon due to inability of ADFG to distribute escapements evenly within the SEG and BEG sockeye salmon ranges established by the Department and Board. Yield / Recruitment - lost harvest and future lost benefit on Kasilof sockeye salmon and Kenai River late-run sockeye estimated at over 5 million sockeye salmon within the last five years.</p> <p>The 2014 (2015 in-season) Kenai late run chinook projected inriver run goal of 22,500 from July 1- July 31 does not "benefit Cook Inlet fisheries." The 7500 chinook 'allocation' above the minimum goal was subjectively written that impedes commercial fisheries management. The projected mid-point of the Kenai River late-run king salmon changed from July 20<sup>th</sup> to July 28<sup>th</sup> while the directed in-river sport fishery closes July 31. However, the mid-point on Kenai late-run sockeye salmon is July 23<sup>rd</sup> and July 14<sup>th</sup> for Kasilof River sockeye salmon escapements.</p> <p>Kenai late-run Chinook salmon SEG goal of 15,000 – 30,000 included 3,000 fish above the 90% MSY range of 12,000 – 27,000 in the escapement goal review (run reconstruction / Fleischman and McKinley 2013). Yet, 'sustained yield is maximized between 15,000 - 19,000 spawners'. Escapement of 15,000 represent returns (R) of 50,060 with Sustained Yield (SY) of 35,060. Escapement of 19,000 represents return (R) of 55,670 with Sustained Yield (SY) of 36,670, "Conservation" includes the 'full utilization' of salmon harvest levels and incorporates 90%MSY rule under escapement goals. Overfishing (OF) definitional standards – less than 80%MSY (9,600 escapements) produces 29,000 Sustained Yields (SY) with median returns of 38,000.</p> <p>Furthermore, from August 1 through August 15<sup>th</sup> when the minimum goal of 15,000 been met – instead, a capricious spawning goal of 22,000 now in effect with closure times on the commercial eastside sockeye salmon fishery if between 16,500 – 22,000 is estimated by July 31 even when the directed inriver sport fishery normally is ended. There is no other escapement goal within the state that operates this way. In fact, by default directs commercial fishery managers to manage for an escapement goal of 22,000 instead of in-river goal during the month of July. Instead, Chinook goals elsewhere are stated by the Department as "achieved when the</p> |  |

minimum goal is met within the escapement goal range (SEG, BEG, or SET).”

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**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

(c) amend From July 1 through July 31, if the projected inriver run of late-run king salmon is less than 19,000 [22,000], in order to achieve the sustainable escapement goal and provide reasonable harvest opportunity, the commissioner may, by emergency order, **under AS 16.05.060 use this authority to achieve established salmon escapement goals described and as directed under (j).** Delete [establish fishing seasons as follows]; delete: (e) (3) (A), (e) (3) (A) (i), (ii); (e) (B).

(f) repeal (delete)

**\*Submitted By:** Jeff Beaudoin  
**Individual or Organization**

**\*Add**



**\*Home Phone**

**\*Work Phone**

**\*Email**

Original Proposal

Under Review

**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

**Proposals for this cycle are due April 11, 2016**

*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

- Subsistence     Personal Use  
 Sport             Commercial

**\*Which meeting would you like to submit your proposal to?**

- Lower Cook Inlet Area all Finfish             Upper Cook Inlet Area all Finfish  
 Kodiak Area all Finfish                             Statewide (except Southeast/Yakutat) King  
and Tanner Crab

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**1. Alaska Administrative Code Number 5 AAC    77.015 and 77.591**

**\*2. What is the issue you would like the board to address and why?**

Personal use permits are required to be returned in timely manner. The Department states "failure to do so under 5AAC 77.105 (c) subject to \$200.00 fine and loss of personal use fishing privileges." Furthermore, "provisions and conditions must be met" under 5AAC 77.591 (d). Also described under AS 16.05,165 (b).

In the past 5 years 20% annually of all personal use salmon permits have not been returned nor any fines collected. In fact, no privileges were lost contrary to law. In 2015 alone the State under Sport Fish Division's failure to notify the Department of Public Safety - allowed \$1,500,000 in fines to be foregone and allows infractions to continue unabated. Since 1999 well over \$16,000,000 in fines not pursued. The reporting date is specified on the personal use permit.

5 AAC 77.002: "a person who violates a provision in this chapter is strictly liable for the offense, regardless of that person's intent."

No other fisheries Sport or Commercial allows for non-compliance of reporting requirements.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

The Department will provide Department of Public Safety a list of all permits and names 30 days after non-compliance.

**\*Submitted By:** Peter Melenchek  
**Individual or Organization**

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**\*Add**



**\*Home Phone**

**\*Work Phone**

**\*Email**

Original Proposal Currently Under Review

**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

**Proposals for this cycle are due April 11, 2016**

*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

- Subsistence     Personal Use  
 Sport             Commercial

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**1. Alaska Administrative Code Number 5 AAC 60.120**

**\*2. What is the issue you would like the board to address and why?**

The Little Susitna coho salmon escapement of 10,100 to 17,700 has exceeded the goal in 14 of 25 years by an average of 14,000 coho and only achieved the goal in 7 years. This system can not be managed with restrictions in the commercial fishery to pour more and more coho into this stream to achieve the escapement goal. It is obvious that the commercial restrictions are unnecessary and unwarranted in well over half of the years wasting hundreds of thousands of coho as well as sockeye, pink and chum salmon. In only 5 of 25 years of data was the goal not achieved, missing the lower end by an average of only 3,300 coho. This system is basically unmanaged and this needs to change. By reducing the bag limit back to one until the run is assessed and then liberalizing the goal to two or three coho and allowing for a more liberal harvest in the commercial fisheries all stocks will benefit without undue hardships being applied to any one group. Since the catch and release mortality is 70 percent catch and release should be illegal as it is really wanton waste. When you consider the fact that the Little Susitna is and index of other coho stocks, most with much less of an inriver exploitation the amount of overescapement, lost harvest and reduced production is staggering. A companion proposal has been submitted under commercial regulations.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

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

(2) salmon, other than king salmon,

(A) 16 inches or greater in length may be taken from January 1 - December 31; bag and possession limit is **two** [THREE] fish, of which no more than **one** [TWO] per day and **one** [TWO] in possession may be coho salmon; if retention of coho salmon is allowed under this chapter, **all coho salmon must be retained and there will be no catch and release fishing for coho salmon;** [A COHO SALMON 16 INCHES OR GREATER IN LENGTH 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];

\*Submitted By: EARL YOUNG

Individual or Organization



\*Home Phone

\*Work Phone

\*Email

Original Proposal Currently Under Review

**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

**Proposals for this cycle are due April 8, 2016**

*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

- Subsistence     Personal Use  
 Sport             Commercial

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**1. Alaska Administrative Code Number 5 AAC    21.353 (a) through (f)**

**\*2. What is the issue you would like the board to address and why?**

Both the Board and department are charged with conservation and development of fisheries which has been defined as managing for escapement goals and sustained yield. The Board has put in place the most restrictive and unmanageable management plans in Cook Inlet in an effort to give nearly exclusive use of coho stocks in Cook Inlet to sport fishing interests. The department has failed to react inseason or to submit proposals to correct this excessive waste of the resources they are charged to protect. The need and success of this "experiment" is readily apparent when you look at the Little Susitna Coho salmon catch and escapement data. One of only two escapement goals for coho salmon in Cook Inlet where approximately 1,000 coho stocks are known.

The Little Susitna coho salmon escapement of 10,100 to 17,700 has exceeded the goal in 14 of 25 years by an average of 14,000 coho and only achieved the goal in 7 years. This system can not be managed with restrictions in the commercial fishery to pour more and more coho into this stream to achieve the escapement goal. It is obvious that the commercial restrictions are unnecessary and unwarranted in well over half of the years wasting hundreds of thousands of coho as well as sockeye, pink and chum salmon. In only 5 of 25 years of data was the goal not achieved, missing the lower end by an average of only 3,300 coho. This system is basically unmanaged and this needs to change. When you consider the fact that the Little Susitna is and index of other coho stocks, most with much less of an inriver exploitation the amount of overescapement, lost harvest and reduced production is staggering. Therefore, this proposal seeks to modify the overly restrictive provisions within the Central District Drift Gillnet Fishery Management Plan in order to: allow for flexible inseason management, provide a reasonable opportunity to harvest abundant sockeye, pink and chum salmon; and to provide adequate protection to northern bound sockeye salmon and coho salmon and Kenai River coho salmon. A companion proposal has been submitted under sport fishing regulations.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

**(Repeal and Readopt)**

**5 AAC 21.353 Central District Drift Gillnet Fishery Management**

(a) The purpose of this management plan is to direct the harvest of surplus salmon in the Central District of UCI by the drift gillnet fishery. The department shall manage the drift gillnet fishery to harvest sockeye, pink and chum salmon stocks in UCI surplus to the escapement needs in order to achieve the various escapement goal ranges for these stocks. This plan does not provide for additional fishing periods directed at Susitna River, Little Susitna River or Kenai River coho salmon stocks. The department shall manage the Central District commercial drift gillnet fishery as follows.

(b) The fishery will be open for regular weekly fishing periods as described in 5 AAC 21.320(b). The fishing season will open the third Monday in June or June 19, whichever is later.

(c) From July 1 through August 15,

(1) Fishing will be allowed with drift gillnets as described in 5 AAC 21.320(b)(1).

(2) The fishing periods set forth in (1) of this subsection may be modified by emergency order based on the abundance of sockeye, pink and chum stocks.

(d) If additional fishing time is necessary to harvest surplus salmon it will be allowed in one or more of the following areas based on inseason salmon abundance by stock:

(1) Expanded Kenai Section

(2) Expanded Kasilof Section

(3) Anchor Point Section

(4) Drift Gillnet Area 1

(5) Central District

(e) From August 16 until closed by emergency order, drift gillnetting will be allowed in all waters of the Central District except those within 5 nautical miles of the Kenai Peninsula shoreline during regular fishing periods.

\*Submitted By:

*CHRIS GARCIA*

Individual or Organization

\*Home Phone

\*Work Phone

\*Email



(b) The Kenai River late-run sockeye salmon commercial, sport, and personal use fisheries shall be managed to

(1) achieve inriver goals as established by the board and measured at the Kenai River sonar counter located at river mile 19; and

(3) Distribute the escapement of sockeye salmon evenly within the SEG range, in proportion to the size of the run.

(c) Based on preseason forecasts and inseason evaluations of the total Kenai River late-run sockeye salmon return during the fishing season, the run will be managed as follows:

(1) at run strengths of less than 2,300,000 sockeye salmon,

(A) the department shall manage for an inriver goal range of 900,000 - 1,100,000 sockeye salmon past the sonar counter at river mile 19; and

(B) subject to the provisions of other management plans, the Upper Subdistrict set gillnet fishery will fish regular weekly fishing periods, as specified in 5 AAC 21.320, through July 20, unless the department determines that the minimum inriver goal will not be met, at which time the fishery shall be closed or restricted as necessary;

(2) at run strengths of 2,300,000 - 4,600,000 sockeye salmon,

(A) the department shall manage for an inriver goal range of 1,000,000 - 1,200,000 sockeye salmon past the sonar counter at river mile 19;

(B) subject to the provisions of other management plans, the Upper Subdistrict set gillnet fishery will fish regular weekly fishing periods, as specified in 5 AAC 21.320, through July 20, or until the department makes a determination of run strength, whichever occurs first; if the department determines that the minimum inriver goal will not be met, the fishery shall be closed or restricted as necessary;

(3) at run strengths greater than 4,600,000 sockeye salmon,

(A) the department shall manage for an inriver goal range of 1,100,000 - 1,350,000 sockeye salmon past the sonar counter at river mile 19;

(B) subject to the provisions of other management plans, the Upper Subdistrict set gillnet fishery will fish regular weekly fishing periods, as specified in 5 AAC 21.320, through July 20, or until the department makes a determination of run strength, whichever occurs first; if the department determines that the minimum inriver goal will not be met, the fishery shall be closed or restricted as necessary

(d) The sonar count levels established in this section may be lowered by the board if noncommercial fishing, after consideration of mitigation efforts, results in a net loss of riparian habitat on the Kenai River. The department will, to the extent practicable, conduct habitat assessments on a schedule that conforms to the Board of Fisheries (board) triennial meeting cycle. If the assessments demonstrate a net loss of riparian habitat caused by noncommercial fishermen, the department is requested to report those findings to the board and submit proposals to the board for appropriate modification of the Kenai River late-run sockeye salmon inriver goal.



**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

Proposals for this cycle are due April 11, 2016

*\*Indicates a required field*

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**BOARD OF FISHERIES REGULATIONS**

- Subsistence     Personal Use  
 Sport             Commercial

**\*Which meeting would you like to submit your proposal to?**

- Lower Cook Inlet Area all Finfish             Upper Cook Inlet Area all Finfish  
 Kodiak Area all Finfish                             Statewide (except Southeast/Yakutat) King  
and Tanner Crab

**Please answer all questions to the best of your ability. All answers will be printed in the proposal book along with the proposer's name (address and phone numbers will not be published). Use separate forms for each proposal. Address only one issue per proposal. State the issue clearly and concisely. The board will reject multiple or confusing items.**

**1. Alaska Administrative Code Number 5 AAC    21.358**

**\*2. What is the issue you would like the board to address and why?**

The board, ADF&G and sport fishing enthusiasts have continued to interpret the "minimize" language in this and other plans as if each year it is necessary to again restrict the commercial harvest of all coho stocks as if it were a half life determination to get to zero. This was never the intent of this language, rather minimize was meant to indicate that the commercial fishery would not be given additional fishing periods targeting coho but that their catch during regular periods was not only permissible but expected. The departments own studies indicate that the Northern District commercial harvest of all stocks is extremely small and that the stocks of coho they are trying to protect Susitna and Little Susitna Rivers are through the Central District by August 1 and the Northern District a few days later. The Board has put punitive restrictions on the Northern District which benefit no one. What this continued myopic view has lead to large unharvested surpluses in many of the streams that are against the Alaska Constitution mandating that surplus renewable resources be made available to the public. The Alaska Supreme Court just weighed in on this subject stating that the salmon stocks in Cook Inlet had to be managed for escapement goals and sustained yield and that the Boards plans were nothing more than guidelines which should be ignored inseason by the department.

Unharvested surplus salmon describes those salmon in excess of escapement needs that are not harvested by commercial, sport or personal use fisheries. UCI has some of the largest wild, native salmon returns in Alaska. ADF&G does not enumerate the return of all stocks but based on the actual harvest and research data, the 2014 returns of all UCI salmon stocks could be estimated at around 30,000,000 fish. After escapement needs (7,000,000), there were approximately 23,000,000 salmon available for harvest. Of the 23 million salmon available for harvest, only around 4.5 million were utilized.

These abundant salmon stocks should be available for harvest; however, the effects of current BOF and ADF&G management plans and policies result in over 80% of these stocks going unharvested. In 2014, about 88% of the Chinook, 19% of the sockeyes, 84% of the coho, 96% of the pinks and 87% of the chums were in excess of all harvests or escapement needs and not utilized.

Unharvested surplus salmon also cause much more variability in returns. These erratic returns are more difficult to predict, more difficult to manage to achieve escapement goals and, as ADF&G reports assert, are not sustainable (SP 07-17, FMS 14-06).

Fisheries management needs to be focused on fully utilizing these abundant renewable resources with the understanding that allocation and daily management decisions have direct economic consequences to the welfare of the state.

The unharvested surplus stocks represent millions of lost tax revenue dollars to the State Treasury, tens of millions of dollars in lost economic benefit to the regional economies, loss of food products and by-products, and lost jobs. These same non-utilized salmon represent an opportunity for growth and diversification in local, regional and state economies.

The commercial sector is the only user group that has the capacity or the ability to harvest and monetize these surplus stocks, has over a 100 year history of doing so and all stocks remained healthy during this timeframe.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

**(Repeal and Readopt)**

**5 AAC 21.358. 5 AAC 21.358. Northern District Salmon Management Plan**

⊕ (a) The purposes of this management plan are to provide the department direction for management of Northern District of upper Cook Inlet salmon stocks. The department shall manage these chum, pink, and sockeye salmon stocks utilizing fishing time in 5 AAC 21.320(a)(1).

(b) The department shall manage the Northern District commercial salmon fisheries based on the abundance of sockeye salmon counted through the weirs on Larson, Chelatna, and Judd Lakes or other salmon abundance indices as the department deems appropriate.

(c) From July 20 through August 6, if the department's assessment of abundance indicates that restrictions are necessary to achieve the escapement goal, the commissioner may, by emergency order, close the commercial set gillnet fishery in the Northern District and immediately reopen a season during which the number of set gillnets that may be used is limited to the following options selected at the discretion of the commissioner, except that from July 31 through August 6, the commissioner may allow the use of two set gillnets in that portion of the General District south of the Susitna River:

- (1) three set gillnets that are not more than 105 fathoms in aggregate length;
- (2) two set gillnets that are not more than 70 fathoms in aggregate length;
- (3) one set gillnet that is not more than 35 fathoms in length.

(d) In addition to the provisions specified in (b) and (c) of this section, the department shall manage the Northern District commercial salmon fisheries under the following constraints:

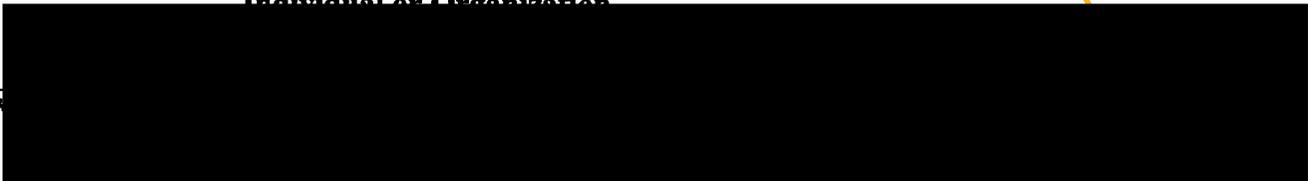
- (1) additional fishing periods, other than the weekly fishing periods described in 5 AAC 21.320(a)(1), may not be provided when coho salmon are expected to be the most abundant species harvested during that period; additional fishing periods may not be provided based on the abundance of Northern District coho salmon;

(2) after August 15, the department shall limit the harvest of coho salmon in the Northern District by limiting commercial fishing time to the weekly fishing periods described in 5 AAC 21.320(a)(1).

(e) The department shall, to the extent practicable, conduct habitat assessments on a schedule that conforms to the board's triennial meeting cycle. If the assessments demonstrate a net loss of riparian habitat caused by noncommercial fishermen, the department is requested to report those findings to the board and submit proposals to the board for appropriate modification of this management plan.

\*Submitted By: EARL YOUNG

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(c) The commercial set gillnet fishery in the Kasilof Section shall be managed as follows:

(1) fishing will be opened as described in 5 AAC 21.310(b)(2) for regular weekly fishing periods, as specified in 5 AAC 21.320;

(3) beginning July 8, in the set gillnet fishery in the Kasilof Section, the commissioner may, by emergency order, limit fishing during the regular weekly periods and any extra fishing periods to those waters within one-half mile of shore, if the set gillnet fishery in the Kenai and East Forelands Sections are not open for the fishing period

(d) The personal use fishery will be managed as specified in 5 AAC 77.540(b) and (c).

(f) After July 24 the commissioner may, by emergency order, open the Kasilof River Special Harvest Area (KRSHA) to the taking of salmon by gillnets when it is projected that the Kasilof River sockeye salmon escapement will exceed 365,000 fish. It is the intent of the Board of Fisheries (board) that the KRSHA should rarely, if ever, be opened under this subsection and only for conservation reasons. Before the commissioner opens the KRSHA, it is the board's intent that additional fishing time be allowed in the remainder of the Kasilof Section. The Kasilof River Special Harvest Area is defined as those waters within one and one-half miles of the navigational light located on the south bank of the Kasilof River, excluding waters of the Kasilof River upstream of ADF&G regulatory markers located near the terminus of the river and waters open to set gillnetting under 5 AAC 21.330(b)(3)(C)(i) and (iii). The following apply within the special harvest area when it is open:

(1) set gillnets may be operated only within 1,800 feet of the mean high tide mark;

(2) a set gillnet may not exceed 35 fathoms in length;

(3) drift gillnets may not be operated in waters within 1,800 feet of the mean high tide mark;

(4) no more than 50 fathoms of drift gillnet may be used to take salmon;

(5) a permit holder may not use more than one gillnet to take salmon at any time;

(6) a person may not operate a gillnet outside the special harvest area when operating a gillnet in the special harvest area;

(7) there is no minimum distance between gear, except that a gillnet may not be set or operated within 600 feet of a set gillnet located outside of the special harvest area; and

(8) a vessel may not have more than 200 fathoms of drift gillnet or 105 fathoms of set gillnet on board.

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

(h) For the purposes of this section, "week" means a calendar week, a period of seven consecutive days beginning at 12:01 a.m. Sunday and ending at 12:00 midnight the following Saturday.

**\*Submitted By:** DEBRA BLOSSOM  
Individual or Organization

**\*A** 

**\*Home Phone**

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**\*Email**

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**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

**Proposals for this cycle are due April 8, 2016**

*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

- Subsistence     Personal Use  
 Sport             Commercial

**\*Which meeting would you like to submit your proposal to?**

- Lower Cook Inlet Area all Finfish             Upper Cook Inlet Area all Finfish  
 Kodiak Area all Finfish                             Statewide (except Southeast/Yakutat) King  
and Tanner Crab

**Please answer all questions to the best of your ability. All answers will be printed in the proposal book along with the proposer's name (address and phone numbers will not be published). Use separate forms for each proposal. Address only one issue per proposal. State the issue clearly and concisely. The board will reject multiple or confusing items.**

**1. Alaska Administrative Code Number 5 AAC    57.160**

**\*2. What is the issue you would like the board to address and why?**

In 1988 when the first management plan for Kenai River Early-run Kings was made the Department did not have the genetics technology they have now. July first was erroneously set as the demarcation of early and late-run king salmon (McKinley 2013). We now know that setting the escapement goals based on run timing was incorrect and that the goals should have been set based on biology (Reimer 2016) as Tributary (prior to June 22) and Mainstem ( after June 22). Because of this error the Tributary stocks have been getting shorted by the counting of 20 to 30 percent of the escapement actually being of mainstem origin. In addition McKinley found that over 50 percent of the harvest from July 1 to July 15 above the Soldotna Bridge is

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actually Tributary stocks which are erroneously subtracted from the mainstem escapement. This means that the escapement of tributary bound stocks is much reduced from what the Department has been reporting. Because of this and the prosecution of the fishery, tributary stocks bound for Beaver Creek, Soldotna Creek, Slikok Creek and Juneau Creek are gone or going to extinction from overharvest.

Additionally the Department found that the sonar counts from 1986 to 2011 (26 years) were not correct and recreated them using a Bayesian model of unknown performance. In 2012 ADF&G began counting with DIDSON sonar which was supposed to be the solution, but by 2013 a CIP was submitted to replace DIDSON with AIERS because of insurmountable problems with the DIDSON counts (Swanton 2013). This CIP included funding for 2 years of SSART (mark/Recap) which was supposed to assess this new counting technology, reports of this study were to be completed by the spring of 2014 and 2015. Reports from the in-river gillnetting, in-river creel and SSART projects mention the bias and errors associated with these programs as well as the statewide harvest survey which are used with the mixture model to determine a daily sonar count. When the escapement from the weirs operated by FWS and the age/sex composition are compared to the sonar count at either location, river mile 8.6 or 14 it is quite obvious that the sonar counts are well below the estimates produced by the weirs, mark/recapture or by the SSART method. The same is true when you compare the age/sex composition from the weirs to the numbers produced from the netting program. While we are still waiting for the reports from the 1.8 million dollar CIP from 2013 which are already 1-2 years late, we are left with an Early Run Tributary stock which is in trouble and should be listed as a stock of concern. The age of these Chinook is declining to where over half of the males are now under 4 years old, and the FWS estimates of females in Killey and Funny rivers has shifted from a majority of 1.4 age fish to now the majority are 1.3 age. Even more troubling is over 75 percent of the return is now male. Since the department seems incapable of taking action in this fishery it is left to the Board to establish that this stock is a Stock of Concern and close the fishery until this stock recovers in age, sex, size and numbers.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

(REPEAL AND READOPT 5 AAC 57.160)

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**5 AAC 57.160. Kenai River Early-run Tributary Stock King Salmon and Kasilof River Early-run King Salmon Management Plan**

☞ (a) The purpose of this management plan is to ensure an adequate escapement of early-run king salmon into the Kenai and Kasilof Rivers, to conserve the unique large size early-run king salmon in the Kenai River, and to provide the department with management guidelines. In the Kenai River the early-run tributary stock of king salmon are those king salmon going past the sonar counter at river mile 14 prior to June 22.

(b) The department shall manage the Kenai River early-run tributary stock of king salmon sport and guided sport fisheries to achieve the optimal escapement goal of 5,300 - 9,000 fish age 4 or older of which 50 percent must be female.

(c) The department shall manage the Kasilof River early-run king salmon sport and guided sport fisheries to achieve the sustainable escapement goal, ensure adequate escapement of naturally-produced king salmon, and to minimize the effects of conservation actions for the Kenai River on the Kasilof River.

(d) In the Kenai River, the entire river is closed to king salmon fishing from January 1 until July 1 and from July 1 that portion above the sonar counter at river mile 14 is closed to king salmon fishing until such time that the age, sex and size composition of these tributary stocks returns to levels as were seen when this plan was first promulgated in 1988. The river will remain closed above the Sonar Counter until the Department comes back to the Board during a regularly scheduled BOF meeting with data on the age, size and sex of these tributary fish which warrants the reopening of some portion of this part of the river.

(e) Because of the run timing of these Kenai River king salmon they are not harvested by the UCI commercial fishery; however the Department should take actions as appropriate in any other fishery where there is significant harvest of these tributary stocks of king salmon which may be causing this age, sex and size decline.

\*Submitted By:

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actually Tributary stocks which are erroneously subtracted from the mainstem escapement. This means that the escapement of tributary bound stocks is much reduced from what the Department has been reporting. Because of this and the prosecution of the fishery, tributary stocks bound for Beaver Creek, Soldotna Creek, Slikok Creek and Juneau Creek are gone or going to extinction from overharvest.

Additionally the Department found that the sonar counts from 1986 to 2011 (26 years) were not correct and recreated them using a Bayesian model of unknown performance. In 2012 ADF&G began counting with DIDSON sonar which was supposed to be the solution, but by 2013 a CIP was submitted to replace DIDSON with AIERS because of insurmountable problems with the DIDSON counts (Swanton 2013). This CIP included funding for 2 years of SSART (mark/Recap) which was supposed to assess this new counting technology, reports of this study were to be completed by the spring of 2014 and 2015. Reports from the in-river gillnetting, in-river creel and SSART projects mention the bias and errors associated with these programs as well as the statewide harvest survey which are used with the mixture model to determine a daily sonar count. When the escapement from the weirs operated by FWS and the age/sex composition are compared to the sonar count at either location, river mile 8.6 or 14 it is quite obvious that the sonar counts are well below the estimates produced by the weirs, mark/recapture or by the SSART method. The same is true when you compare the age/sex composition from the weirs to the numbers produced from the netting program. While we are still waiting for the Assessment Reports from the 1.8 million dollar CIP from 2013 which are already 1-2 years late, we are left with fisheries with many restrictions which are not necessary or productive. The department has been counting the first 7 days of the late-run as early-run stocks, misallocating the upriver harvest to the late run when much of it is really early run stocks. In addition the netting program is biased and does not catch anything near a representative sample of age 1.1 or 1.2 age Chinook. And by underestimating the number of small fish in the escapement they are overestimating the number of older age fish by a significant but unknown proportion. Additionally when the department did the run reconstruction they added an additional 3000 fish to the upper and lower escapement goal which is unnecessary, allocative, and outside of their discretion. These fish should be taken off the escapement goal as unnecessary. Because of all of these unsolved problems the department has allowed the fisheries harvesting late-run mainstem stocks to be over restricted and placed the early-run tributary stocks in jeopardy. Additionally when the department did the run reconstruction they failed to utilize the in-river genetics which could significantly alter the escapement goals of both tributary and mainstem stocks.

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Many other restrictions were put in place in the commercial fishery which are unwarranted and lead to excessive over-escapements which ADF&G seems unable to address either with a proposal or in-season actions. In 2014 the BOF put in place 29 mesh restrictions which the department advised against. After the meeting ADF&G sent a letter to the journal publishing this "study", why they didn't do something more reasonable prior to its use and publication is odd at best. The Bethel study which first suggested this ridiculous 29 mesh restriction failed to mention that the 29 mesh nets in his study caught significantly more kings than the 45 mesh nets. This is nothing but a veiled reallocation from offshore nets to the beach nets near the river where most kings are likely caught. To institute a projection of 22,500 king salmon in-river run or else restrictions are possible is again ridiculous. In 2015 ADF&G managed on a forecast which was 50 percent in error which caused them to put in place restrictions which were unnecessary for all users all the way until July 25. Even though the projection from July 1<sup>st</sup> on was for an in-river run much in excess of 22,500. Of course on August 1<sup>st</sup> they again went off the reservation and put in restrictions which caused yet another Unconstitutional and unsustainable over-escapement. The department is unable to function with such complexities and the plan needs to be simplified. The fish must come first which means that the escapement goals are all that should be important, not just for kings but for sockeye too.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

(REPEAL AND READOPT 5 AAC 21.359)

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

✦ (a) The purposes of this management plan are to ensure an adequate escapement of late-run king salmon into the Kenai River system and to provide management guidelines to the department.

(b) The department shall manage the late run Mainstem stock of Kenai River king salmon to achieve a sustainable escapement goal of 12,000-27,000 king salmon beginning June 23 as described in this section.

(c) In the sport fishery, notwithstanding 5 AAC 57.120- 5AAC 57.123

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(1) from June 23 through July 31 only that portion of the Kenai River downstream of the river mile 14 sonar counter is open for King salmon fishing;

(2) from June 23 through July 31, a person may not use more than one single hook in the Kenai River downstream from an ADF&G regulatory marker located at the outlet of Skilak Lake;

(3) that portion of the Kenai River downstream from the river mile 14 sonar counter is open to unguided sport fishing from a nonmotorized vessel on Mondays in July; for purposes of this paragraph, a nonmotorized vessel is one that does not have a motor on board.

(d) If the projected late-run king salmon escapement is less than 12,000 king salmon, the department shall

(1) close the sport fisheries in the Kenai River and in the salt waters of Cook Inlet north of the latitude of Cape Douglas to the taking of king salmon;

(2) close the commercial drift gillnet fishery in the Central District within one mile of the Kenai Peninsula shoreline north of the Kenai River and within one and one-half miles of the Kenai Peninsula shoreline south of the Kenai River; and

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

(e) The provisions of this section do not apply to provisions of the Kasilof River Salmon Management Plan contained in 5 AAC 21.365(f) that pertain to the Kasilof Special Harvest Area.

(f) The department will, to the extent practicable, conduct habitat assessments on a schedule that conforms to the Board of Fisheries (board) triennial meeting cycle. If the assessments demonstrate a net loss of riparian habitat caused by noncommercial fishermen, the department is requested to report those findings to the board and submit proposals to the board for appropriate modification of this plan.

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

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DAVID DOCKER

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(A) the department shall manage for an inriver goal range of 1,000,000 - 1,200,000 sockeye salmon past the sonar counter at river mile 19;

(h)

(1) fishing will occur seven days per week, 24 hours per day;

(2) the bag and possession limit for sockeye salmon is three per day, with three [SIX] in possession, in the sport fishery, [UNLESS THE DEPARTMENT DETERMINES THAT THE ABUNDANCE OF LATE-RUN SOCKEYE SALMON EXCEEDS 2,300,000 FISH, AT WHICH TIME THE COMMISSIONER MAY, BY EMERGENCY ORDER, INCREASE THE BAG AND POSSESSION LIMIT AS THE COMMISSIONER DETERMINES TO BE APPROPRIATE; AND]

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**REGULATION PROPOSAL FORM for the  
ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

Proposals for this cycle are due April 11, 2016

*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

- Subsistence     Personal Use  
 Sport             Commercial

**\*Which meeting would you like to submit your proposal to?**

- Lower Cook Inlet Area all Finfish             Upper Cook Inlet Area all Finfish  
 Kodiak Area all Finfish                             Statewide (except Southeast/Yakutat) King  
and Tanner Crab

**Please answer all questions to the best of your ability. All answers will be printed in the proposal book along with the proposer's name (address and phone numbers will not be published). Use separate forms for each proposal. Address only one issue per proposal. State the issue clearly and concisely. The board will reject multiple or confusing items.**

**1. Alaska Administrative Code Number 5 AAC    21.360.**

**\*2. What is the issue you would like the board to address and why?**

Repeal the Kenai River late-run sockeye Optimum Escapement Goal (OEG)

The purpose of a salmon escapement goal is to both ensure sustainability and maximize the yield or harvest. State policy requires that escapement goals must be scientifically defensible.

Escapement goals should be established utilizing the best biological information and empirical data relating to production capacity and carrying capacity. Escapement goals should be periodically reviewed and adjusted to compensate for changing ecological factors. When escapement goals are exceeded or escapement goals are set too high, salmon populations are put at risk by exceeding the carrying capacity of the habitat. *"Over-escapement, in general, is not sustainable..."* ADF&G (SP No. 07-17).

Increasing goals based on annual variations in run size is not scientifically defensible. Repeated escapements over the top end of a goal are not sustainable. Escapements that are too large will produce oscillating returns, low return per spawner rates and other density-dependent effects. The extreme variability of returns on large escapements puts at risk both the sustainability of future runs and the economies that are built around the harvest of these salmon stocks.

The Kenai River is the only river in the state to have five different sockeye salmon goals. These goals are confusing to the public and fishery managers. The goals are often conflicting during the season due to misinterpretations and the uncertainties and often daily variations in the estimates of run timing, run strength and harvest rates. A result of this confusion, about which goal is appropriate, has contributed to sockeye escapements in the Kenai River being over the top end of the inriver goal for 5 of the last 5 years.

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### Kenai River Goals

|   |                                      |
|---|--------------------------------------|
| Biological Escapement Goal (BEG)  | 600,000 - 900,000                    |
| Sustainable Escapement Goal (SEG)                                       | 700,000 - 1,200,000                  |
| 3 - Inriver Goals based on run size from <2.3 million to > 4.6 million. | < 2.3 mil: 900 - 1,100,000           |
|   | 2.3 - 4.6 mil: 1,000,000 - 1,200,000 |
|   | > 4.6 mil: 1,100,000 - 1,350,000     |
| Optimum Escapement Goal (OEG)   | 700,000 - 1,400,000                  |

\* The Inriver Goals include an allocation range of 200 – 650 thousand sockeye for inriver users based on the magnitude of the sockeye run to the Kenai River.

The “biological escapement goal,” or “BEG,” is the gold standard. This describes the escapement level that provides the greatest potential for “maximum sustained yield,” or “MSY”, which means the greatest average annual yield (harvest) from a salmon stock. However, a BEG can be difficult to achieve and manage for, particularly in mixed stock fisheries, so as an alternative for the Kenai River, the department instead uses a “sustainable escapement goal” or “SEG”.

The most recent ADF&G escapement goal review (FMS 13-13) for Cook Inlet states *“The committee recommended that the Kenai River late-run sockeye salmon SEG be kept at 700,000–1,200,000 spawners. This range approximately represents the escapement that, on average, will produce 90–100% of MSY. We prefer using the 90–100% range for an SEG because it results in a broader interval with the highest predicted yield near its center. Maintaining this goal is supported by a plot of yield versus escapement, showing that escapements in this range generally produce the highest yields, and that escapements above this range can produce highly variable yields.”*

Another recent ADF&G review (FMS 14-06) of a method commonly used (140 of 300 goals) throughout Alaska to establish an SEG determined that the upper end of many escapement goal ranges were in fact, unsustainable. The report stated that *“SEGs based on the current Percentile Approach, especially the upper bounds, may actually be unsustainable in that they may specify a spawning escapement that is close to or exceeds the carrying capacity of the stock where there is the expectation of no sustainable yields.”* The SEG for the Kenai River was not established by using the Percentile Approach but the report documents the risks in exceeding that level of escapement.

The “Optimum Escapement Goal,” or “OEG,” for Kenai River late run sockeye exceeds the SEG. The misnamed OEG is also inappropriate to use for inseason management as the sport harvest must be counted prior to determining if the goal was met or missed but the sport harvest isn’t known until 18 months after the season ends. The Kenai River OEG is incompatible with the findings of both of the latest ADF&G escapement goal reviews; it is confusing, redundant, conflicting and should be repealed.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

**5 AAC 21.360. Kenai River Late-Run Sockeye Salmon Management Plan.** (a) The department shall manage the Kenai River late-run sockeye salmon stocks primarily for commercial uses based on abundance. The department shall also manage the commercial fisheries to minimize the harvest of Northern District coho, late-run Kenai River king, and Kenai River coho salmon stocks in order to provide personal use, sport, and guided sport fishermen with a reasonable opportunity to harvest salmon resources.

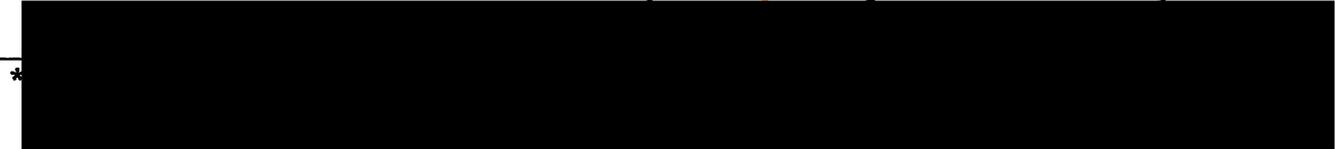
(b) The Kenai River late-run sockeye salmon commercial, sport, and personal use fisheries shall be managed to

[(1) MEET AN OPTIMUM ESCAPEMENT GOAL (OEG) RANGE OF 700,000 – 1,400,000 LATE-RUN SOCKEYE SALMON;]

~~(1)~~ [(2)] achieve inriver goals as established by the board and measured at the Kenai River sonar counter located at river mile 19; and

[(3) DISTRIBUTE THE ESCAPEMENT OF SOCKEYE SALMON EVENLY WITHIN THE OEG RANGE, IN PROPORTION TO THE SIZE OF THE RUN.]

\*Submitted By: PETER MELENCHER  
Individual or Organization



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ALASKA BOARD OF FISHERIES 2016-2017 MEETING CYCLE  
P.O. BOX 115526, JUNEAU, ALASKA 99811-5526**

**Proposals for this cycle are due April 11, 2016**

*\*Indicates a required field*

**BOARD OF FISHERIES REGULATIONS**

- Subsistence     Personal Use  
 Sport             Commercial

**\*Which meeting would you like to submit your proposal to?**

- Lower Cook Inlet Area all Finfish             Upper Cook Inlet Area all Finfish  
 Kodiak Area all Finfish                             Statewide (except Southeast/Yakutat) King  
and Tanner Crab

**Please answer all questions to the best of your ability. All answers will be printed in the proposal book along with the proposer's name (address and phone numbers will not be published). Use separate forms for each proposal. Address only one issue per proposal. State the issue clearly and concisely. The board will reject multiple or confusing items.**

**1. Alaska Administrative Code Number 5 AAC    21.365.**

**\*2. What is the issue you would like the board to address and why?**

Repeal the Kasilof River sockeye Optimum Escapement Goal (OEG)

The purpose of a salmon escapement goal is to both ensure sustainability and maximize the yield or harvest. State policy requires that escapement goals must be scientifically defensible.

Escapement goals should be established utilizing the best biological information and empirical data relating to production capacity and carrying capacity. Escapement goals should be periodically reviewed and adjusted to compensate for changing ecological factors. When escapement goals are exceeded or escapement goals are set too high, salmon populations are put at risk by exceeding the carrying capacity of the habitat. *“Over-escapement, in general, is not sustainable...”* ADF&G (SP No. 07-17). Repeated escapements over the top end of a BEG or SEG are not sustainable. Escapements that are too large will produce oscillating returns, low return per spawner rates and other density-dependent effects. The extreme variability of returns on large escapements puts at risk both the sustainability of future runs and the economies that are built around the harvest of these salmon stocks.

The “biological escapement goal,” or “BEG,” is the gold standard. This describes the escapement level that provides the greatest potential for “maximum sustained yield,” or “MSY”, which means the greatest average annual yield (harvest) from a salmon stock.

The most recent ADF&G escapement goal review (FMS 13-13) for Cook Inlet recommended a biological escapement goal (BEG) of 160,000-340,000 sockeye for the Kasilof River just as it had in 20011 and 2008. In 2008 the Board voted (4 to 3) not have an OEG for the Kasilof River yet the department added the OEG of 390 without the board’s approval. Another recent ADF&G review (FMS14-06) of a method commonly used (140 of 300 goals) throughout Alaska to establish an SEG determined that the upper end of many escapement goal ranges were in fact, unsustainable. The report stated that *“SEGs based on the current Percentile Approach, especially the upper bounds, may actually be unsustainable in that they may specify a spawning*

escapement that is close to or exceeds the carrying capacity of the stock where there is the expectation of no sustainable yields." The OEG for the Kasilof River was not established by using the Percentile Approach but the report documents the risks in exceeding that level of escapement.

The "Optimum Escapement Goal," or "OEG," for Kasilof River sockeye exceeds the BEG. The Kasilof River OEG is incompatible with the findings of both of the latest ADF&G escapement goal reviews; it was never approved by the Board and should be repealed.

**\*3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

**5 AAC 21.365. Kasilof River Sockeye Salmon Management Plan. 5 AAC 21.365. Kasilof River Salmon Management Plan**

☞ (a) This management plan governs the harvest of Kasilof River salmon excess to spawning escapement needs of **160,000 to 340,000 sockeye**. It is the intent of the Board of Fisheries that Kasilof River salmon be harvested in the fisheries that have historically harvested them, including the methods, means, times, and locations of those fisheries. Openings in the areas historically fished must be consistent with escapement objectives for upper Cook Inlet salmon and with the Upper Cook Inlet Salmon Management Plan (5 AAC 21.363).

[(b) ACHIEVING THE LOWER END OF THE KENAI RIVER SOCKEYE SALMON ESCAPEMENT GOAL SHALL TAKE PRIORITY OVER NOT EXCEEDING THE UPPER END OF THE KASILOF RIVER OPTIMAL ESCAPEMENT GOAL RANGE OF 160,000 - 390,000 SOCKEYE SALMON.]

\*Submitted By: Earl C Young  
Individual or Organization

\*Address



\*Home Phone

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\*Email

Original

**PROPOSAL XX – 5 AAC 64.022. Waters; seasons; bag, possession, annual, and size limits; and special provisions for the Kodiak Area.** Repeal closed water provisions for sport fishing for salmon and reduce bag and possession limits within the Kodiak Road Zone, as follows:

5 AAC 64.022(b)(1) is amended to read:

(b)....

(1) .....

(A) **repealed** / /2017 [ALL DRAINAGES ON THE KODIAK ROAD ZONE FLOWING INTO CHINIAK BAY, EXCLUDING THE BUSKIN RIVER DRAINAGE AND KALSIN POND, UPSTREAM FROM THE CHINIAK HIGHWAY ARE CLOSED TO SPORT FISHING FOR SALMON FROM AUGUST 1 – SEPTEMBER 15, EXCEPT THAT THE AMERICAN AND OLDS RIVERS ARE OPEN TO SPORT FISHING FOR KING SALMON FROM JANUARY 1 – DECEMBER 31];

...

**(X) in all fresh and salt waters within the Kodiak Road Zone, from September 16 – December 31, the bag and possession limit for coho salmon, 20 inches or greater in length, is one fish, except that in the following stocked waters the bag and possession limit for coho salmon, 20 inches or greater in length, is two fish:**

**(i) Monashka Creek and Pillar Creek;**

**(ii) Mission Beach: all waters between ADF&G regulatory markers at Shahafka Cove;**

**(iii) Mill Bay: all waters between ADF&G regulatory markers;**

**(iv) Monashka Bay: all waters west of a line from Termination Point to Miller Point.**

**What is the issue you would like the board to address and why?** Current regulations aimed at conserving Kodiak Road Zone coho salmon runs while maintaining opportunity for anglers where established in 1996. Recent declining trends in road zone coho salmon escapements and increased sport harvests indicate that revised measures are necessary to sustain yields and stabilize escapements. Although historical records of coho salmon migration timing show that about 50% of the run occurs by mid-September, the upriver closed waters from August 1 – September 15 in road zone drainages without lakes (13 total) have provided an inadequate buffer for coho salmon escapements, since nearly all fish migrating inriver during the temporary closure period remain susceptible to harvest when those waters are re-opened. Substituting the current closed waters restriction with a bag limit reduction from 2 to 1 coho salmon midway through the runs will more effectively conserve inriver escapements while maintaining angling opportunity for the entire seasonal duration of the sport fishery. The only other salmon species affected by repeal of the August 1 – September 15 upriver closure is pink salmon. There is little sport angler interest in harvesting pink salmon as shown by the department’s Statewide Harvest Survey and historically large escapements of pink salmon in Kodiak road zone streams.

**PROPOSED BY:** Alaska Department of Fish and Game

(HQ-F16-116)

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**PROPOSAL XX - 5 AAC 64.022. Waters; seasons; bag, possession, annual, and size limits; and special provisions for the Kodiak Area.** Modify the rockfish sport fish bag and possession limits in Chiniak Bay and Marmot Bay, as follows:

5 AAC 64.022(b) is amended by adding a new paragraph to read:

(b)....

**(X) in the waters of Chiniak Bay and Marmot Bay, west of a line from Cape Chiniak to Pillar Cape and east of a line from Head Point on Afognak Island (57<sup>0</sup> 59.67' N. lat., 152<sup>0</sup> 46.75' W. long.) to Dolphin Point (57<sup>0</sup> 59.15' N. lat., 152<sup>0</sup> 43.40' W. long.) on Whale Island and from Bird Point (57<sup>0</sup> 55.30' N. lat., 152<sup>0</sup> 47.50' W. long.) on Whale Island to Inner Point (57<sup>0</sup> 54.05' N. lat., 152<sup>0</sup> 47.75' W. long.) on Kodiak Island,**

**(A) the bag limit for rockfish is three fish per day and six in possession, of which only two fish per day and four in possession may be nonpelagic rockfish, and only one fish per day and two in possession may be yelloweye rockfish; no size limit;**

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

**What is the issue you would like the board to address and why?** Recent saltwater logbook catch statistics for chartered sport fishing vessels and Alaska Department of Fish and Game (department) Statewide Harvest Survey estimates of total rockfish harvests show a steady trend of increasing exploitation of pelagic (black, dark, and dusky) rockfish in Kodiak Area waters, particularly near the city of Kodiak in Chiniak and Marmot bays. Between 2008 and 2014 the total rockfish sport harvest approximately doubled from 15,596 to 29,733 fish. A reduction of the rockfish bag limit from 10 fish to 3 fish in 2011 has failed to stabilize the sport harvest of these long lived species. Black rockfish have a known maximum age of 56 years, and may have as many as 40 age classes within a single population. Limited stock assessment tools include charter guide logbooks, the Statewide Harvest Survey and department surveys. These tools are being used to develop an estimate of abundance and productivity of local rockfish populations. While these assessment tools are being developed to provide a biological based total allowable catch for rockfish, a more conservative bag limit will level the current upward harvest trend and help ensure the long term sustainability of the resource, while maintaining angler opportunity to harvest rockfish.

**PROPOSED BY:** Alaska Department of Fish and Game

(HQ-F16-117)

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**PROPOSAL XX – 5 AAC 58.022. Waters; seasons; bag, possession, annual, and size limits; and special provisions for Cook Inlet–Resurrection Bay Saltwater Area.; and 5 AAC 58.060. Lower Cook Inlet Winter Salt Water King Salmon Sport Fishery Management Plan.** Modify the king salmon bag and possession limit north of the latitude of Bluff Point, the Cook Inlet harvest record requirement, and the winter king salmon management plan to include all Cook Inlet salt waters from September 1 through March 31, and review the guideline harvest level, as follows:

5 AAC 58.022(b)(1) is amended to read:

(b).....

(1) in waters of Cook Inlet north of the latitude of Bluff Point (59° 40.00' N. lat).

(A) king salmon:

(i) may be taken from January 1 – December 31; bag and possession limit of one fish; no size limit; an annual harvest limit of five king salmon 20 inches or greater in length, except as provided in **(iv) and** in (c) of this section;

...

**(iv) from September 1 – March 31, king salmon are not required to be entered on a harvest record and do not count against the annual limit set out in (a)(1) of this section;**

(2) in the waters of Cook Inlet south of the latitude of **Bluff Point (59° 40.00' N. lat.)** [THE ANCHOR POINT LIGHT AT 59° 46.14' N. LAT.], including all of Kachemak Bay, to the latitude of Cape Douglas at 58° 51.10' N. lat., and east to the longitude of Gore Point at 150° 57.85' W. long.:

(A) king salmon: from **September 1 – March 31** [OCTOBER 1 – MARCH 31], king salmon do not need to be entered on a harvest record and do not count against the annual limit set out in (a)(1) of this section;

...

5 AAC 58.060 is amended to read:

**5 AAC 58.060. [LOWER] Cook Inlet Winter Salt Water King Salmon Sport Fishery Management Plan.** (a) The purpose of the management plan under this section is to meet the Board of Fisheries' goal of slowing the growth in the sport harvest of king salmon in the salt waters of [LOWER] Cook Inlet during the winter, which occurs from **September 1** [OCTOBER 1] through March 31.

(b) In the winter salt water king salmon sport fishery in [LOWER] Cook Inlet

(1) the guideline harvest levels is **x,xxx** [3,000] king salmon;

...

(c) For the purpose of this section, [LOWER] Cook Inlet consists of the salt waters west of the longitude of Gore Point at 150° 57.85' W. long. and north of the latitude of Cape Douglas at 58° 51.10' N. lat., including all of Kachemak Bay. [SOUTH OF THE LATITUDE OF THE ANCHOR POINT LIGHT AT 59° 46.14' N. LAT., INCLUDING ALL OF KACHEMAK BAY, TO THE LATITUDE OF CAPE DOUGLAS AT 58° 51.10' N. LAT., AND EAST TO THE LONGITUDE OF GORE POINT AT 150° 57.85' W. LONG.]

**What is the issue you would like the board to address and why?** In response to public concerns regarding regulations adopted by the Alaska Board of Fisheries (board) at the 2001 Lower Cook Inlet meeting, the board formed a Local Area Management Plan (LAMP) Committee charged with exploring options to slow the growth of the Cook Inlet winter king salmon fishery. The Alaska Department of Fish and Game (department) provided Statewide Harvest Survey (SWHS) and coded wire tag data on king salmon catch from the area that indicated sport effort and harvest were increasing, but the department was not able to provide specific information regarding stock of origin of that harvest by area or time of year. The department supported Proposal 437 submitted for the October 2002 board meeting stating the “Lack of winter fishery statistics precludes the development of definitive management objectives...the winter fishery plan is a broad approach that will stabilize the winter king salmon sport fishing opportunity and harvest...” Proposal 437 went on to become 5 AAC 58.060. *Lower Cook Inlet Winter Salt Water King Salmon Sport Fishery Management Plan*. Since the creation of the plan in 2002, the department has collected SWHS data reported by season and genetics data to contribute to the discussion and understanding of potential impacts of the winter king salmon fishery on local Cook Inlet stocks.

The boundary defined in the *Lower Cook Inlet Winter Salt Water King Salmon Sport Fishery Management Plan* creates an unnecessary disparity between king salmon bag, possession and annual limits within Cook Inlet. The timing of the spawning migration of Cook Inlet king salmon stocks occurs from April through August. By including September in the winter fishery plan, anglers will no longer be required to record the king salmon harvest in the month of September as a part of their annual limit. In addition, the new regulation would align the king salmon annual limit during the period of time when spawning Cook Inlet stocks are present in Cook Inlet. This proposal would modify the timeframe of the winter king fishery by including September, and expand area to include all of Cook Inlet. This change would simplify the sport fishing regulations in the winter fishery.

The guideline harvest level (GHL) of 3,000 king salmon was established to slow the growth of the sport harvest of king salmon in the marine waters of Lower Cook Inlet. If the board’s intent was to limit the harvest of Cook Inlet stocks, then the board may want to consider if an increase should be considered to account for the contribution of nonlocal feeder king salmon harvest in Cook Inlet from September through March.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F16-118)  
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**PROPOSAL XX – 5 AAC 58.022. Waters; seasons; bag, possession, annual, and size limits; and special provisions for Cook Inlet–Resurrection Bay Saltwater Area.; and 5 AAC 58.055. Upper Cook Inlet Salt Water Early-run King Salmon Management Plan.** Redefine fishing area, species that may be retained, the goal of the Upper Cook Inlet Saltwater Early-run King Salmon Management Plan, and eliminate special harvest areas, and clarify that guides and their crew may not fish for king salmon while guiding, as follows:

5 AAC 58.022(b)(1)(A)(iii) is amended to read:

(b)...

(1) in waters of Cook Inlet north of the latitude of Bluff Point (59° 40.00' N. lat.)

(A) king salmon:

...

(iii) in the salt waters of the latitude of the mouth of the Ninilchik River (60° 03.99' N. lat.) to the latitude of Bluff Point (59° 40.00' N. lat.), [AND WITHIN ONE MILE OF SHORE,] a person may not, after taking a king salmon 20 inches or greater in length, fish for **king salmon** [ANY SPECIES OF FISH] on that same day as specified in 5 AAC 58.055(e);

5 AAC 58.055 is amended to read:

**5 AAC 58.055. Upper Cook Inlet Salt Water [EARLY-RUN] King Salmon Management Plan.**

(a) The goal of this management plan is to stabilize the sport harvest of [EARLY-RUN] king salmon in the mixed stock salt water sport fishery in **Upper** [UPPER] Cook Inlet.

(b) **Upper Cook Inlet** [THE EARLY-RUN KING SALMON SPECIAL HARVEST AREA] consists of all salt water south of the latitude of the mouth of the Ninilchik River (60° 03.99' N. lat.) to the latitude of Bluff Point (59° 40.00' N. lat.) [AND WITHIN ONE MILE OF SHORE].

(c) From April 1 through **August 31** [JUNE 30], within the waters described in (b) of this section, a person who is a sport fishing **guide or sport fishing guide crewmember** [GUIDING] may not sport fish **for king salmon** while a client is present or is within the guide's control or responsibility. ...

...

(e) Within the waters described in (b) of this section, from April 1 through **August 31** [JUNE 30], a person may not, after taking a king salmon 20 inches or greater in length, fish for **king salmon** [ANY SPECIES OF FISH] on that same day.

...

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

This proposal seeks to simplify regulations associated with the early-run king salmon fishery. Special Harvest Areas (SHA) and associated regulations were created to reduce harvest of early-run king salmon returning to the Anchor River, Stariski Creek, Deep Creek, and Ninilchik River. Regulations associated with SHAs are difficult to follow and enforce because the 1 mile distance from shore fluctuates with the changing tide cycle. Furthermore, king salmon returning to Cook Inlet streams to spawn also move in and out of the 1-mile corridor with the changing tide.

This plan will simplify the regulations by removing the SHAs while maintaining effective regulations defining the closed areas surrounding the river mouths of the Anchor River, Stariski Creek, Deep Creek, and Ninilchik River. The proposal will also prohibit guides and crew from sport fishing for king salmon while guiding, and prohibit anglers from fishing for king salmon after harvesting a king salmon 20 inches or greater in length. In addition, by extending this plan through August 31 all returning Cook Inlet king salmon stocks migrating through the saltwater area in July and August will be offered some additional protection.

**PROPOSED BY:** Alaska Department of Fish and Game

(HQ-F16-119)

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Original Proposal Currently Under Review

**PROPOSAL XX – 5 AAC 58.022. Waters; seasons; bag, possession, annual, and size limits; and special provisions for Cook Inlet–Resurrection Bay Saltwater Area.** Remove the special harvest areas and extend the distance from shore an angler can fish for king salmon after harvesting a king salmon 20 inches or greater in length, as follows:

5 AAC 58.022(b)(1)(A) is amended to read:

(b)...

(1) in waters of Cook Inlet north of the latitude of Bluff Point (59° 40.00' N. lat.):

(A) king salmon:

...

(ii) ~~repealed~~ / /2017 [THE SALT WATERS WITHIN A ONE MILE RADIUS OF THE TERMINUS OF THE NINILCHIK RIVER ARE CLOSED TO SPORT FISHING FOR KING SALMON FROM JANUARY 1 TO JUNE 30, EXCEPT THAT SPORT FISHING FROM SHORE IS ALLOWED ON MEMORIAL DAY WEEKEND AND THE FOLLOWING TWO WEEKENDS AND THE MONDAY FOLLOWING EACH OF THOSE WEEKENDS];

(iii) in the salt waters south of the latitude **approximately one mile north** [OF THE MOUTH] of the Ninilchik River (60° 03.99' N. LAT.) to the latitude of Bluff Point (59° 40.00' N. lat.), and within one mile of shore, a person may not, after taking a king salmon 20 inches or greater in length, fish for any species of fish on that same day as specified in 5 AAC 58.055(e);

5 AAC 58.055(d)(1) is amended to read:

(d) The following waters, within one mile of shore, are closed to all sport fishing from April 1 through June 30:

(1) **from an ADF&G regulatory marker located approximately one mile north** [SOUTH OF THE LATITUDE] of the Ninilchik River **at 60° 03.99' N. lat.** to [THE LATITUDE OF] an ADF&G regulatory marker located two mile south of Deep Creek at 60° 00.68' N. lat., except that sport fishing from shore is allowed on Memorial Day weekend and the following two weekends and the Monday following each of those weekends;

**What is the issue you would like the board to address and why?** Eliminating the closed area north of the Ninilchik River and extending the conservation zone south of the Ninilchik River to include the area one mile north of the Ninilchik River would simplify regulations in the closed areas surrounding the Ninilchik River from April 1 through June 30. The area one mile north of the Ninilchik River would be included into the *Upper Cook Inlet Salt Water Early-run King Salmon Management Plan*.

**PROPOSED BY:** Alaska Department of Fish and Game

(HQ-F16-120)

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Original Proposal Currently Under Review

**PROPOSAL XX – 5 AAC 58.055. Upper Cook Inlet Salt Water Early-run King Salmon Management Plan.** Align the saltwater closed area season with inriver run timing and freshwater regulations, as follows:

The introductory language of 5 AAC 58.055(d) is amended to read:

(d) The following waters, within one mile of shore, are closed to all sport fishing from April 1 through **July 15** [JUNE 30]:

...

**What is the issue you would like the board to address and why?** On July 1, the saltwater closed areas surrounding the Anchor River, Stariski Creek, Deep Creek, and Ninilchik River open to sport fishing (including king salmon). Bait and multiple hooks are allowed in this fishery. Based on run timing data, a significant number of king salmon enter the adjacent streams during the first two weeks of July. On July 1, the Anchor River, Stariski Creek, Deep Creek also open to sport fisheries (except for king salmon). In 2010, the Alaska Board of Fisheries limited gear to one unbaited, single-hook artificial lure from July 1 – 15 to reduce hooking mortality of maturing king salmon in these streams.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F16-121)

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Original Proposal Currently Under Review

**PROPOSAL XXX – 5 AAC 21.200. Fishing districts, subdistricts, and sections.** Establish and define the Port Graham Section and English Bay Section in the Port Graham Subdistrict, as follows:

5 AAC 21.200(d)(1) is amended to read:

(1) Port Graham Subdistrict: all waters east of the longitude of Point Bede at 151° 59.40' W. long., and south of the latitude of Point Pogibshi at 59° 25.47' N. lat.;

**(A) Port Graham Section: all waters north of a line from 59° 22.25' N. lat., 151° 59.40' W. long. to 59° 21.39' N. lat., 151° 55.25' W. long.;**

**(B) English Bay Section: all waters south of a line from 59° 22.25' N. lat., 151° 59.40' W. long. to 59° 21.39' N. lat., 151° 55.25' W. long.;**

What is the issue that you would like the board to address and why? English Bay and Port Graham sections in the Port Graham Subdistrict are not established and defined in regulation. This has resulted in some confusion among stakeholders regarding the boundaries of these sections.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F16-122)  
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Original Proposal Currently Under Review

**PROPOSAL XXX – 5 AAC 21.330. Gear.** Define the existing seaward boundaries of areas where commercial set gillnets may be operated in the Southern District using Global Positioning System (GPS) coordinates, as follows:

5 AAC 21.330(b)(1) is amended to read:

(b) Set gillnets may be used only in the following locations:

(1) Southern District: .....

(A) on Ismailof Island east of 151° 13.10' W. long., and the mainland south of Ismailof Island from 151° 13.10' W. long. [,] to 151° 12.15' W. long., **and inshore of a line from a point off of the northeast shore of Ismailof Island at 59° 36.27' N. lat., 151° 13.10' W. long., to 59° 36.11' N. lat., 151° 12.58' W. long., to 59° 35.65' N. lat., 151° 12.60' W. long., to a point off the eastern entrance to Halibut Cove at 59° 35.70' N. lat. 151° 12.15' W. long.;**

(B) between Barabara Point and a point on the north side of McDonald Spit at 59° 28.49' N. lat., 151° 36.12' W. long., **and inshore of a line between a point off shore of Barabara Point at 59° 29.31' N. lat., 151° 38.20' W. long., and another point near the base of McDonald Spit at 59° 28.80' N. lat., 151° 36.12' W. long.;**

(C) from the north side of McDonald Spit at 59° 28.69' N. lat., 151° 35.25' W. long., east along the outer shoreline of McDonald Spit, and including the entire shoreline of Kasitsna Bay to the headland at the west side of the entrance of Jakolof Bay, **and inshore of a line beginning at a point near the base of McDonald Spit at 59° 28.79' N. lat., 151° 35.58' W. long., to 59° 29.25' N. lat., 151° 34.53' W. long., to 59° 29.33' N. lat., 151° 34.47' W. long., to 59° 29.37' N. lat., 151° 34.20' W. long., to 59° 29.29' N. lat., 151° 33.89' W. long., to 59° 29.00' N. lat., 151° 33.16' W. long., to 59° 28.84' N. lat., 151° 33.18' W. long., to 59° 28.66' N. lat., 151° 33.91' W. long., to 59° 28.30' N. lat., 151° 33.84' W. long., to 59° 28.47' N. lat., 151° 32.68' W. long., to 59° 28.39' N. lat., 151° 32.11' W. long., to a point on the east shore of the entrance to Jakolof Bay at 59° 28.16' N. lat., 151° 32.03' W. long.;**

(D) the west shore of Seldovia Bay from Point Naskowhak to a point at the latitude of an unnamed creek at 59° 25.19' N. lat., 151° 44.05' W. long., **and inshore of a line starting at Point Naskowhak at 59° 27.37' N. lat., 151° 44.63' W. long., to 59° 27.45' N. lat. 151° 44.41' W. long., to 59° 27.38' N. lat. 151° 44.22' W. long., to 59° 26.96' N. lat. 151° 44.19' W. long., to 59° 26.74' N. lat. 151° 43.78' W. long., to 59° 25.90' N. lat. 151° 44.12' W. long., to 59° 25.19' N. lat. 151° 43.53' W. long.;**

(E) from the old cannery site on the south shore of Port Graham **at 59° 21.06' N. lat., 151° 49.61' W. long.** and along the beach to the point south of English Bay at **59° 20.98' N. lat., 151° 56.77' W. long., and inshore of a line starting at a point in English Bay at 59° 21.41' N. lat., 151° 56.77' W. long., to 59° 21.49' N. lat., 151° 56.31' W. long., to 59° 21.78' N. lat., 151° 56.10' W. long., to 59° 22.07' N. lat., 151° 55.04' W. long., to 59° 22.04' N. lat., 151° 52.37' W. long., to 59° 21.71' N. lat., 151° 51.11' W. long., to 59° 21.66' N. lat., 151° 50.19' W. long., to 59° 21.37' N. lat., 151° 49.01' W. long., to the old cannery in Port Graham located at 59° 21.06' N.**

**lat., 151° 49.61' W. long.** [59° 20.94' N. LAT., 151° 56.77' W. LONG.]; set gillnets in these waters may be used within 2,500 feet of beach areas that at mean low water are connected by exposed land to the shore;

**What is the issue that you would like the board to address and why?** This proposal seeks to define, using GPS coordinates, the existing seaward boundary of the areas where commercial set gillnets may be used in the Southern District.

Current regulation specifies that set gillnets in the Southern District may be commercially fished within 1,000 feet of mean low water of land that is connected to shore at this tidal height. There has been difficulty enforcing the seaward boundary of the area open to commercial fishing and the Alaska Department of Fish and Game (department) proposes to establish boundaries expressed by GPS coordinates to define the area where set gillnet gear may be commercially fished in the Southern District. The area defined by GPS coordinates includes the historical area where the commercial fishery has been prosecuted. Making these changes will more clearly define the area open to commercial fishing and benefit the public, enforcement, and department.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F16-123)

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Original Proposal Currently Under Review

**PROPOSAL XXX – 5 AAC 21.350. Closed waters.** Amend waters closed to commercial salmon fishing in the Kamishak District and Outer District of Lower Cook Inlet, as follows:

5 AAC 21.350(e) is amended by adding new paragraphs to read:

(e) Kamishak Bay District

**(6) waters of Akumwarvik Bay inshore of a line from a point at 59° 03.31' N. lat., 154° 11.24' W. long., to a point at 59° 02.82' N. lat., 154° 10.18' W. long., to a point on the west shore at 59° 02.32' N. lat., 154° 07.08' W. long.;**

**(7) waters of the Douglas River area inshore of a line from 59° 03.78' N. lat., 153° 46.09' W. long., to a point at 59° 03.95' N. lat., 153° 45.09' W. long.**

5 AAC 21.350(f)(12) is amended and a new paragraph is added to read:

(f) Outer District

(12) waters of the East Nuka Subdistrict east of a line from a point north of the entrance to McCarty Lagoon at 59° 32.76' N. lat., 150° 20.20' W. long. to a point offshore of the entrance of McCarty Lagoon at 59° 32.45' N. lat., **150° 21.50' W. long.** [150° 21.00' W. LONG.] to a point south of the entrance of McCarty Lagoon at 59° 31.90' N. lat., 150° 21.00' W. long.;

...

**(14) waters of the Nuka Island Subdistrict off of the Petrof River west of a line between a point at 59° 20.84' N. lat., 150° 50.30' W. long. and a point at 59° 21.37' N. lat., 150° 50.30' W. long.**

**What is the issue that you would like the board to address and why?** In Lower Cook Inlet waters closed to commercial salmon harvest are defined using a variety of methods. In addition to being specified in regulation, closed waters have historically been identified using physical signs or markers, as well as on maps distributed by the Homer area Alaska Department of Fish and Game (department) office. Given the widespread availability of Global Positioning System technology, the department has ended its regulatory marker program in this area.

The proposal identifies waters in the Kamishak and Outer districts that have historically been closed to commercial salmon fishing. These closed waters were previously only identified with markers. The public, enforcement, and department all benefit from clearly defined closed waters with Global Positioning System coordinates.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F16-124)

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**PROPOSAL XXX – 5 AAC 77.549. Personal Use Coho Salmon Fishery Management Plan.**  
Amend the fishing season and closed waters.

5 AAC 77.549(a) and (b)(3) are amended to read:

(a) In the Southern District, only in a year in which a subsistence fishery is not conducted in the same area, salmon may be taken for personal use under the plan set out in this section **beginning at 6:00 a.m. on the first Monday or Thursday following August 15, until the last Wednesday or Saturday before September 16 and only** [FROM AUGUST 16 THROUGH SEPTEMBER 15,] from 6:00 a.m. Monday until 6:00 a.m. Wednesday and from 6:00 a.m. Thursday until 6:00 a.m. Saturday. The commissioner shall close this fishery by emergency order when a guideline harvest range of 1,000 – 2,000 coho salmon have been taken. Coho salmon taken under 5 AAC 01.560(b)(8)(B) will be counted toward the guideline harvest range established under this subsection.

(b) Salmon may not be taken in the following waters:

...

(3) those waters described in **5 AAC 21.350(d)(1) – (3)** [5 AAC 21.350(d)(1), (d)(3) – (d)(8)], (h), and (i);

**What is the issue that you would like the board to address and why?** Historically there has been confusion when the opening and closure dates fall within the proscribed fishing periods. The department would issue an emergency order clarifying this in the manner specified in the suggested language. In addition, within this regulation references are made to 5 AAC 21.350. *Closed waters*. Since this regulation was first adopted, there have been changes made to 5 AAC 21.350 without appropriate adjustments being made to the references.

**PROPOSED BY:** Alaska Department of Fish and Game

(HQ-F16-125)

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Original Proposal Currently Under Review

**PROPOSAL XXX – 5 AAC 28.360. Cook Inlet Sablefish Management Plan.** Clarify procedures for obtaining and submitting log sheets for the Cook Inlet commercial sablefish fishery, as follows:

5 AAC 28.360(b) is amended to read:

(b) An operator of a vessel participating in the Cook Inlet sablefish fishery shall obtain **sablefish log sheets** [AND COMPLETE A SABLEFISH LOGBOOK] provided by the department **at the time of registration**. The vessel operator must have the **log sheets** [LOGBOOK] on board the vessel at all times and must submit to the **department's office in Homer completed corresponding log sheets within 10 days after each landing of sablefish** [DEPARTMENT EACH LOGBOOK PAGE THAT CORRESPONDS WITH EACH ADF&G SABLEFISH FISH TICKET].

**What is the issue you would like the board to address and why?** Although the current regulation requires submission of completed logbooks, it does not specify the timeline when logbooks are due. A similar regulation as proposed exists for the Prince William Sound sablefish fishery as defined in 5 AAC 28.272(f) which requires that log sheets must be received within 10 days after each landing at the Alaska Department of Fish and Game (department) Cordova office. The Cook Inlet sablefish fishery is managed out of the department's Homer office and timely receipt of log sheets is necessary for corroboration of harvest and effort data. Typically, fishermen delivering to a processor will submit log sheet(s) to industry staff when completing the fish ticket and the buyer will submit the log sheet with the fish ticket to the department. This practice works well since it is specified in regulation that fish tickets are due to the department within 7 days of landing (5 AAC 39.130(c)). However, it is still the fisherman's responsibility to submit the log sheet and for those fishermen that do not submit their log sheets to a buyer, a clear deadline needs to be specified in regulation for when log sheets are due to the department. This proposal seeks to implement a 10-day deadline following a sablefish landing when log sheets are due to the department's office in Homer for vessels participating in the Cook Inlet sablefish fishery.

Other proposed changes in the regulatory language are to clarify that log sheets are provided by the department, rather than "logbooks", and that these blank log sheet pages may be faxed, e-mailed, or copied to replenish a fisherman's supply. Additionally, there may be multiple fish tickets issued for a single landing if there is more than one permit being used and/or more than one species being targeted (e.g., a combination Pacific cod and sablefish trip). However, log sheets correspond to a single landing, and therefore the proposed amended language clarifies that distinction.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F16-126)

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**PROPOSAL XXX – 5 AAC 28.360. Cook Inlet Sablefish Management Plan.** Add a 6-hour prior notice of landing requirement for the Cook Inlet commercial sablefish fishery, as follows:

5 AAC 28.360 is amended by adding a new subsection to read:

**(d) At least six hours before landing sablefish, an operator of a vessel participating in the Cook Inlet sablefish fishery must notify the department by telephone, to a telephone number specified in writing by the department on the registration forms at the time of registration, the following information:**

**(1) vessel name and ADF&G number;**

**(2) date and location of landing, and estimated time of arrival;**

**(3) name of fish buyer or processor;**

**(4) estimated number of pounds of sablefish on board the vessel;**

**(5) whether the catch is dressed fish or whole (in the round) fish.**

**What is the issue you would like the board to address and why?** There is no prior notice of landing (PNOL) regulatory requirement for vessels participating in the Cook Inlet sablefish fishery. Biological sampling of the sablefish and rockfish bycatch harvested during the fishery is coordinated out of Homer and nearly all deliveries occur in Seward. Staff must travel by state vehicle from Homer to Seward in order to meet landings, which takes approximately 4 hours for the drive alone. Offloading happens quickly and the opportunity to sample landings can easily be missed if there is no notification beforehand. Therefore, having a PNOL in place for this fishery would assist in achieving sampling goals, particularly since there has been a decline in effort and harvest in the sablefish fishery in recent years, which has resulted in a protracted season with fewer deliveries during a given time period. Additionally, a PNOL requirement allows Alaska Wildlife Troopers to be notified about upcoming deliveries, providing a coordinated enforcement opportunity. A similar regulation exists for the Prince William Sound (PWS) sablefish fishery as defined under 5 AAC 28.272(e), and landings during the PWS fishery frequently occur in Seward or Whittier and are covered by the same Homer staff as Cook Inlet sablefish landings. Having a PNOL for both fisheries could potentially result in higher productivity and efficiency for the Central Region sampling program because it may allow for more deliveries to be covered during a single sampling trip.

In 2015, a PNOL requirement was implemented as a condition of registration as provided by 5 AAC 28.020. *Groundfish area registration* (c) and a check-out procedure to report landing information was specified on the registration form. Vessels complied reasonably well; however, several waivers of the PNOL requirement were requested. There is overlap of participants between the Cook Inlet and PWS sablefish fisheries and vessels are able to comply with the PNOL requirements for the PWS sablefish fishery. Therefore, it would be expected that vessels would also be able to comply with the same requirement for the Cook Inlet fishery.

**PROPOSED BY:** Alaska Department of Fish and Game

(HQ-F16-127)

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Original Proposal Currently Under Review

**PROPOSAL XXX – 5 AAC 28.365. Cook Inlet Rockfish Management Plan.** Clarify procedures for obtaining and submitting log sheets for the Cook Inlet commercial rockfish fishery, as follows:

5 AAC 28.365(e) is amended to read:

(e) An operator of a vessel participating in the Cook Inlet directed rockfish fishery shall obtain **rockfish log sheets** [AND COMPLETE A ROCKFISH LOGBOOK] provided by the department **at the time of registration**. The vessel operator must have the **log sheets** [LOGBOOK] on board the vessel at all times the vessel is participating in the Cook Inlet directed rockfish fishery. **The vessel operator must submit to the department's office in Homer completed corresponding log sheets within 10 days after each landing of directed rockfish.**

**What is the issue you would like the board to address and why?** Although the current regulation requires completion of logbooks, it does not specify where and when to submit completed logbooks. A similar regulation exists for the Prince William Sound sablefish fishery as defined under 5 AAC 28.272(f) which requires that log sheets must be received within 10 days after each landing to the Alaska Department of Fish and Game (department) office in Cordova. There is a similar proposal to require log sheets for the Cook Inlet sablefish fishery to be submitted to the department's Homer office within 10 days after each landing. The Cook Inlet directed rockfish fishery is managed out of the Homer office and timely receipt of log sheets is necessary for corroboration of harvest and effort data. Typically, fishermen delivering to a processor will submit log sheet(s) to industry staff when completing the fish ticket and the buyer will submit the log sheet with the fish ticket to the department. This practice works well since it is specified in regulation that fish tickets are due to the department within 7 days of landing (5 AAC 39.130(c)); however, it is still the fisherman's responsibility to submit the log sheet. Many participants in the directed rockfish fishery are catcher-sellers and complete their own fish tickets and therefore do not submit their log sheets to a separate buyer, further necessitating that a clear deadline is specified in regulation for when log sheets are due to the department. This proposal seeks to implement a 10-day deadline following a directed rockfish landing, when log sheets are due to the department's office in Homer, for vessels participating in the Cook Inlet directed rockfish fishery.

Currently, at times, staff has needed to track down fishermen well after their landings have occurred in an attempt to collect missing logs, and this has caused concern that logs might be filled out inaccurately. Other proposed changes in the regulatory language are to clarify that log sheets are provided by the department, rather than "logbooks", and that these blank log sheet pages may be faxed, e-mailed, or copied to replenish a fisherman's supply. Additional proposed language clarifies that log sheets correspond to a single landing, and therefore the time frame for submission follows that landing.

**PROPOSED BY:** Alaska Department of Fish and Game

(HQ-F16-128)

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**PROPOSAL XXX – 5 AAC 28.365. Cook Inlet Rockfish Management Plan.** Add a 6-hour prior notice of landing requirement for the Cook Inlet directed commercial rockfish fishery, as follows:

5 AAC 28.365 is amended by adding a new subsection to read:

**(h) At least six hours before landing rockfish, an operator of a vessel participating in the Cook Inlet directed rockfish fishery must notify the department by telephone, to a telephone number specified in writing by the department on the registration forms at the time of registration, the following information:**

- (1) vessel name and ADF&G number;**
- (2) date and location of landing, and estimated time of arrival;**
- (3) name of fish buyer or processor; and**
- (4) estimated number of pounds of rockfish on board the vessel.**

**What is the issue you would like the board to address and why?** There is no prior notice of landing (PNOL) regulatory requirement for vessels participating in the Cook Inlet directed rockfish fishery. Biological sampling of rockfish harvested during the fishery is coordinated out of Homer and deliveries generally occur in both Homer and Seward. For Seward landings, staff must travel by state vehicle from Homer to Seward in order to meet vessels, which takes approximately 4 hours for the drive alone. Offloading happens quickly and the opportunity to sample landings in both ports can easily be missed if there is no notification beforehand. Therefore, having a PNOL in place for this fishery would assist in achieving sampling goals. Additionally, a PNOL requirement allows Alaska Wildlife Troopers to be notified about upcoming deliveries, providing a coordinated enforcement opportunity. A similar regulation already exists for the Prince William Sound sablefish fishery as defined under 5 AAC 28.272(e), and there is a similar proposal to require PNOL for the Cook Inlet sablefish fishery. Landings for both sablefish fisheries frequently occur in Seward and are covered by the same Homer staff as Cook Inlet directed rockfish fishery landings. Having a PNOL for all three fisheries could result in higher productivity and efficiency for the Central Region sampling program because it may allow for more deliveries to be covered during a single sampling trip.

In 2015, a PNOL requirement was implemented as a condition of registration as provided by 5 AAC 28.020. *Groundfish area registration* (c) and a check-out procedure to report landing information was specified on the registration form. Vessels complied reasonably well; however, several waivers of the PNOL requirement were requested. If the PNOL requirement were defined in regulation, there would be less confusion by vessel operators regarding expectations of fishery participants.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F16-129)  
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**PROPOSAL XX – 5 AAC 59.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Anchorage Bowl Drainages Area.** Amend the regulations for the Anchorage Bowl Drainages to allow harvest of salmon, other than king salmon, that are less than 16 inches in length, as follows:

5 AAC 59.120(2) is amended to read:

(2) salmon, other than king salmon,

(B) less than 16 inches in length

(i) may **be taken** [NOT BE RETAINED OR POSSESSED] in flowing waters and unstocked lakes and ponds **from January 1 – December 31; bag and possession limit of 10 fish;** [NO OPEN SEASON; SALMON OTHER THAN KING SALMON, LESS THAN 16 INCHES THAT ARE CAUGHT MUST BE RELEASED IMMEDIATELY;]

**What is the issue you would like the board to address and why?** The current regulation does not provide a bag or possession limit for sockeye and pink salmon that are less than 16 inches in length. If adopted, in the flowing waters and unstocked lakes and ponds in the Anchorage Bowl Drainage that are open for salmon fishing, the bag and possession limit for sockeye, pink, and chum salmon that are less than 16 inches in length, would be 10 fish. The bag and possession limit for sockeye, pink, coho, and chum salmon 16 inches or greater would remain at 3 fish, and the bag limit for king salmon would also not be changed.

**PROPOSED BY:** Alaska Department of Fish and Game

(HQ-F16-130)

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Original Proposal Currently Under Review

**PROPOSAL XX – 5 AAC 59.122. Special provisions for the seasons, bag, possession, annual, and size limits, and methods and means for the Anchorage Bowl Drainages Area.** Close all fishing on a portion of Campbell Creek when that portion is not open to coho salmon fishing, as follows:

5 AAC 59.122(a)(2)(A) is amended by adding a new sub-subparagraph to read:

- (2) in the Campbell Creek drainage,
  - (A) sport fishing is closed from

**(iv) the downstream side of the Lake Otis Parkway Bridge to an ADF&G marker at the forks near Piper Street from October 2 – July 13;**

**What is the issue you would like the board to address and why?** This section of Campbell Creek has been identified by law enforcement as a section that is heavily utilized by poachers targeting king and sockeye salmon migrating to their spawning grounds. This regulation would decrease poaching and aid law enforcement of unlawful fishing in this area

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F16-131)  
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Original Proposal Currently Under Review

**PROPOSAL XX – 5 AAC 59.122. Special provisions for the seasons, bag, possession, annual, and size limits, and methods and means for the Anchorage Bowl Drainages Area.** Extend the area closed to sport fishing on Ship Creek, as follows:

5 AAC 59.122(a)(14) is amended to read:

(14) in the Ship Creek drainage,

...

(F) the waters from the cable 100 feet downstream of the Chugach Power Plant dam upstream to ADF&G regulatory markers located **300 feet above the Elmendorf Power Plant Dam** [100 FEET UPSTREAM OF THE CHUGACH POWER PLANT DAM] are closed to sport fishing;

(G) **repealed** / **2017** [FROM ADF&G REGULATORY MARKERS LOCATED 100 FEET UPSTREAM OF THE CHUGACH POWER PLANT DAM TO THE UPSTREAM SIDE OF THE REEVE BOULEVARD BRIDGE;

(i) ONLY ONE UNBAITED, SINGLE-HOOK, ARTIFICIAL LURE MAY BE USED;

(ii) RAINBOW/STEELHEAD TROUT MAY NOT BE RETAINED; RAINBOW/STEELHEAD TROUT CAUGHT MUST BE RELEASED IMMEDIATELY AND RETURNED TO THE WATER UNHARMED;

(iii) SPORT FISHING IS CLOSED FROM APRIL 15 — JUNE 14];

(H) **repealed** / **2017** [THE WATERS UPSTREAM OF THE UPSTREAM SIDE OF THE REEVE BOULEVARD BRIDGE TO ADF&G REGULATORY MARKERS LOCATED 300 FEET ABOVE THE ELMENDORF POWER PLANT DAM ARE CLOSED TO ALL SPORT FISHING];

...

**What is the issue you would like the board to address and why?** This section of Ship Creek is already closed to salmon fishing, but open to trout (catch-and-release) and Arctic char/Dolly Varden (harvest) fishing. It has been identified by law enforcement as a section that is heavily utilized by salmon poachers. The salmon in this area are critical to the salmon broodstock at William Jack Hernandez Hatchery. This regulation would aid law enforcement staff and assure more fish would be able to make it to the hatchery.

**PROPOSED BY:** Alaska Department of Fish and Game

(HQ-F16-132)

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**PROPOSAL XX – 5 AAC 59.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Anchorage Bowl Drainages Area.** Add Lower Sixmile Lake to the list of stocked lakes, as follows:

5 AAC 59.120(3)(A) is amended to read:

(3) rainbow/steelhead trout may be taken from January 1 – December 31 in

(A) stocked lakes and ponds; bag and possession limit of five fish, of which only one may be 20 inches or greater in length; for the purpose of this subparagraph, “stocked lakes and ponds” include Alder Pond, Airstrip/Willow Pond, Beach Lake, Campbell Point Lake, Cheney Lake, University Lake (Behn or APU Lake), Clunie Lake, Delong Lake, Dishno Lake, Edmunds Lake, Fish Lake, Green Lake, Gwen Lake, Hillberg Lake, Jewell Lake, Lake Otis, Lower Fire Lake, **Lower Sixmile Lake**, Mirror Lake, Otter Lake, Rabbit Lake, Sand Lake, Spring Lake, Taku Campbell Lake, Triangle Lake, Upper Sixmile Lake, and Waldon Lake;

**What is the issue you would like the board to address and why?** Currently, Upper Six Mile Lake is listed in the stocked lakes list but Lower Six Mile Lake is not. Fish are stocked into Upper Sixmile Lake and are able to move freely between the two lakes. Currently these lakes have different regulations even though they are connected by a culverted road crossing that remains passable all year. These lakes should be managed as a single unit. With the proximity of these bodies of water to each other it will also simplify regulations and make enforcement easier.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F16-133)

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Original Proposal Currently Under Review

**PROPOSAL XX – 5 AAC 57.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Kenai River Drainage Area.** Align size restrictions for Dolly Varden and rainbow trout bag limit in the flowing waters of the Kenai River Drainage Area, as follows:

5 AAC 57.120(a)(5) and (6) are amended to read:

(5) Arctic char/Dolly Varden may be taken from

(A) January 1 – December 31, in all flowing waters from the mouth of the Kenai River upstream to Skilak Lake, and the waters of Skilak Lake, **upstream to Kenai Lake, including the flowing waters of the Kenai Lake drainage** [EXCEPT THE WATERS WITHIN A ONE-HALF MILE RADIUS OF THE KENAI RIVER INLET]; bag and possession limit of one fish less than **16** [18] inches in length; Arctic char/Dolly Varden **16** [18] inches or greater in length may not be retained; Arctic char/Dolly Varden caught that are **16** [18] inches or greater in length must be released immediately;

...

(C) **repealed** / **2017** [JUNE 11 – MAY 1, IN ALL FLOWING WATERS FROM THE WATERS OF SKILAK LAKE WITHIN A ONE-HALF MILE RADIUS OF THE KENAI RIVER INLET, UPSTREAM TO KENAI LAKE, INCLUDING THE FLOWING WATERS OF THE KENAI LAKE DRAINAGE; BAG AND POSSESSION LIMIT OF ONE FISH LESS THAN 16 INCHES IN LENGTH; ARCTIC CHAR/DOLLY VARDEN 16 INCHES OR GREATER IN LENGTH MAY NOT BE RETAINED; ARCTIC CHAR/DOLLY VARDEN CAUGHT THAT ARE 16 INCHES OR GREATER IN LENGTH MUST BE RELEASED IMMEDIATELY];

(6) rainbow/steelhead trout

...

(B) may be taken from January 1 – December 31, in all flowing waters from the mouth of the Kenai River upstream to **Skilak Lake, and the waters of Skilak Lake, upstream to Kenai Lake, including the flowing waters of the Kenai Lake drainage** [AN ADF&G REGULATORY MARKER LOCATED APPROXIMATELY ONE MILE UPSTREAM FROM THE MOUTH OF THE LOWER KILLEY RIVER, AND FROM JUNE 11 – MAY 1 IN THAT PORTION OF THE KENAI RIVER FROM AN ADF&G REGULATORY MARKER LOCATED APPROXIMATELY ONE MILE UPSTREAM FROM THE MOUTH OF THE LOWER KILLEY RIVER UPSTREAM TO SKILAK LAKE AND THE WATERS OF SKILAK LAKE, EXCEPT THE WATER WITHIN A ONE-HALF MILE RADIUS OF THE KENAI RIVER INLET]; bag and possession limit of one fish less than **16** [18] inches in length; rainbow/steelhead trout **16** [18] inches or greater in length may not be retained; rainbow/steelhead trout caught that are **16** [18] inches or greater in length must be released immediately;

(C) **repealed** / /2017 [MAY BE TAKEN FROM JUNE 11 - MAY 1, IN ALL FLOWING WATERS UPSTREAM OF SKILAK LAKE, AND THE WATERS OF SKILAK LAKE WITHIN A ONE-HALF MILE RADIUS OF THE KENAI RIVER INLET; BAG AND POSSESSION LIMIT OF ONE FISH LESS THAN 16 INCHES IN LENGTH; RAINBOW/STEELHEAD TROUT 16 INCHES OR GREATER IN LENGTH MAY NOT BE RETAINED; RAINBOW/STEELHEAD TROUT CAUGHT THAT ARE 16 INCHES OR GREATER IN LENGTH MUST BE RELEASED IMMEDIATELY];

**What is the issue you would like the board to address and why?** The size (total length) of the one fish Dolly Varden bag limit Kenai River anglers may retain differs by river section. This would create the same size restriction for all areas of the Kenai River Drainage Area. Aligning regulations for consistency will improve public communication, decrease regulatory complexity and increase public understanding of the sport fishing regulations in the Kenai River Drainage Area.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F16-134)

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Original Proposal Currently Under Review

**PROPOSAL XX – 5 AAC 57.121. Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area.** Align the Kenai River king salmon sanctuaries start date, and boat closures with the proposed rainbow trout spawning closure start date, as follows:

5 AAC 57.121(3) is amended to read:

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

...

(B) from **May 1 – July 31** [JANUARY 1 – JULY 31], in the following waters:

...

(C) from **May 1** [MAY 15] until the end of the king salmon season, or July 31, whichever is later, in the following waters:

...

(D) from **May 1 – July 31** [JANUARY 1 – JULY 31], in that portion of the Kenai River from an ADF&G regulatory marker located approximately three-quarters of a mile downstream from the mouth of the Lower Killey River, upstream to an ADF&G regulatory marker located approximately one mile upstream from the mouth of the Lower Killey River;

...

**What is the issue you would like the board to address and why?** The Alaska Department of Fish and Game submitted this suite of proposals to provide the board an opportunity to review Kenai River sport fishing regulations and consider changes to simplify and align regulations. Nearly all existing regulations that have dates which trigger general or special provisions to sport fish regulations reference the first, last or middle day of a month. The purpose is to create regulations 1) with consistent dates that encompass biological concerns, and 2) that are easily understood by the public. Regulations have been adopted in the Kenai River Drainage Area over the years for various fisheries based on biological as well as social issues. In many cases dates that start or discontinue regulations for one fishery do not align with regulations for another fishery in the same area. Over time this created regulations that are disjointed, overly complex, and not easily understood by the public. These proposals identify regulations that, taken as a whole, would align dates and waters to simplify regulations without impacting fishery management objectives. Aligning regulations for consistency will improve public communication, decrease regulatory complexity and increase public understanding of the sport fishing regulations in the Kenai River Drainage Area.

**PROPOSED BY:** Alaska Department of Fish and Game

(HQ-F16-135)

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**PROPOSAL XX – 5 AAC 57.121. Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area.** Align the Kenai River tributary fishing closure start dates with the proposed king salmon sanctuaries and rainbow trout spawning closure start dates, and align all Kenai River tributary closures so they have similar closure periods, as follows:

5 AAC 57.121(2) is amended to read:

(2) the following waters of the Kenai River **drainage** are closed to sport fishing, as follows:

(A) from **May 1 – July 31** [APRIL 15 – AUGUST 15], Slikok Creek, **Funny River, and Killey River**;

(B) from **May 1 – June 10, all remaining** [JANUARY 1 – DECEMBER 31, THE] flowing waters of **the Lower Kenai Section, including Beaver Creek, Soldotna Creek, and in the Moose River upstream of the upper edge of the Sterling Highway Bridge** [UPSTREAM OF ADF&G MARKERS LOCATED APPROXIMATELY 100 FEET UPSTREAM FROM ITS CONFLUENCE WITH THE KENAI RIVER];

(C) **repealed** / **2017** [FROM MAY 2 – JUNE 10, THE FLOWING WATERS OF SOLDOTNA CREEK DOWNSTREAM FROM AN ADF&G REGULATORY MARKER LOCATED APPROXIMATELY 100 FEET UPSTREAM FROM ITS CONFLUENCE WITH THE KENAI RIVER];

(D) from **May 1 – July 31** [JANUARY 1 – JULY 31], that portion of the Kenai River from an ADF&G regulatory marker located approximately one mile downstream from the mouth of the Funny River, upstream to an ADF&G regulatory marker located approximately 200 yards upstream from the mouth of the Funny River, is closed to the taking of king salmon;

(E) **repealed** / **2017** [FROM JUNE 11 – AUGUST 14, THE FUNNY RIVER FROM THE KENAI RIVER UPSTREAM TO THE FUNNY RIVER ROAD BRIDGE];

(F) **repealed** / **2017** [FROM MAY 2 – JUNE 10, THE FLOWING WATERS OF MOOSE RIVER UPSTREAM OF THE UPPER EDGE OF THE STERLING HIGHWAY BRIDGE];

(G) from **May 1 – July 31** [JANUARY 1 – JULY 31], that portion of the Kenai River from an ADF&G regulatory marker located approximately three-quarters of a mile downstream from the mouth of the Lower Killey River, upstream to an ADF&G regulatory marker located approximately one mile upstream from the mouth of the Lower Killey River, is closed to the taking of king salmon;

...

(J) from **May 1 – July 31** [JANUARY 1 – JULY 31], the waters in that portion of the Kenai River from an ADF&G regulatory marker located approximately 300 yards downstream from the mouth of Slikok Creek, upstream to an ADF&G regulatory marker located approximately 300 yards upstream from the mouth of Slikok Creek, is closed to the taking of king salmon;

(K) from **May 1 – June 10** [MAY 2 – JUNE 10], in that portion of the Kenai River from an ADF&G regulatory marker located approximately one mile upstream from the mouth of the Lower Kille River upstream to an ADF&G regulatory marker located at the outlet of Skilak Lake;

...

**(M) all tributaries to the Lower Section of the Kenai River, except a section of the Moose River from its mouth upstream to the upstream edge of the Sterling Highway Bridge, are closed to sport fishing for salmon;**

**What is the issue you would like the board to address and why?** The Alaska Department of Fish and Game submitted this suite of proposals to provide the board an opportunity to review Kenai River sport fishing regulations and consider changes to simplify and align regulations. Nearly all existing regulations that have dates which trigger general or special provisions to sport fish regulations reference the first, last or middle day of a month. The purpose is to create regulations 1) with consistent dates that encompass biological concerns, and 2) that are easily understood by the public. Regulations have been adopted in the Kenai River Drainage Area over the years for various fisheries based on biological as well as social issues. In many cases dates that start or discontinue regulations for one fishery do not align with regulations for another fishery in the same area. Over time this created regulations that are disjointed, overly complex, and not easily understood by the public. These proposals identify regulations that, taken as a whole, would align dates and waters to simplify regulations without impacting fishery management objectives. Aligning regulations for consistency will improve public communication, decrease regulatory complexity and increase public understanding of the sport fishing regulations in the Kenai River Drainage Area.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F16-136)  
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**PROPOSAL XX – 5 AAC 57.122. Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Middle Section of the Kenai River Drainage Area.** Align the Kenai River tributary fishing closure start dates with the proposed king salmon sanctuaries and rainbow trout spawning closure start dates, and align all Kenai River tributary closures so they have similar fishing seasons, such that anglers are prohibited from fishing for salmon, as follows:

5 AAC 57.122(1) is amended to read:

(1) the following waters of the Middle Section of Kenai River drainage are **closed to sport fishing**, [OPEN TO SPORT FISHING, ONLY] as follows:

(A) from **May 1 – June 10** [JUNE 11 – MAY 1], the Kenai River from the waters of Skilak Lake within a one-half mile radius of the Kenai River inlet, upstream to the downstream edge of the Sterling Highway Bridge at the outlet of Kenai Lake;

(B) from **May 1 – June 10 and from September 15 – October 31, the flowing waters of** [JUNE 11 – SEPTEMBER 14, AND FROM NOVEMBER 1 – MAY 1,] Cooper Creek;

(C) **repealed** / **2017** [FROM JUNE 11 – MAY 1, FLOWING WATERS OF THE RUSSIAN RIVER DRAINAGE UPSTREAM OF A POINT APPROXIMATELY 100 YARDS FROM ITS CONFLUENCE WITH THE KENAI RIVER, EXCLUDING UPPER RUSSIAN (GOAT) CREEK];

(D) **repealed** / **2017** [FROM JULY 15 – MAY 1, THE RUSSIAN RIVER SANCTUARY, INCLUDING WATERS UPSTREAM FROM ADF&G REGULATORY MARKERS LOCATED JUST DOWNSTREAM OF THE FERRY CROSSING ON THE KENAI RIVER TO ADF&G REGULATORY MARKERS LOCATED APPROXIMATELY 300 YARDS UPSTREAM OF THE PUBLIC BOAT LAUNCH AT SPORTSMANS LANDING (INCLUDING THE WATERS AROUND THE UPSTREAM END OF THE ISLAND NEAR THE RUSSIAN RIVER MOUTH) AND THE RUSSIAN RIVER FROM ITS MOUTH UPSTREAM 100 YARDS TO ADF&G REGULATORY MARKERS IS OPEN TO SPORT FISHING, EXCEPT SOCKEYE SALMON MAY BE TAKEN ONLY FROM JULY 15 – AUGUST 20];

(E) **repealed** / **2017** [FROM JUNE 11 – AUGUST 20, THE WATERS OF THE KENAI RIVER NEAR THE CONFLUENCE OF THE RUSSIAN RIVER, FROM THE POWERLINE CROSSING ON THE KENAI RIVER UPSTREAM TO THE FERRY CROSSING, ARE OPEN TO SPORT FISHING FOR SOCKEYE SALMON];

(F) **repealed** / **2017** [FROM JUNE 11 – AUGUST 20, THE WATERS OF THE RUSSIAN RIVER FROM ITS MOUTH UPSTREAM TO AN ADF&G REGULATORY MARKER LOCATED APPROXIMATELY 600 YARDS DOWNSTREAM FROM THE FALLS ARE OPEN SPORT FISHING FOR SOCKEYE SALMON];

(G) from **May 1 – June 10** [JUNE 11 – JULY 31], and from **August 1 – August 31** [SEPTEMBER 1 – MAY 1], the Upper Russian (Goat) Creek upstream from an ADF&G regulatory marker located approximately 300 yards from its confluence with Upper Russian Lake;

(H) from **May 1 – June 10, the flowing waters of** [JUNE 11 – MAY 1] Jean Lake Creek, **Juneau Creek, the Russian River upstream of a point approximately 100 yards from its confluence with the Kenai River, excluding Upper Russian (Goat) Creek, and Hidden Lake Creek;**

(I) **repealed** / /2017 [FROM JULY 1-SEPTEMBER 30, THE WATERS OF THE RUSSIAN RIVER FROM ITS MOUTH UPSTREAM TO AN ADF&G REGULATORY MARKER LOCATED APPROXIMATELY 600 YARDS DOWNSTREAM FROM THE FALLS ARE OPEN SPORT FISHING FOR COHO SALMON];

5 AAC 57.122(5) is amended to read:

(5) **all tributaries to the Middle Section of the Kenai River, except a section of** the Russian River drainage **downstream** [UPSTREAM] of an ADF&G regulatory marker located approximately 600 yards downstream from the falls **are** [IS] closed to sport fishing for salmon;

5 AAC 57.122 is amended by adding a new paragraph to read:

**(10) the following waters of the Middle Section of Kenai River drainage are open to sport fishing, only as follows:**

**(A) from July 15 – April 30, the Russian River Sanctuary, including waters upstream from ADF&G regulatory markers located just downstream of the ferry crossing on the Kenai River to ADF&G regulatory markers located approximately 300 yards upstream of the public boat launch at Sportsman's Landing (including the waters around the upstream end of the island near the Russian River mouth) and the Russian River from its mouth upstream 100 yards to ADF&G regulatory markers is open to sport fishing, except sockeye salmon may be taken only from July 15 – August 20;**

**(B) from June 11 – August 20, the waters of the Kenai River near the confluence of the Russian River, from the powerline crossing on the Kenai River upstream to the Ferry Crossing, are open to sport fishing for sockeye salmon;**

**(C) from June 11 – August 20, the waters of the Russian River from its mouth upstream to an ADF&G regulatory marker located approximately 600 yards downstream from the falls are open to sport fishing for sockeye salmon;**

**(D) from July 1 – September 30, the waters of the Russian River from its mouth upstream to an ADF&G regulatory marker located approximately 600 yards downstream from the falls are open to sport fishing for coho salmon.**

**What is the issue you would like the board to address and why?** The Alaska Department of Fish and Game submitted this suite of proposals to provide the board an opportunity to review Kenai River sport fishing regulations and consider changes to simplify and align regulations. Nearly all existing regulations that have dates which trigger general or special provisions to sport fish regulations reference the first, last or middle day of a month. The purpose is to create regulations 1) with consistent dates that encompass biological concerns, and 2) that are easily understood by the public. Regulations have been adopted in the Kenai River Drainage Area over the years for various fisheries based on biological as well as social issues. In many cases dates that start or discontinue regulations for one fishery do not align with regulations for another fishery in the same area. Over time this created regulations that are disjointed, overly complex, and not easily understood by the public. These proposals identify regulations that, taken as a whole, would align dates and waters to simplify regulations without impacting fishery management objectives. Aligning regulations for consistency will improve public communication, decrease regulatory complexity and increase public understanding of the sport fishing regulations in the Kenai River Drainage Area.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F16-137)  
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Original Proposal Currently Under Review

**PROPOSAL XX – 5 AAC 57.123. Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Upper Section of the Kenai River Drainage Area.** Align the closure start date for all the tributaries of the Upper Section of the Kenai River Drainage Area with the start dates proposed for the king salmon sanctuaries and the start dates proposed for the rainbow trout spawning closure. In addition, create the same fishing season in all the tributaries of the Upper Section of the Kenai River Drainage area, as follows:

5 AAC 57.123 is amended to read:

(1) Kenai Lake from the Sterling Highway Bridge at the outlet, upstream to ADF&G regulatory markers located approximately one-quarter mile upstream, is open to sport fishing only from **June 11 – April 30** [JUNE 11 – MAY 1];

...

(3) **repealed** / /2017 [IN ALL FLOWING WATERS OF THE KENAI LAKE DRAINAGE, THE BAG AND POSSESSION LIMIT FOR RAINBOW/STEELHEAD TROUT IS ONE FISH LESS THAN 16 INCHES IN LENGTH; RAINBOW/STEELHEAD TROUT 16 INCHES OR GREATER IN LENGTH MAY NOT BE RETAINED; RAINBOW/STEELHEAD TROUT CAUGHT THAT ARE 16 INCHES OR GREATER IN LENGTH MUST BE RELEASED IMMEDIATELY AND RETURNED TO THE WATER UNHARMED];

...

**(9) the following waters of the Upper Section of the Kenai River drainage are closed to sport fishing, as follows:**

**(A) from May 1 – June 10, all flowing waters of the Upper Section of the Kenai River drainage;**

**(B) from May 1 – June 10 and from September 15 – October 31, the Quartz Creek drainage upstream of the Sterling Highway Bridge, including Devils Creek, Johns Creek, Jerome Creek, Summit Creek, and Slate Creek, and the South Fork of the Snow River.**

**Note: Paragraphs (6) – (8) are repealed by this proposal.**

[(6) CRESCENT CREEK DRAINAGE, AS FOLLOWS:

(A) OPEN TO SPORT FISHING FROM JUNE 11 – MAY 1;

(B) IN FLOWING WATERS, ONLY ONE UNBAITED, SINGLE-HOOK, ARTIFICIAL LURE MAY BE USED;

(C) IN CRESCENT LAKE, FROM JUNE 11 – MAY 1, THE BAG AND POSSESSION LIMIT FOR RAINBOW/STEELHEAD TROUT IS TWO FISH, OF WHICH ONLY ONE MAY BE 20 INCHES OR GREATER IN LENGTH;

(D) FROM JUNE 11 – MAY 1, THE CRESCENT CREEK DRAINAGE, EXCEPT CRESCENT LAKE, IS OPEN TO SPORT FISHING FOR RAINBOW/STEELHEAD TROUT; THE BAG AND POSSESSION LIMIT FOR RAINBOW/STEELHEAD TROUT IS ONE FISH LESS THAN 16 INCHES IN LENGTH; RAINBOW/STEELHEAD TROUT 16 INCHES OR GREATER IN LENGTH MAY NOT BE RETAINED; RAINBOW/STEELHEAD TROUT CAUGHT THAT ARE 16 INCHES OR GREATER IN LENGTH MUST BE RELEASED IMMEDIATELY, AND RETURNED TO THE WATER UNHARMED;

(E) THE BAG AND POSSESSION LIMIT FOR ARCTIC GRAYLING IS TWO FISH, WITH NO SIZE LIMIT;

(7) QUARTZ CREEK DRAINAGE, EXCLUDING CRESCENT CREEK, AS FOLLOWS:

(A) ONLY ONE UNBAITED, SINGLE-HOOK, ARTIFICIAL LURE MAY BE USED;

(B) CLOSED TO SPORT FISHING FOR SALMON;

(C) OPEN TO SPORT FISHING FOR FINFISH OTHER THAN SALMON, FROM ITS MOUTH TO THE UPSTREAM SIDE OF THE STERLING HIGHWAY BRIDGE, FROM JUNE 11 – MAY 1;

(D) FROM JUNE 11 – SEPTEMBER 14, AND FROM NOVEMBER 1 – MAY 1, UPSTREAM OF THE STERLING HIGHWAY BRIDGE, INCLUDING DEVILS CREEK, JOHNS CREEK, JEROME CREEK, SUMMIT CREEK, AND SLATE CREEK, IS OPEN TO SPORT FISHING FOR FINFISH OTHER THAN SALMON;

(E) THE BAG AND POSSESSION LIMIT FOR ARCTIC CHAR/DOLLY VARDEN IS ONE FISH LESS THAN 16 INCHES IN LENGTH; ARCTIC CHAR/DOLLY VARDEN 16 INCHES OR GREATER IN LENGTH MAY NOT BE RETAINED; ARCTIC CHAR/DOLLY VARDEN CAUGHT THAT ARE 16 INCHES OR GREATER IN LENGTH MUST BE RELEASED IMMEDIATELY AND RETURNED TO THE WATER UNHARMED;

(F) THE BAG AND POSSESSION LIMIT FOR RAINBOW/STEELHEAD TROUT IS ONE FISH LESS THAN 16 INCHES IN LENGTH; RAINBOW/STEELHEAD TROUT 16 INCHES OR GREATER IN LENGTH MAY NOT BE RETAINED; RAINBOW/STEELHEAD TROUT CAUGHT THAT ARE 16 INCHES OR GREATER IN LENGTH MUST BE RELEASED IMMEDIATELY AND RETURNED TO THE WATER UNHARMED;

(8) SNOW RIVER DRAINAGE, AS FOLLOWS:

(A) ONLY ONE UNBAITED, SINGLE-HOOK, ARTIFICIAL LURE MAY BE USED;

(B) CLOSED TO SPORT FISHING FOR SALMON;

(C) THE SOUTH FORK OF THE SNOW RIVER IS OPEN TO SPORT FISHING FOR FINFISH OTHER THAN SALMON FROM JUNE 11 – SEPTEMBER 14, AND FROM NOVEMBER 1 – MAY 1;

(D) THE REMAINDER OF THE SNOW RIVER DRAINAGE, NOT SPECIFIED IN (C) OF THIS PARAGRAPH, IS OPEN TO SPORT FISHING FOR FINFISH OTHER THAN SALMON FROM JUNE 11 – MAY 1;

(E) THE BAG AND POSSESSION LIMIT FOR ARCTIC CHAR/DOLLY VARDEN IS ONE FISH LESS THAN 16 INCHES IN LENGTH; ARCTIC CHAR/DOLLY VARDEN 16 INCHES OR GREATER IN LENGTH MAY NOT BE RETAINED; ARCTIC CHAR/DOLLY VARDEN CAUGHT THAT ARE 16 INCHES OR GREATER IN LENGTH MUST BE RELEASED IMMEDIATELY AND RETURNED TO THE WATER UNHARMED;

(F) THE BAG AND POSSESSION LIMIT FOR RAINBOW/STEELHEAD TROUT IS ONE FISH LESS THAN 16 INCHES IN LENGTH; RAINBOW/STEELHEAD TROUT 16 INCHES OR GREATER IN LENGTH MAY NOT BE RETAINED; RAINBOW/STEELHEAD TROUT CAUGHT THAT ARE 16 INCHES OR GREATER IN LENGTH MUST BE RELEASED IMMEDIATELY AND RETURNED TO THE WATER UNHARMED.]

**What is the issue you would like the board to address and why?** The Alaska Department of Fish and Game submitted this suite of proposals to provide the board an opportunity to review Kenai River sport fishing regulations and consider changes to simplify and align regulations. Nearly all existing regulations that have dates which trigger general or special provisions to sport fish regulations reference the first, last or middle day of a month. The purpose is to create regulations 1) with consistent dates that encompass biological concerns, and 2) that are easily understood by the public. Regulations have been adopted in the Kenai River Drainage Area over the years for various fisheries based on biological as well as social issues. In many cases dates that start or discontinue regulations for one fishery do not align with regulations for another fishery in the same area. Over time this created regulations that are disjointed, overly complex, and not easily understood by the public. These proposals identify regulations that, taken as a whole, would align dates and waters to simplify regulations without impacting fishery management objectives. Aligning regulations for consistency will improve public communication, decrease regulatory complexity and increase public understanding of the sport fishing regulations in the Kenai River Drainage Area.

**PROPOSED BY:** Alaska Department of Fish and Game

(HQ-F16-138)

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Original Proposal Currently Under Review

**PROPOSAL XX – 5 AAC 57.121. Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area.** Change the Kenai River king salmon sanctuaries and the Moose-Kenai rivers confluence area fly-fishing-only waters to artificial fly waters, and align dates for these special provisions with other provisions, as follows:

5 AAC 57.121(1) is amended to read:

(1) sport fishing gear restrictions:

...

(E) from **May 1 – July 31, the portion of the Kenai River from ADF&G markers located approximately 100 yards downstream of the mouth of the Moose River, upstream to ADF&G regulatory markers located approximately 100 yards upstream from the mouth of the Moose River, and the Moose River upstream to the upstream edge of the Sterling Highway Bridge, only one unbaited, single-hook, artificial fly may be used** [MAY 15 – AUGUST 15, THE MOOSE RIVER FROM ITS CONFLUENCE WITH THE KENAI RIVER UPSTREAM TO THE UPSTREAM EDGE OF THE STERLING HIGHWAY BRIDGE, AND THE WATERS OF THE KENAI RIVER WITHIN A 100-YARD RADIUS OF THE MOOSE RIVER, ARE FLY-FISHING-ONLY WATERS];

(F) from **May 1 – July 31, in the following waters only one unbaited, single-hook, artificial fly may be used** [JANUARY 1 – JULY 31, THE FOLLOWING WATERS ARE FLY-FISHING-ONLY WATERS]:

...

(G) from **May 1 – July 31** [JANUARY 1 – JULY 31], that portion of the Kenai River from an ADF&G regulatory marker located approximately three-quarters of a mile downstream from the mouth of the Lower Killey River, upstream to an ADF&G regulatory marker located approximately one mile upstream from the mouth of the Lower Killey River, **only one unbaited, single-hook, artificial fly may be used** [IS FLY-FISHING-ONLY WATERS];

...

**What is the issue you would like the board to address and why?** The Alaska Department of Fish and Game submitted this suite of proposals to provide the board an opportunity to review Kenai River sport fishing regulations and consider changes to simplify and align regulations. Nearly all existing regulations that have dates which trigger general or special provisions to sport fish regulations reference the first, last or middle day of a month. The purpose is to create regulations 1) with consistent dates that encompass biological concerns, and 2) that are easily understood by the public. Regulations have been adopted in the Kenai River Drainage Area over the years for various fisheries based on biological as well as social issues. In many cases dates that start or discontinue regulations for one fishery do not align with regulations for another fishery in the same area. Over time this created regulations that are disjointed, overly complex, and not easily understood by the public. These proposals identify regulations that, taken as a

whole, would align dates and waters to simplify regulations without impacting fishery management objectives. Aligning regulations for consistency will improve public communication, decrease regulatory complexity and increase public understanding of the sport fishing regulations in the Kenai River Drainage Area.

**PROPOSED BY:** Alaska Department of Fish and Game

(HQ-F16-139)

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Original Proposal Currently Under Review

**PROPOSAL XX – 5 AAC 57.121. Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area.; 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.; and 5 AAC 57.123. Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Upper Section of the Kenai River Drainage Area.** Align gear restrictions for Kenai River tributaries, as follows:

5 AAC 57.121(1) is amended by adding a new subparagraph to read:

(1) sport fishing gear restrictions:

**(K) in all tributaries to the Lower Section, only one unbaited, single-hook, artificial lure, with a gap between point and shank of three-eighths inch or less, may be used;**

5 AAC 57.122(4)(G) is repealed:

(4) the following sport fishing gear restriction apply:

(G) **repealed** / /2017 [IN HIDDEN LAKE CREEK, ONLY ONE UNBAITED, SINGLE-HOOK, ARTIFICIAL LURE MAY BE USED];

5 AAC 57.123(4)(C) is amended to read:

(4) from January 1 – December 31,

...

(C) in the flowing waters of the Kenai Lake drainage, including waters of Kenai Lake within one-quarter mile radius of all inlet streams, only one unbaited, single-hook, artificial lure, **with a gap between point and shank of three-eighths inch or less,** may be used;

**What is the issue you would like the board to address and why?** The Alaska Department of Fish and Game submitted this suite of proposals to provide the board an opportunity to review Kenai River sport fishing regulations and consider changes to simplify and align regulations. Nearly all existing regulations that have dates which trigger general or special provisions to sport fish regulations reference the first, last or middle day of a month. The purpose is to create regulations 1) with consistent dates that encompass biological concerns, and 2) that are easily understood by the public. Regulations have been adopted in the Kenai River Drainage Area over the years for various fisheries based on biological as well as social issues. In many cases dates that start or discontinue regulations for one fishery do not align with regulations for another fishery in the same area. Over time this created regulations that are disjointed, overly complex, and not easily understood by the public. These proposals identify regulations that, taken as a

whole, would align dates and waters to simplify regulations without impacting fishery management objectives. Aligning regulations for consistency will improve public communication, decrease regulatory complexity and increase public understanding of the sport fishing regulations in the Kenai River Drainage Area.

**PROPOSED BY:** Alaska Department of Fish and Game

(HQ-F16-140)

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Original Proposal Currently Under Review

**PROPOSAL XX – 5 AAC 57.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Kenai River Drainage Area.** Amend general provisions for lakes and ponds of the Kenai River drainage to restore winter ice fisheries for landlocked coho salmon less than 16 inches in length, as follows:

5 AAC 57.120(a)(4) is amended to read:

(4) salmon, other than king salmon,

(A) 16 inches or greater in length, as follows:

...

(ii) coho salmon may be taken in the Lower Section only from July 1 – November 30 and in the Middle **Section** [AND UPPER SECTIONS] only from July 1 – October 31; a person after taking and retaining a bag limit of coho salmon 16 inches or greater in length from the Kenai River may continue to sport fish only from the Soldotna Bridge upstream to the ADF&G regulatory markers at the outlet of Skilak Lake;

...

(B) less than 16 inches in length [MAY BE TAKEN FROM JANUARY 1 – DECEMBER 31]; bag and possession limit of 10 fish **may be taken as follows:**

**(i) sockeye, pink, and chin salmon may be taken from January 1 – December 31;**

**(ii) coho salmon may be taken in the Lower Section only from July 1 – November 30 and in the Middle Section only from July 1 – October 31, except that coho salmon may be taken in lakes and ponds, excluding Skilak Lake, from January 1 – December 31;**

**What is the issue you would like the board to address and why?** Select lakes in the lower and middle section of the Kenai River Drainage Area can become temporarily landlocked from year to year between high water events. Under these circumstances the typical life history of coho salmon is interrupted to the extent that the fish do not migrate to sea and remain to become resident freshwater fish. Historically, coho salmon fishing season was open year round and the public harvested these fish during the winter while fishing through the ice. Changes to coho salmon fishing seasons for the Kenai River precluded the harvest of coho salmon less than 16 inches during the winter in these select lakes. Changing the regulation will allow harvest of landlocked coho salmon during the winter.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F16-141)  
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**PROPOSAL XX – 5 AAC 57.180. Riparian Habitat Fishery Management Plan for the Kenai River Drainage Area.** Establish two Kenai River riparian habitat areas equal to approximately nine-tenths of a mile that will be closed to fishing from shore within 10 feet of the waterline from July 1 – August 15, as follows:

5 AAC 57.180(d) is amended by adding new paragraphs to read:

**(26) on the north bank of the Kenai River, between ADF&G regulatory markers located at river mile 13.3 and river mile 14.0;**

**(27) on the north bank of the Kenai River, between ADF&G regulatory markers located at river mile 13.0 and river mile 13.2.**

**What is the issue you would like the board to address and why?** Management authority of these state-owned parcels of land along the Kenai River was assigned to the Alaska Department of Fish and Game to implement the *Exxon Valdez* Oil Spill Trustee Council’s objective to restore, enhance, and rehabilitate natural resources injured by the oil spill. The parcels are also subject to a third-party conservation easement. The warranty deed and conservation easement include restrictive covenants that prohibit public access, including sport fishing, along the Kenai River shoreline of this parcel. This proposal would implement warranty deed and conservation easement restrictions for the parcels through regulation rather than by annual issuance of an emergency order.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F16-142)

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Original Proposal Currently Under Review

**PROPOSAL XX – 5 AAC 56.122. Special provisions for the seasons, bag, possession, annual, and size limits, and methods and means for the Kenai Peninsula Area.** Create consistent rainbow/steelhead trout regulations in the Kasilof River above and below the Sterling Highway Bridge and amend the open season date for Tustumena Lake tributaries to protect spawning rainbow/steelhead trout, as follows:

5 AAC 56.122(a)(8)(B)(vii) is repealed:

(8) Kasilof River drainage, excluding Crooked Creek and Tustumena Lake and its tributaries;

...

(B) the following special provisions apply in that portion downstream of the Sterling Highway Bridge:

....

(vii) ~~repealed~~ / ~~2017~~ [RAINBOW/STEELHEAD TROUT MAY NOT BE POSSESSED OR RETAINED; RAINBOW/STEELHEAD TROUT CAUGHT MUST BE RELEASED IMMEDIATELY; A PERSON MAY NOT REMOVE A RAINBOW/STEELHEAD FROM THE WATER BEFORE RELEASING THE FISH];

...

5 AAC 56.122(a)(8) is amended by adding a new subparagraph to read:

**(D) rainbow/steelhead trout may not be possessed or retained; rainbow/steelhead trout caught must be released immediately; a person may not remove a rainbow/steelhead from the water before releasing the fish;**

5 AAC 56.122(a)(12)(B) is amended to read:

(12) Tustumena Lake and its tributaries:

...

(B) except as specified in (A) of this paragraph, the tributaries of Tustumena Lake are open to sport fishing only from **June 11 – April 30** [JUNE 11 – MAY 1];

**What is the issue you would like the board to address and why?** Align rainbow/steelhead trout regulations in the Kasilof River drainage by creating the same regulation above and below the Sterling Highway Bridge. In addition, this regulation changes the open season for rainbow/steelhead trout in tributaries to align with the open season in the Kenai River Drainage Area.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F16-143)

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**PROPOSAL XX – 5 AAC 56.120. General provisions for seasons, bag, possession, annual, and size limits, and methods and means for the Kenai Peninsula Area; and 5 AAC 57.121. Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area. Repeal gear regulations for northern pike in 5 AAC 56.120 and 5 AAC 57.121, as follows:**

5 AAC 56.120(7) is repealed:

(7) **repealed** / **2017** [NORTHERN PIKE MAY BE TAKEN FROM JANUARY 1 – DECEMBER 31; NO, BAG, POSSESSION, OR SIZE LIMIT; NORTHERN PIKE MAY BE TAKEN

(A) NORTHERN PIKE MAY BE TAKEN BY SPEAR AND BOW AND ARROW; THE ARROW MUST HAVE A BARBED TIP AND BE ATTACHED BY A LINE TO THE BOW; FOR THE PURPOSES OF THIS SUBPARAGRAPH, ‘BOW’ MEANS A LONG BOW, RECURVE BOW, COMPOUND BOW, AND CROSSBOW;

(B) WITH TWO HOOKS PER LINE WHEN FISHING THE ICE AND IF BOTH HOOKS ARE ATTACHED TO THE SAME SINGLE PIECE OF BAIT];

5 AAC 57.121(1)(I) is repealed:

(1) sport fishing gear restrictions:

...

(I) **repealed** / **2017** [IN MACKLEY LAKES, DERKS LAKE, SEVENA LAKE, UNION LAKE, AND THE UNNAMED LAKES ON TOTE ROAD, FIVE LINES MAY BE USE TO FISH FOR NORTHERN PIKE THROUGH THE ICE; ALLOWABLE GEAR IS LIMITED TO STANDARD ICE FISHING GEAR AS SPECIFIED IN 5 AAC 57.120(9)(B); FISHING GEAR MUST BE CLOSELY ATTENDED AS SPECIFIED IN 5 AAC 75.033; ALL OTHER SPECIES OF FISH CAUGHT MUST BE RELEASED IMMEDIATELY];

**What is the issue you would like the board to address and why?** Northern pike regulations on the Kenai Peninsula are no longer necessary due to the Alaska Department of Fish and Game’s successful eradication program. Existing regulations may allow anglers to claim they are fishing for pike in lakes subjected to general provisions, which has the potential to become a conservation concern because other species may be harvested. The remaining unnamed lakes on Tote Road can be managed by emergency order, prior to eradication.

**PROPOSED BY:** Alaska Department of Fish and Game

(HQ-F16-144)

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**PROPOSAL XX – 5 AAC 56.122. Special provisions for the seasons, bag, possession, annual, and size limits, and methods and means for the Kenai Peninsula Area. Amend Kasilof River early-run king salmon possession requirements, as follows:**

5 AAC 56.122(a)(8)(A)(iii) is amended to read:

(8) Kasilof River drainage, excluding Crooked Creek and Tustamena Lake and its tributaries:

...

(iii) a person may not possess a king salmon that has been filleted, mutilated, or otherwise disfigured in a manner that prevents the determination that the fish is a hatchery king salmon, until the fish is permanently offloaded from the vessel. If the fish was taken from a vessel **and has moved more than 100 yards away from waters open to sport fishing for king salmon in the Kasilof River drainage** or permanently transported away from the fishing site if the fish was taken from the riverbank **and has moved more than 100 yards away from waters open to sport fishing for king salmon in the Kasilof River drainage**;

**What is the issue you would like the board to address and why?** This proposal supports enforcement of regulations that prohibit the harvest of naturally-produced king salmon where only hatchery-produced king salmon may be retained. It creates a regulation for the Kasilof River that is identical to existing regulations in other waters of the Kenai Peninsula that are stocked by the Alaska Department of Fish and Game.

**PROPOSED BY:** Alaska Department of Fish and Game

(HQ-F16-145)

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Original Proposal Currently Under Review

**PROPOSAL XX – 5 AAC 56.122. Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area.** Align the Swanson River rainbow trout spawning closure with the proposed Kenai River drainage rainbow trout spawning closure start date, as follows:

5 AAC 56.122(a)(11)(B) is amended to read:

(11) Swanson River drainage:

...

(B) flowing waters, from **June 11 – April 30** [JUNE 15 – APRIL 14], are open to sport fishing, except for king salmon;

**What is the issue you would like the board to address and why?** The Alaska Department of Fish and Game submitted this suite of proposals to provide the board an opportunity to review Kenai River sport fishing regulations and consider changes to simplify and align regulations. Nearly all existing regulations for dates to trigger general or special provisions to sport fish regulations are at the first, last or middle day of a month. The purpose is to create regulations: 1) with consistent dates that encompass biological concerns and 2) that are easily understood by the public. Regulations have been adopted in the Kenai River Drainage over the years for various fisheries based on biological as well as social issues. In many cases dates to implement or discontinue regulations for one fishery, do not align with regulations for another fishery in the same area. Over time this creates regulations that are disjointed, overly complex, and not implicit to the public. These proposals identify regulations that, taken as a whole, would align dates and waters to simplify regulations without impacting fishery management objectives. Aligning regulations for consistency will improve public communication, decrease regulatory complexity and increase public understanding of the sport fishing regulations in the Kenai River Drainage Area.

**PROPOSED BY:** Alaska Department of Fish and Game

(HQ-F16-146)

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Original Proposal Currently Under Review

**PROPOSAL XX – 5 AAC 60.122. Special provisions for the seasons, bag, possession, annual, and size limits, and methods and means for the Knik Arm Drainages Area.** Extend the area closed to sport fishing downstream of the Little Susitna weir, as follows:

5 AAC 60.122(a)(9) is amended by adding a new subparagraph to read:

(9) in the Little Susitna River drainage,

...

**(M) the waters within approximately 1,500 feet downstream of the Little Susitna weir are closed to sport fishing as indicated by ADF&G regulatory markers.**

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

5 AAC 75.050 designates a 300-foot area around any fish weir as closed to sport fishing in order to provide uninterrupted passage for fish and minimize vulnerability of salmon and potential for overharvest of fish that can become concentrated prior to passing a weir. Increasing the area closed to sport fishing downstream of the Little Susitna River weir is necessary to protect salmon staging in several pools downstream of the weir.

**PROPOSED BY:** Alaska Department of Fish and Game

(HQ-F16-147)

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Original Proposal Currently Under Review

**PROPOSAL XX – 5 AAC 60.122. Special provisions for the seasons, bag, possession, annual, and size limits, and methods and means for the Knik Arm Drainages Area.** Open waters in a closed area on Wasilla Creek within 300 feet of Palmer Fishhook Road to sport fishing, as follows:

5 AAC 60.122(a)(11)(A) is repealed:

(11) the Wasilla Creek drainage, including Rabbit Sough,

(A) **repealed** / /2017 [IS CLOSED TO SPORT FISHING WITHIN 300 FEET OF PALMER-FISHHOOK ROAD];

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

King salmon used to hold downstream of the highway in a deep pool that was created over time by perched culverts. The board adopted regulations to protect those salmon from harassment and poaching. Those culverts were replaced and the stream bed returned to a natural state, thereby eliminating the large hole and the holding behavior of king salmon. Fishing opportunity for Dolly Varden char, particularly by children, was lost when the closure went into effect. Repeal of this regulation would result in the area within 300 feet of Palmer Fishhook Road remaining closed to salmon fishing by a separate regulation while allowing opportunity to fish for other species.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F16-148)

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Original Proposal Currently Under Review

**PROPOSAL XXX – 5 AAC 21.330. Gear. and 5 AAC 21.350. Closed waters.** Clarify the closed waters around the Kenai River and the Kasilof River, as follows:

**5 AAC 21.330. Gear.**

5 AAC 21.330(b)(3)(C) is amended to read:

(3) Central District: set gillnets may be used only in the following waters:

...

(C) waters along the east coast in the Central District

(i) within one mile of the mean high tide mark from the northern boundary of the district to the northern ADF&G regulatory marker at the mouth of the Kenai River at 60° 34.24' N. lat., 151° 18.99' W. long. then offshore on a bearing of 235° to a point one mile from the mean high tide mark **at 60° 33.68' N. lat., 151° 20.65' W. long.**;

(ii) from the latitude of the southern ADF&G regulatory marker at the mouth of the Kenai River at 60° 30.49' N. lat., 151° 16.80' W. long. **offshore approximately one and one-half miles to a point at 60° 30.49' N. lat., 151° 19.84' W. long.** to the latitude of the northern ADF&G regulatory marker at the mouth of the Kasilof River at 60° 24.23' N. lat., 151° 17.66' W. long. **offshore approximately one and one-half miles to a point at 60° 24.23' N. lat., 151° 20.68' W. long.** and only within one and one-half miles of the mean high tide mark;

(iii) from the southern ADF&G regulatory marker at the mouth of the Kasilof River at 60° 22.56' N. lat., 151° 20.98' W. long. **offshore approximately one and one-half miles to a point at 60° 23.97' N. lat., 151° 22.02' W. long.** to the latitude of the ADF&G regulatory marker at the northern limit of the closed area at the mouth of the Ninilchik River at 60° 04.02' N. lat., 151° 38.90' W. long. **offshore approximately one and one-half miles to a point at 60° 04.02' N. lat., 151° 42.00' W. long.** and only within one and one-half miles of the mean high tide mark;

**5 AAC 21.350. Closed waters.**

5 AAC 21.350(b)(3) and (4) are amended to read:

(b) Central District

...

(3) Kenai River: waters enclosed by a line from the southern ADF&G regulatory marker at the mouth of the Kenai River at 60° 30.49' N. lat., 151° 16.80' W. long. to **a point approximately one and one-half miles offshore at 60° 30.49' N. lat., 151° 19.86' W. long. to a point at 60° 30.99' N. lat., 151° 19.69' W. long. to** the Coast Guard channel marker 1 KE located at 60° 31.30' N. lat., 151° 20.50' W. long. **to a point at 60° 33.31' N. lat., 151° 19.78'**

**W. long. to a point approximately one mile offshore at 60° 33.66' N. lat., 151° 20.66' W. long.** to the northern ADF&G regulatory marker at the mouth of the Kenai River at 60° 34.24' N. lat., 151° 18.99' W. long.; [AND, IN THE AREA BETWEEN A LINE BEARING 235° FROM THE NORTHERN ADF&G REGULATORY MARKER AND THE KENAI RIVER MOUTH, THOSE WATERS WITHIN ONE MILE OF THE MEAN HIGH TIDE MARK AND, IN THE AREA BETWEEN THE SOUTHERN ADF&G REGULATORY MARKER AND THE KENAI RIVER MOUTH, THOSE WATERS WITHIN ONE AND ONE-HALF MILES OF THE MEAN HIGH TIDE MARK];

(4) Kasilof River: **waters enclosed by a line** from the southern ADF&G regulatory marker located at 60° 22.56' N. lat., 151° 20.98' W. long. to **a point approximately one and one-half miles offshore at 60° 23.97' N. lat., 151° 22.02' W. long. to a point approximately one and one-half miles offshore at 60° 24.23' N. lat., 151° 20.68' W. long. to** [THE LATITUDE OF] the northern ADF&G regulatory marker located at 60° 24.23' N. lat., 151° 17.66' W. long. [AND WITHIN ONE STATUTE MILE OF THE RIVER TERMINUS];

**What is the issue you would like the board to address and why?** The current closed waters descriptions for the Kenai and Kasilof rivers are vague and difficult to interpret by fishermen, Alaska Department of Fish and Game personnel, and enforcement officers. This can lead to unintentional violations by fishermen and difficulty in enforcing and prosecuting closed waters violations. The purpose of this proposal is to simplify the description of closed waters around the mouths of the Kenai and Kasilof rivers in order to make this area more enforceable and to aid fishermen in their efforts to comply with these regulations. This will result in no significant change to the current closed areas around the river mouths.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F16-149)  
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Original Proposal Currently Under Review

**PROPOSAL XXX – 5 AAC 21.360. Kenai River Late-Run Sockeye Salmon Management Plan.** Review the optimum escapement goal (OEG) and inriver goals for Kenai River late-run sockeye salmon, as follows:

5 AAC 21.360 states:

(b) The Kenai River late-run sockeye salmon commercial, sport, and personal use fisheries shall be managed to

- (1) meet an optimum escapement goal (OEG) range of 700,000 – 1,400,000 late-run sockeye salmon;
- (2) achieve inriver goals as established by the board and measured at the Kenai River sonar counter located at river mile 19; and
- (3) distribute the escapement of sockeye salmon evenly within the OEG range, in proportion to the size of the run.

(c) Based on preseason forecasts and inseason evaluations of the total Kenai River late-run sockeye salmon return during the fishing season, the run will be managed as follows:

(1) at run strengths of less than 2,300,000 sockeye salmon,

(A) the department shall manage for an inriver goal range of 900,000 – 1,100,000 sockeye salmon past the sonar counter at river mile 19; and

...

(2) at run strengths of 2,300,000 – 4,600,000 sockeye salmon,

(A) the department shall manage for an inriver goal range of 1,000,000 – 1,200,000 sockeye salmon past the sonar counter at river mile 19;

...

(3) at run strengths greater than 4,600,000 sockeye salmon,

(A) the department shall manage for an inriver goal range of 1,100,000 – 1,350,000 sockeye salmon past the sonar counter at river mile 19;

...

**What is the issue you would like the board to address and why?** The department submitted this proposal to provide the board an opportunity to review the current management goals for Kenai River late-run sockeye salmon and consider changes to align and simplify them. The OEG and inriver goals are currently out of alignment. The upper tier of the inriver goal (upper bound of 1,350,000) does not provide enough fish on the upper end to adequately distribute escapements throughout the OEG range and inriver goals. Managing for the current multiple goals (inriver goal

and OEG) can be unnecessarily complicated inseason and confusing to user groups when one goal is met and the other is not.

If the inriver goals are aligned with the OEG, the board may also wish to consider simplifying the management plan by removing the OEG from regulation. The department currently manages for both OEG and inriver goals, and, if aligned, the two goals seem to be redundant.

**PROPOSED BY:** Alaska Department of Fish and Game

(HQ-F16-150)

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Original Proposal Currently Under Review

**PROPOSAL XXX – 5 AAC 21.365. Kasilof River Salmon Management Plan.** Define the separation of gear types in the Kasilof River Special Harvest Area (KRSHA), and define the outside boundaries of the KRSHA, as follows:

5 AAC 21.365(f) is amended to read:

(f) The commissioner may, by emergency order, open the Kasilof River Special Harvest Area (KRSHA) to the taking of salmon by gillnets when it is projected that the Kasilof River sockeye salmon escapement will exceed 365,000 fish. It is the intent of the Board of Fisheries (board) that the KRSHA should rarely, if ever, be opened under this subsection and only for conservation reasons. Before the commissioner opens the KRSHA, it is the board's intent that additional fishing time be allowed in the remainder of the Kasilof Section first, and secondly that the mandatory closures specified in regulation be reduced in duration, if necessary to meet the escapement goals contained within this and other management plans. The Kasilof River Special Harvest Area is defined as those waters within one and one-half miles of the navigational light located on the south bank of the Kasilof River, excluding waters of the Kasilof River upstream of ADF&G regulatory markers located near the terminus of the river and waters open to set gillnetting under 5 AAC 21.330(b)(3)(C)(ii) and (iii). **The offshore limit of the KRSHA is bounded by a line from 60° 22.59' N. lat., 151° 20.79' W. long. to 60° 23.83' N. lat., 151° 21.70' W. long. to 60° 24.13' N. lat., 151° 21.34' W. long. to 60° 24.13' N. lat., 151° 17.72' W. long.** The following apply within the special harvest area when it is open:

(1) **the boundary between those waters open to set gillnet gear and drift gillnet gear is bounded by a line from 60° 22.77' N. lat., 151° 20.93' W. long. to 60° 23.23' N. lat., 151° 19.31' W. long. to 60° 23.56' N. lat., 151° 18.17' W. long. to 60° 24.13' N. lat., 151° 18.12' W. long.** [SET GILLNETS MAY BE OPERATED ONLY WITHIN 1,200 FEET OF THE MEAN HIGH TIDE MARK];

(2) **repealed** / **2017** [DRIFT GILLNETS MAY NOT BE OPERATED IN WATERS WITHIN 1,200 FEET OF THE MEAN HIGH TIDE MARK];

...

**What is the issue you would like the board to address and why?** In 2014, the board modified provisions of the *Kasilof River Salmon Management Plan* to state that when the KRSHA is open, set gillnetting may take place only within 1,200 feet of the mean high tide mark, while drift gillnetting may not occur in waters within 1,200 feet of the mean high tide mark. Because there is no minimum distance separating gear in the KRSHA, this invisible boundary separating the two gear groups can become a highly disputed demarcation line. To aid in an orderly fishery and to provide more enforceable boundary lines in the fishery, the department attempted to meet the intent of the board's 1,200 foot line by issuing an emergency order (EO) listing a series of four waypoints that defined the separation of gear and the outside boundaries in the KRSHA. The Alaska Department of Public Safety provided positive feedback by stating that lines defined by waypoints are easier to enforce than lines defined as a distance from mean high tide.

This proposal seeks to place into regulation a series of waypoints defining the north and south boundaries of the KRSHA, as well as the demarcation line between set and drift gillnetting in the KRSHA. If the regulation is not changed by board action, the department will continue to issue an EO with these waypoints when the KRSHA is opened.

**PROPOSED BY:** Alaska Department of Fish and Game

(HQ-F16-151)

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Original Proposal Currently Under Review

**PROPOSAL XXX – 5 AAC 21.365. Kasilof River Salmon Management Plan.** Provide clarification on the use of gear in the Kasilof River Special Harvest Area (KRSHA) for individuals who hold two Cook Inlet set gillnet Commercial Fisheries Entry Commission (CFEC) limited entry permits, as follows:

5 AAC 21.365(f)(5) may be amended to read:

(5) a permit holder may not use more than one **set** gillnet **per permit** to take salmon at any one time;

Or

(5) a permit holder may not use more than one **set** gillnet **per person** to take salmon at any one time;

**What is the issue you would like the board to address and why?** This proposal seeks clarification on the use of gear in the KRSHA for individuals who hold two Cook Inlet set gillnet CFEC permits. According to provisions found in 5 AAC 21.331. *Gillnet specifications and operations*, a CFEC permit holder who holds two Cook Inlet set gillnet CFEC permits may operate up to 210 fathoms of set gillnet gear. However, the KRSHA language found in 5 AAC 21.365(f)(5) currently reads “a permit holder may not use more than one gillnet to take salmon at any one time.” This language is somewhat ambiguous regarding permit holders who hold two Cook Inlet set gillnet CFEC permits. The Alaska Department of Fish and Game seeks board clarification as to whether an individual who owns two set gillnet permits may fish only one net in the KRSHA, or if they are allowed to fish one net per permit, which would be up to two nets when fishing in the KRSHA.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F16-152)

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Original Proposal Currently Under Review

**PROPOSAL XX – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.** Amend the area open to dip netting from shore in the Kenai River personal use dip net fishery, as follows:

5 AAC 77.540(c)(1)(D) is amended to read:

(c) Salmon may be taken by dip net in the Kenai and Kasilof Rivers as follows:

(1) in the Kenai River, as follows:

...

(D) from shore, in the area from ADF&G regulatory markers located on the Cook Inlet beaches outside the terminus of the river **to a line at the mouth of the Kenai River from No Name Creek on the north shore to an ADF&G regulatory marker on the south shore** [UPSTREAM TO THE DOWNSTREAM SIDE OF THE WARREN AMES BRIDGE, EXCEPT DIPNETTING IS CLOSED ON THE NORTH SHORE FROM AN ADF&G REGULATORY MARKER LOCATED BELOW THE END OF MAIN STREET, UPSTREAM TO AN ADF&G REGULATORY MARKER LOCATED NEAR THE KENAI CITY DOCK];

**What is the issue you would like the board to address, and why?** To implement existing personal use dip net boundary regulations near the mouth of the Kenai River, Alaska Department of Fish and Game (department) markers are placed on the shore line at the base of the north shore bluff below the end of Main Street, which is a short distance upstream of the Kenai River - No Name Creek confluence. Markers are frequently lost in tidal currents or removed by participants who fish above No Name Creek. Designating a natural/physical feature instead of a department marker will create a permanent marker to clarify the upstream boundary of the personal use dip net fishery. Participation in the shore-based personal use fishery in the area just downstream of the Warren Ames Bridge has increased. Use occurs on both the north and south shores. On the south shore, access is supported by the Kenai Flats Day Use Area operated by the Alaska Department of Natural Resources, Division of Parks and Outdoor Recreation (DNR-DPOR) which is designed with 32 vehicle parking stalls. On the north shore, no designated parking is available. Participants in the dip net fishery access this section of river by crossing over, as well as fishing from, and staging equipment on, vegetated tide lands. Use of these lands for personal use fishing has increased to the extent that the number of vehicles at the Kenai River Flats Day Use Area parking area may often exceed capacity for the 22-day fishery. Often vehicles are parked in the right of way along both sides of the roadway, on both sides of the Warren Ames Bridge. Impact to the vegetated tide lands has not been assessed; however, it is evident that dip net fishing from the vegetated tide lands downstream of the Warren Ames Bridge may be negatively impacting the riparian habitat in the lower Kenai River.

**PROPOSED BY:** Alaska Department of Fish and Game

(HQ-F16-153)

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**PROPOSAL XX – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.** Amend the boundary description language for the area open to dip netting in the Kasilof River personal use salmon fishery, as follows:

5 AAC 77.540(c)(2)(C) is amended to read:

(c) Salmon may be taken by dip net in the Kenai and Kasilof Rivers as follows:

...

(2) in the Kasilof River, as follows:

...

(C) from **a line across the [ADF&G REGULATORY MARKERS LOCATED ON THE COOK INLET BEACHES] outside of the terminus of the river beginning from an ADF&G regulatory marker on the north shore beach at 60° 23.25' N. lat., 151° 17.98' W. long. to an ADF&G regulatory marker on the south shore beach at 60° 23.27' N. lat., 151° 18.64' W. long.** upstream for a distance of one mile.

**What is the issue you would like the board to address and why?** The seaward boundary outside of the terminus of the Kasilof River is not clearly defined as a straight line between two Alaska Department of Fish and Game markers. As a consequence personal use dip net fishery participants may unknowingly dip net in waters closed to personal use fishing during lower stages of the tide because the seaward boundary as currently defined is difficult to enforce.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F16-154)

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Original Proposal Currently Under Review

**PROPOSAL XX – 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.** Modify the Fish Creek personal use fishery to accommodate a new Sustainable Escapement Goal (SEG) range, as follows:

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

(d) Salmon may be taken by dip net in Fish Creek only as follows:

(1) the commissioner may open, by emergency order, the personal use dip net fishery in Fish Creek from **July 15** [JULY 10] through July 31, if the department projects that the escapement of sockeye salmon into Fish Creek will be more than **35,000** [50,000] fish; **fishing periods will be daily from 6:00 a.m. to 11 p.m.;**

**What is the issue you would like the board to address and why?** The department recently recommended lowering the SEG for sockeye salmon from 20,000-70,000 fish to 15,000-45,000 fish. Under current regulations, the dip net fishery may be opened by emergency order between July 10 and July 31 upon a projection of 50,000 fish. This proposal would set a new trigger point to complement the new goal range, change the start date to align with historical run strength levels needed to open the fishery, and change daily fishing times to reflect what has been written into emergency orders in past years to spread harvest over the run.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F16-155)

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Original Proposal Currently Under Review

**PROPOSAL XX — 5 AAC 65.020. Bag limits, possession limits, annual limits, and size limits for Alaska Peninsula and Aleutian Islands Area.** Amend the minimum size limit of Tanner crab, as follows:

5 AAC 65.020(a)(12) is amended to read:

(12) Tanner crab, 6 per day, 6 in possession, male crab only; 5.5 inches minimum carapace width, **except that in the Bering Sea waters north of 54° 36' N. lat., the minimum carapace width is 4.8 inches** [INCLUDING SPINES].

**What is the issue you would like the board to address and why?** In 2011, Tanner crab size limits for the Bering Sea District of commercial Tanner crab Registration Area J (5 AAC 35.520) were reduced from 5.5 inches minimum carapace width to 4.8 inches (and to 4.4 inches west of 166° W. longitude) as a result of an updated geographic analysis by the Alaska Department of Fish and Game of male Tanner crab size-at-maturity and associated population productivity. Lowering the Tanner crab size limit from 5.5 to 4.8 inches carapace width for Bering Sea waters within the Alaska Peninsula and Aleutian Islands Regulatory Area for sport fishing will allow anglers to benefit from any increased Tanner crab harvest opportunity resulting from the updated biological knowledge of this shellfish species.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F16-156)

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Original Proposal Currently Under Review

**PROPOSAL XX – 5 AAC 64.022. Waters; seasons; bag, possession, annual, and size limits; and special provisions for the Kodiak Area.** Amend the Tanner crab regulations for the Kodiak Area, as follows:

5 AAC 64.022(a)(12) is amended to read:

(12) Tanner crab: may be taken from January 1 – December 31 [, EXCEPT THAT FROM JULY 15 – FEBRUARY 10, A PERSON MAY NOT TAKE TANNER CRAB IN WATERS 25 FATHOMS OR GREATER IN DEPTH DURING THE PERIODS 14 DAYS BEFORE AND 14 DAYS AFTER THE COMMERCIAL RED KING CRAB, BLUE KING CRAB, OR TANNER CRAB SEASON]; bag and possession limit of six male crab; minimum size is five and one-half inches carapace width;

**What is the issue you would like the board to address and why?** This provision in sport fishing regulations, which is intended to prevent preseason commercial fishery “prospecting” and also the illegal sale of sport-caught crab following closure of the commercial fishery, is partially duplicated by current regulations addressing commercial king and Tanner crab fisheries (5 AAC 34.053; 5 AAC 35.053) which prohibit operators from participating in the sport fishery within 14 days of a commercial season. Other regulatory provisions for the commercial fishery which effectively discourage illegal sale of sport-caught crab by commercial vessels require that operators deliver their entire catch to processors within as little as 24 hours and no later than 72 hours following closure of the season (5 AAC 34.031; 5 AAC 35.031; 5 AAC 35.556).

Adoption of this proposal will help simplify sport fishing regulations and increase angling opportunity for king and Tanner crab by removing provisions which are largely duplicated in current regulations addressing the commercial king and Tanner Crab fisheries occurring within the Kodiak Area.

**PROPOSED BY:** Alaska Department of Fish and Game

(HQ-F16-157)

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Original Proposal Currently Under Review

**PROPOSAL XX – 5 AAC 65.010. Fishing seasons for Alaska Peninsula and Aleutian Islands Area.** Repeal the Tanner crab seasonal restrictions during the commercial crab season, as follows:

5 AAC 65.010(g) is repealed:

(g) **Repealed** / /2017 [FROM JULY 15 THROUGH FEBRUARY 10, A PERSON MAY NOT TAKE TANNER CRAB IN WATERS 25 FATHOMS OR MORE IN DEPTH FROM 14 DAYS BEFORE AND 14 DAYS AFTER A COMMERCIAL RED KING CRAB OR TANNER CRAB FISHERY].

**What is the issue you would like the board to address and why?** This provision in sport fishing regulations, which is intended to prevent preseason commercial fishery “prospecting” and also retention of sport-caught crab for sale following closure of the commercial fishery, is partially duplicated by current regulations addressing commercial king and Tanner crab fisheries (5 AAC 34.053; 5 AAC 35.053) which prohibit operators from participating in the sport fishery within 14 days of a commercial season. Other regulatory provisions for the commercial fishery which effectively discourage the illegal sale of sport-caught crab by commercial vessels require that operators deliver their entire catch to processors within as little as 24 hours and no later than 72 hours following closure of the season (5 AAC 34.641; 5 AAC 34.681; 5 AAC 34.941; 5 AAC 35.031; AAC 35.556).

Adoption of this proposal will help simplify sport fishing regulations and increase angling opportunity for king and Tanner crab by removing provisions which are largely duplicated in current regulations addressing the commercial king and Tanner Crab fisheries occurring within the Alaska Peninsula and Aleutian Islands areas

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F16-158)  
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Original Proposal Currently Under Review

**PROPOSAL XX – 5 AAC 35.408. Registration Area H Tanner crab harvest strategy.** Amend the noncommercial harvest strategy for Tanner crab in the Cook Inlet Area to allow limited opportunity in the absence of a trawl survey, as follows:

5 AAC 35.408 is amended by adding a new paragraph to read:

**(e) If data to estimate abundance of legal male Tanner crab are not available, or trawl surveys have not been conducted for three consecutive years, the noncommercial fisheries for Tanner crab in the Cook Inlet Area (including the Cook Inlet – Resurrection Bay Saltwater Area as described in 5 AAC 58.005) will be managed as follows:**

**(1) Tanner crab may be taken in subsistence and sport fisheries from October 1 through the last day of February;**

**(2) bag and possession limit is set at three male Tanner crab;**

**(3) only male Tanner crab with a minimum size of five and one-half inches across the widest part of the shell, including spines, may be taken or possessed;**

**(4) no more than one pot per person with a maximum of one pot per vessel may be used to take Tanner crab;**

**(5) a shellfish harvest recording form is required as specified in 5 AAC 02.015 and 5 AAC 58.026;**

**What is the issue you would like the board to address and why?** Tanner crab noncommercial fisheries east of the Point Pogibshi to Anchor Point line have been closed since 2011 because estimated abundance of legal size male Tanner crab was below the 50,000 threshold in 2011, 2012 and 2013. The Tanner crab noncommercial fisheries in the Kamishak District have been closed since 2012 because no legal size male Tanner crab (five and one-half inches) were detected in the last trawl survey. Due to a lack of funding, no trawl surveys have been conducted in the Southern District since 2013 or in Kamishak District since 2012. If the harvest strategy is not amended, the noncommercial fisheries will remain closed until funding is restored to conduct trawl surveys. These provisions allow the potential for limited opportunity for subsistence, personal use, and sport users when the department cannot conduct surveys for three or more years.

**PROPOSED BY:** Alaska Department of Fish and Game

(HQ-F16-159)

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**PROPOSAL XX – 5 AAC 69.110. Seasons and bag, possession, and size limits for the North Slope Area; 5 AAC 69.135. Methods, means, and general provisions – Shellfish; 5 AAC 71.010. Seasons and bag, possession, annual, and size limits for the Kuskokwim – Goodnews Area; 5 AAC 71.035. Methods, means, and general provisions – Shellfish; and 5 AAC 73.010. Seasons, bag, possession, and size limits, and methods and means for the Yukon River Area.** Align sport crab fisheries regulations and repeal methods and means and general provisions for shellfish for the North Slope, Kuskokwim–Goodnews, and Yukon areas as follows:

5 AAC 69.110(b)(10) and (11) are repealed:

(10) **repealed** / /2017 [BLUE AND RED KING CRAB: THE BAG AND POSSESSION LIMIT IS SIX MALE CRAB; THE SIZE LIMIT FOR BLUE KING CRAB IS 5.5 INCHES MINIMUM CARAPACE WIDTH; THE SIZE LIMIT FOR RED KING CRAB IS 4.75 INCHES MINIMUM CARAPACE WIDTH];

(11) **repealed** / /2017 [TANNER CRAB: THE BAG AND POSSESSION LIMIT FOR *C. BARIDI* AND *C. OPILIO* TANNER CRAB IN COMBINATION, IS 12 MALE CRAB; THE SIZE LIMIT FOR *C. BAIRDI* TANNER CRAB IS 5.5 INCHES MINIMUM CARAPACE WIDTH; THE SIZE LIMIT FOR *C. OPILIO* TANNER CRAB IS 3.1 INCHES MINIMUM CARAPACE WIDTH];

5 AAC 69.135 is repealed:

**5 AAC 69.135. Methods, means, and general provisions – Shellfish. Repealed** / /2017. [(a) UNLESS OTHERWISE PROVIDED IN THIS CHAPTER OR BY AN EMERGENCY ORDER ISSUED UNDER AS 16.05.060, THE PROVISIONS IN THIS SECTION APPLY TO SHELLFISH SPORT FISHING IN THE NORTH SLOPE AREA.

(b) THE OPERATOR OF A COMMERCIALY LICENSED AND REGISTERED SHRIMP FISHING VESSEL WHO IS USING THE VESSEL IN THE SPORT-FISH TAKING OF SHRIMP DURING A CLOSED COMMERCIAL SHRIMP SEASON OR WITHIN A CLOSED COMMERCIAL SHRIMP DISTRICT OR SECTION MAY NOT POSSESS MORE THAN 500 POUNDS OF SHRIMP ON BOARD THE VESSEL.

(c) ONLY MALE CRAB MAY BE TAKEN.

(d) UNTIL A CRAB IS BEING PROCESSED FOR HUMAN CONSUMPTION, NO PERSON MAY MUTILATE OR OTHERWISE DISFIGURE THE CRAB IN A MANNER THAT WOULD PREVENT THE DETERMINATION OF THE MINIMUM SIZE RESTRICTION.

(e) A PERSON MAY NOT TAKE OR POSSESS SHELLFISH THAT IS SMALLER THAN THE APPLICABLE MINIMUM LEGAL SIZE LIMIT SET OUT IN 5 AAC 69.110.

(f) THE BAG AND POSSESSION LIMITS FOR SPORT-HARVESTED SHELLFISH ARE NOT IN ADDITION TO THOSE ALLOWED UNDER SUBSISTENCE OR PERSONAL USE FISHING REGULATIONS.]

5 AAC 71.010(b)(10) is repealed:

(10) repealed / 2017 [KING CRAB: MAY BE TAKEN IN THE WATERS SOUTH OF 60° N. LAT. ONLY FROM JUNE 1 THROUGH JANUARY 1; THE BAG AND POSSESSION LIMIT IS SIX MALE CRAB; THE SIZE LIMIT FOR BLUE KING CRAB IS 5.5 INCHES MINIMUM CARAPACE WIDTH; THE SIZE LIMIT FOR RED KING CRAB IS 4.75 INCHES MINIMUM CARAPACE WIDTH];

5 AAC 71.035 is repealed:

**5 AAC 71.035. Methods, means, and general provisions – Shellfish. Repealed** / **2017.** [(a) UNLESS OTHERWISE PROVIDED IN THIS CHAPTER OR BY AN EMERGENCY ORDER ISSUED UNDER AS 16.05.060, THE PROVISIONS IN THIS SECTION APPLY TO SHELLFISH SPORT FISHING IN THE KUSKOKWIM — GOODNEWS AREA.

(b) THE OPERATOR OF A COMMERCIALY LICENSED AND REGISTERED SHRIMP FISHING VESSEL WHO IS USING THE VESSEL IN THE SPORT-FISH TAKING OF SHRIMP DURING A CLOSED COMMERCIAL SHRIMP SEASON OR WITHIN A CLOSED COMMERCIAL SHRIMP DISTRICT OR SECTION MAY NOT POSSESS MORE THAN 500 POUNDS OF SHRIMP ON BOARD THE VESSEL.

(c) ONLY MALE CRAB MAY BE TAKEN.

(d) UNTIL A CRAB IS BEING PROCESSED FOR HUMAN CONSUMPTION, A PERSON MAY NOT MUTILATE OR OTHERWISE DISFIGURE THE CRAB IN A MANNER THAT WOULD PREVENT THE DETERMINATION OF THE MINIMUM SIZE RESTRICTION.

(e) A PERSON MAY NOT TAKE OR POSSESS SHELLFISH THAT IS SMALLER THAN THE APPLICABLE MINIMUM LEGAL SIZE LIMIT SET OUT IN 5 AAC 71.010.

(f) THE BAG AND POSSESSION LIMITS FOR SPORT-HARVESTED SHELLFISH ARE NOT IN ADDITION TO THOSE ALLOWED UNDER SUBSISTENCE OR PERSONAL USE FISHING REGULATIONS.]

5 AAC 73.010(b)(10) is amended to read:

(10) finfish and shellfish species that are not specified in this section: there are no bag, possession, or size limits;

5 AAC 73.010(b)(11) is repealed:

(11) repealed / 2017 [SHELLFISH; MAY NOT BE TAKEN OR POSSESSED].

**What is the issue you would like the board to address and why?** Currently, fishing for king and Tanner crab under sport regulations only occurs in the Northwestern Area of the Arctic-Yukon-Kuskokwim (AYK) Region. There is minimal suitable habitat for these crab species in the nearshore marine waters of the Kuskokwim–Goodnews, Yukon, or North Slope areas, and limited

or no sport fisheries occurs for these species. There has been no record of any of these crab species harvested under sport regulations from either of these areas in the Statewide Harvest Survey since 1996. These changes would simplify regulations and provide consistency in those areas of the AYK Region. If adopted, methods and means for shellfish in these areas will fall under the statewide provisions in 5 AAC 75.

**PROPOSED BY:** Alaska Department of Fish and Game

(HQ-F16-160)

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Original Proposal Currently Under Review

**PROPOSAL XXX – 5 AAC 02.220. Subsistence Tanner crab fishery; 5 AAC 35.306. Area E registration; 5 AAC 35.310. Fishing seasons for Registration Area E; 5 AAC 35.320. Size limits for Registration Area E; 5 AAC 35.325. Lawful gear for Registration Area E; 5 AAC 35.327. Tanner crab pot storage for Registration Area E; 5 AAC 35.340. Registration Area E inspection points; 5 AAC 35.345. Inspection requirements for Registration Area E; 5 AAC 35.3XX. Operation of other gear in Registration Area E; 5 AAC 35.3XX. Logbooks; 5 AAC 35.3XX. Reporting requirements for Registration Area E; and 5 AAC 35.3XX. Prince William Sound Tanner Crab Harvest Strategy.** Create a harvest strategy and amend regulations for Tanner crab in Prince William Sound that specify the conditions under which the commercial fishery may occur and reduce the legal size limit in the subsistence Tanner crab fishery, as follows:

5 AAC 02.220(2) is amended to read:

**5 AAC 02.220. Subsistence Tanner crab fishery.**

(2) only male Tanner crab five [AND ONE-HALF] inches or greater in width of shell may be taken or possessed;

5 AAC 35.306(b) is amended to read:

**5 AAC 35.306. Area E registration.**

(b) A Tanner crab vessel must be registered under 5 AAC 35.020 no later than 30 days [FOR REGISTRATION AREA E] before the scheduled opening date of the commercial Tanner crab season.

5 AAC 35.310 is amended to read:

**5 AAC 35.310. Fishing seasons for Registration Area E. In the Northern District and Hinchinbrook District, pots may be operated to take Tanner crab only from 8:00 a.m. to 6:00 p.m., with a soak time of 14 hours, between 6:00 p.m. to 8:00 a.m., from 12:00 noon January 15 until 12:00 noon March 31. The commissioner may, by emergency order, increase the daily fishing period specified in this section based on the department's assessment of efforts, manageability, and harvest rate** [THE COMMERCIAL HARVEST OF TANNER CRAB IN THE PRINCE WILLIAM SOUND AREA IS CLOSED UNTIL THE BOARD OF FISHERIES HAS ADOPTED A HARVEST STRATEGY IN THIS CHAPTER].

5 AAC 35.320 is amended to read:

**5 AAC 35.320. Size limits for Registration Area E.** Only male Tanner crab 5.0 [5.3] or greater in width of shell may be taken or possessed.

5 AAC 35.325 is amended to read:

**5 AAC 35.325. Lawful gear for Registration Area E.** (a) Tanner crab may be taken only with Tanner crab pots as defined in 5 AAC 35.050 [AND RING NETS]. Tanner crab taken by other means must be returned to the water without further harm.

(b) **Repealed** / /2017 [IN THE EASTERN DISTRICT, TANNER CRAB MAY BE TAKEN WITH POTS THAT HAVE TUNNEL EYE OPENINGS THAT EXCEED FIVE INCHES (13 CM) IN ONE DIMENSION].

...

(d) The number of Tanner crab pots that may be operated from a vessel will be announced before the opening of each commercial Tanner crab season, not to exceed 30 Tanner crab pots per vessel. In determining the annual pot limit, the department will consider the

(1) total number of registered vessels;

(2) estimated catch per unit effort; and

(3) size of the guideline harvest level [DURING THE COMMERCIAL TANNER CRAB SEASON IN PRINCE WILLIAM SOUND MANAGEMENT AREA, AN AGGREGATE OF NO MORE THAN 75 KING AND TANNER CRAB POTS MAY BE OPERATED FROM A VESSEL REGISTERED TO FISH FOR TANNER CRAB].

5 AAC 35.327(a) is amended to read:

**5 AAC 35.327. Tanner crab pot storage for Registration Area E.** (a) Cone or pyramid Tanner crab pots with all bait and bait containers removed and all doors not secured closed, and rectangular Tanner crab pots with all bait and bait containers removed and with all doors secured fully open, may be stored in the water only from 30 days before the scheduled opening date of the commercial Tanner crab season in Registration Area E until 30 days after the closure of that season.

...

5 AAC 35.340 is repealed:

**5 AAC 35.340. Registration Area E inspection points.** **Repealed** / /2017 [REGISTRATION AREA E INITIAL INSPECTION AND REINSPECTION POINTS ARE LOCATED IN CORDOVA, VALDEZ, AND SEWARD OR AT OTHER LOCATIONS SPECIFIED BY THE DEPARTMENT].

5 AAC 35.345 is amended to read:

**5 AAC 35.345. Inspection requirements for Registration Area E. (a) Unless required by the commissioner under (b) of this section, a vessel fishing for Tanner crab in Registration E is not required to undergo an inspection.**

**(b) The commissioner may, by public announcement, require that vessels fishing for Tanner crab in Registration E be inspected within [WITHIN] 24 hours before the scheduled opening date of the commercial Tanner crab season in Registration Area E or at any time during the open season [, A TANNER CRAB VESSEL REGISTERED FOR REGISTRATION AREA E MUST HAVE ALL HOLDS, LIVE TANKS, AND FREEZERS INSPECTED] by a local representative of the department at an inspection point specified by the department [IN 5 AAC 35.340. TANNER CRAB MAY NOT BE ON BOARD THE VESSEL AT THE TIME OF INSPECTION. THE REQUIREMENTS OF THIS SECTION DO NOT APPLY TO A REGISTERED TANNER CRAB VESSEL THAT DOES NOT HAVE A SALTWATER CIRCULATION SYSTEM IN ITS HOLDS OR LIVE TANKS].**

5 AAC 35 is amended by adding new sections to read:

**5 AAC 35.3XX. Operation of other gear in Registration Area E. A person or vessel that operates commercial, subsistence, sport, or personal use pots during the 30 days immediately before the scheduled opening date of the commercial Tanner crab season in Registration Area E may not participate in that commercial Tanner crab fishery.**

**5 AAC 35.3XX. Logbooks. (a) An operator of a vessel registered to fish using pot gear in the commercial Tanner crab fishery shall complete logbooks provided by the department.**

**(b) A logbooks described in (a) of this section shall be**

**(1) updated daily;**

**(2) sealed in envelopes provided by the department to maintain confidentiality; and**

**(3) submitted to the primary processor or buyer for attachment to fish ticket; the processor or buyer shall forward fish tickets with the attached, sealed envelopes containing logbooks to the department in accordance with 5 AAC 39.130.**

**(c) A catcher-seller described in 5 AAC 39.130 shall attach logbooks described in this section to the department copy of fish tickets.**

**(d) A person may not make a false entry in the logbook required in (a) of this section.**

**5 AAC 35.3XX. Reporting requirements for Registration Area E. (a) A validly registered Tanner crab vessel must report each day to the department:**

**(1) the number of pot lifts;**

(2) the number of crab retained for the 24-hour fishing period preceding the report;  
and

(3) any other information that the commissioner requests as is necessary for the management and conservation of the fishery, as specified in the vessel registration certificate issued under 5 AAC 35.306.

5 AAC 35.3XX. Prince William Sound Tanner Crab Harvest Strategy. (a) If adequate data are available, the department shall estimate the abundance of preferred legal male Tanner crab in Prince William Sound and establish a guideline harvest level for legal male Tanner crab for each fishery if that abundance is above the threshold for opening a fishery. The department will not allow fishing that causes abundance to fall below the threshold level.

(b) The minimum stock threshold for the commercial fishery is 200,000 (50 percent of the long-term average abundance) preferred legal male Tanner crab. The commercial fishery may open only if the estimated abundance is greater than or equal to 200,000 preferred legal male Tanner crab. In addition, if the commercial fishery has been closed for more than two consecutive years, then the estimated abundance must be greater than or equal to 200,000 preferred legal male Tanner crab for more than one year before the commercial fishery may open. The commercial guideline harvest level will be determined as follows:

(1) the guideline harvest level for legal male Tanner crab may not exceed 15 percent of the estimated abundance of preferred legal male Tanner crab if the estimated abundance is greater than or equal to 200,000 (50 percent of the long-term average abundance), but less than 300,000 (75 percent of the long-term average abundance) preferred legal male Tanner crab;

(2) the guideline harvest level for legal male Tanner crab may not exceed 20 percent of the estimated abundance of preferred legal male Tanner crab if the estimated abundance is greater than or equal to 300,000 (75 percent of the long-term average abundance), but less than 400,000 (long-term average abundance) preferred legal male Tanner crab;

(3) the guideline harvest level for legal male Tanner crab may not exceed 25 percent of the estimated abundance of preferred legal male Tanner crab, if the estimated abundance is greater than or equal to 400,000 (long-term average abundance) preferred legal male Tanner crab;

(4) the guideline harvest level for legal male Tanner crab may be reduced or the commercial fishery closed if the estimated commercial harvest would cause the estimated abundance of preferred male Tanner crab to fall below the minimum stock threshold.

**(c) In this section,**

**(1) "legal male" means male Tanner crab that are 127 mm (5.0 inches) or greater in carapace width, including the lateral spines, which is the legal size crab allowed to be retained for harvest;**

**(2) "preferred legal male" means male Tanner crab that are 135 mm (5.3 inches) or greater in carapace width, including the lateral spines, for which the abundance is used to estimate the abundance and threshold levels of legal male crab.**

**What is the issue you would like the board to address and why?** There is no Tanner crab harvest strategy or management plan in regulation for Prince William Sound (PWS). Using historical harvest and survey information, the department developed a commercial/noncommercial management plan and harvest strategy. Components of the new harvest strategy and management plan include provisions for new male legal size, fishing hours, season dates, lawful gear, and pot storage. Other proposed elements include registration, logbook and reporting requirements.

The commercial harvest of Tanner crab in the PWS area is closed by regulation until the board has adopted a harvest strategy.

According to the statewide regulation 5 AAC 35.080, the department shall establish an annual harvest strategy for each Tanner crab stock that is consistent with the board's *Policy on King and Tanner Crab Resource Management*. If adequate data are available (estimates of recruitment, threshold level of abundance, acceptable biological catch, historical fishery performance data and reproductive potential), the department shall establish a threshold level of abundance of each stock and may not allow fishing on any stock that is below its threshold level of abundance.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F16-161)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 34.917. Saint Matthew Island Section blue king crab harvest strategy.** Correct an error in regulation to accurately specify the percentage of mature male blue king crab used in setting total allowable catch, as follows:

5 AAC 34.917 is amended to read:

**5 AAC 34.917. Saint Matthew Island Section blue king crab harvest strategy.** (a) In the Saint Matthew Island Section, the commissioner may, by emergency order, open the blue king crab fishery only if the department's preseason survey estimate of the number of mature male [ANALYSIS OF PRESEASON SURVEY DATA INDICATES THAT THE POPULATION OF] blue king crab equals [CONTAINS] at least 50 percent of the 1978–2012 average survey estimate of [1.609 MILLION] mature males.

(b) If the commercial blue king crab fishery is open under (a) of this section, and the preseason survey estimate of the [ESTIMATED POPULATION] number of mature males [“(M”)”] is

(1) at least 50 percent of the 1978–2012 average survey estimate of [1.609 MILLION] mature males, but less than the 1978–2012 average survey estimate of [3.217 MILLION] mature males, the number of legal males available for harvest will be no more than  $0.1 \times M \times (M/M_{1978-2012})$ , where M = the current year preseason survey estimate of mature males and  $M_{1978-2012}$  = the 1978–2012 average survey estimate of mature males [A PERCENTAGE OF THE ESTIMATED POPULATION NUMBER OF MATURE MALES EQUAL TO A NUMBER DERIVED FROM THE EQUATION [(M/3.217) X 100 PERCENT]] or 25 percent of the preseason survey estimate of the [ESTIMATED POPULATION] number of legal males, whichever is less;

(2) equal to or greater than the 1978–2012 average survey estimate of [3.217 MILLION OR MORE] mature males, the number of legal males available for harvest will be no more than 10 percent of the estimated population number of mature males or 25 percent of the preseason survey estimate of the [ESTIMATED POPULATION] number of legal males, whichever is less.

...

(d) For the purposes of this section,

(1) “preseason survey estimate” [“ESTIMATED POPULATION NUMBER”] means the

...

**What is the issue you would like the board to address and why?** Correct an error in the Saint Matthew Island Section blue king crab regulatory harvest strategy that was inadvertently introduced when the regulation was adopted. The number of legal males available for harvest is currently specified as 100 percent of the current mature male abundance estimate multiplied by the fraction of the current mature male abundance estimate relative to the average of historic mature male abundance estimates; however, the number of legal males available for harvest was meant to be specified as 10 percent of the current mature male abundance estimate multiplied by that fraction. Proposed changes in text also clarify the regulation by replacing “estimated population number”

with “preseason survey estimate of the number.” In addition, the department proposes to replace the mature male abundance threshold for opening the fishery as well as for determining harvest rate with a formula for deriving the threshold and harvest rate calculation based on the most current estimate of the 1978–2012 average survey estimate of mature males, rather than a prescribed value based on the estimate from that time series that was available when the harvest strategy was first adopted. This change will allow the harvest strategy to stay current with respect to corrections and improvements subsequently made to survey estimates of mature males.

**PROPOSED BY:** Alaska Department of Fish and Game

(HQ-F16-162)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 34.925. Lawful gear for Registration Area Q.** Specify that escape rings and mesh are placed on a vertical plane or side of the pot in the Saint Matthew Island Section blue king crab fishery, as follows:

5 AAC 34.925(b)(2) is amended to read:

(2) in the Saint Matthew Island Section, each king crab pot must have eight escape rings with an inside diameter measure of 5.8 inches placed **on a vertical plane** within one mesh measurement from the bottom of the pot, with four escape rings on two sides of a four-sided pot, or if the pot has no escape rings as specified in this paragraph, then one-half of one **vertical** side of a four-sided pot must have a side panel composed of not less than eight-inch stretched mesh webbing;

**What is the issue you would like the board to address and why?** Placement of escape mechanisms for undersize and female crab is specified on a vertical surface in other Bering Sea and Aleutian Islands king crab fisheries, but not in the Saint Matthew Island Section blue king crab fishery. This could result in escape mechanisms placed in suboptimal locations causing small male and female crab to be retained and brought to the surface in crab pots. This proposed change will bring the Saint Matthew Island Section pot gear escape mechanism regulation in alignment with other king crab pot gear regulations for the Bering Sea.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F16-163)

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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 34.625. Lawful gear for Registration Area O.** Repeal provisions allowing concurrent harvest of red and golden king crab in Registration Area O, as follows:

5 AAC 34.625(f) is repealed:

(f) **Repealed** / /2017 [A VESSEL MAY BE REGISTERED TO FISH IN THE COMMERCIAL RED KING CRAB AND GOLDEN KING CRAB FISHERIES AT THE SAME TIME. HOWEVER, ONLY SINGLE LINE POTS MAY BE OPERATED IN AREAS OPEN TO RED KING CRAB FISHING AND ONLY LONGLINE POTS MAY BE OPERATED IN AREAS OPEN TO GOLDEN KING CRAB FISHING].

**What is the issue you would like the board to address and why?** Aleutian Islands golden king crab are managed for individual fishing quota (IFQ) and community development quota (CDQ) allocations in two separate fisheries, east and west of 174° W. long. Aleutian Islands red king crab are managed for individual fishing quota (IFQ) and community development quota (CDQ) allocations only in the Petrel District (west of 179° W. long.). Red king crab in the Dutch Harbor District (east of 171° W. long.) and Adak District (171° W. long. to 179° W. long.) are managed for open access participants.

Aleutian Islands red king crab district boundaries do not align with the Aleutian Islands golden king crab management boundaries. Prior to crab rationalization vessels were allowed under 5 AAC 34.625(f) to fish red king crab and golden king crab at the same time if both species were open. Regulation 5 AAC 39.670(c)(6), adopted with implementation of crab rationalization, does not allow a vessel to harvest IFQ and non-IFQ crab simultaneously; therefore this proposal would repeal the regulation allowing simultaneous harvest of red and golden king crab in the Aleutian Islands. Concurrent Aleutian Islands red and golden king crab harvest would be problematic because two of the three red king crab districts fall within the western Aleutian Islands golden king crab area. Allowing red king crab retention during golden king crab fishing would create concern with regard to red king crab harvest location.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F16-164)  
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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 35.521. Identification of Bering Sea Tanner crab.** Adopt by reference the Alaska Department of Fish and Game (department) *Chionoecetes* Crab Quick Reference Guide for *C. bairdi* and *C. opilio* Tanner crab, as follows:

5 AAC 35.521(c) is amended to read:

(c) For the purpose of 5 AAC 35.510(f)(3) and 5 AAC 35.520(b), a hybrid Tanner crab that conforms to the description in (a) of this section is considered to be a *C. bairdi* Tanner crab, and a hybrid Tanner crab that does not conform to that description is considered to be a *C. opilio* Tanner crab, **as illustrated in the Alaska Department of Fish and Game *Chionoecetes* Crab Quick Reference Guide, revised as of February, 2016 and adopted by reference.**

**Editor's note:** A copy of the Alaska Department of Fish and Game *Chionoecetes* Crab Quick Reference Guide adopted by reference in 5 AAC 35.521(c) can be found on the department's website at (INSERT WEB ADDRESS).

**What is the issue you would like the board to address and why?** The species range for *C. bairdi* and *C. opilio* Tanner crab overlap in the Bering Sea and these two species hybridize with resultant Tanner crab having morphological characteristics forming a continuum between the two species. A separate fishery for hybrid crab does not exist; however, hybrid Tanner crab are classified as either *C. bairdi* or *C. opilio* according to characteristics described in 5 AAC 35.521. Adopting the department's quick reference guide is a measure to help fishermen identify the two harvestable species *C. bairdi* and *C. opilio*.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F16-165)  
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Original Proposal Currently Under Review

**PROPOSAL XXX - 5 AAC 35.506. Area J registration.** Allow *C. opilio* Tanner crab bycatch retention up to five percent in the Bering Sea District *C. bairdi* Tanner crab fishery, east of 166° W. long., as follows:

5 AAC 35.506(j) is amended to read:

(j) In the Bering Sea District,

**(1) a vessel operator that is registered to fish for *C. bairdi* Tanner crab east of 166° W. long. may also retain *C. opilio* Tanner crab in an amount not to exceed five percent of the weight of *C. bairdi* Tanner crab on board the vessel and reported on an ADF&G fish ticket; and**

**(2)** a vessel operator that is registered to fish for *C. bairdi* Tanner crab west of 166° W. long. may also retain *C. opilio* Tanner crab in an amount not to exceed five percent of the weight of *C. bairdi* Tanner crab on board the vessel and reported on an ADF&G fish ticket.

**What is the issue you would like the board to address and why?** Fishermen have been encountering *C. opilio* Tanner crab east of 166° W. long., but with no means to harvest those crab towards their individual fishing quota. Allowing some retention of this bycatch will reduce discard mortality.

**PROPOSED BY:** Alaska Department of Fish and Game

(HQ-F16-166)

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Original Proposal Currently Under Review