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COMMITTEE D: Kenai Peninsula Personal Use/Kenai River Resident Species (Total proposals: 31)

Personal Use Fishing: 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224

Kenai River Resident Species: 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252

KENAI PENINSULA PERSONAL USE

PROPOSAL 211 - 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.

PROPOSED BY: John McCombs

WHAT WOULD THE PROPOSAL DO? This proposal would amend the personal use management plan for Upper Cook Inlet to link the opening date of the Kenai River personal use dip net fishery to the abundance of sockeye salmon by not allowing the dip net fishery to begin until 450,000 sockeye salmon have enumerated at the department sonar.

WHAT ARE THE CURRENT REGULATIONS? Subject to the requirement of achieving the lower end of the optimal escapement goal, the department shall provide for a personal use dip net fishery in the lower Kenai River. In the Kenai River salmon may be taken by dip net from July 10 through July 31, seven days per week, from 6:00 a.m. to 11:00 p.m. The commissioner may extend, by emergency order, the personal use fishery to 24-hours per day if the department determines that the abundance of the Kenai River late-run sockeye salmon is greater than two million.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The opening date of the fishery would likely be delayed by some unknown number of days. Delaying the opening date would reduce opportunity to harvest sockeye salmon. Personal use harvest of sockeye salmon would likely shift from the mid-point or later segment of the run rather than from throughout the return. A delay in the opening date of the Kenai River personal use fishery could result in higher concentrated fishing effort. In addition, sockeye salmon harvest and congestion at the Kasilof River personal use fishery could increase.

BACKGROUND: The upper Cook Inlet personal use salmon fisheries are managed by the department under the terms of the Upper Cook Inlet Personal Use Salmon Fishery Management Plan (5 AAC 77.540). This plan provides for a personal use salmon gillnet fishery at the mouth of Kasilof River and salmon dip net fisheries in the Kenai and Kasilof rivers and Fish Creek in northern Cook Inlet. This plan was in effect for the 1981 season and was later adopted as regulation by the board in 1982. The plan has undergone several amendments since that time.

Prior to 1996, the gillnet and dip net fisheries at both the Kenai and Kasilof rivers did not always occur each year. These dip net fisheries were set to open when a specified sonar count was achieved. During years when the sonar count was not achieved, the dip net fishery scheduled for either the Kenai or Kasilof rivers did not occur.

Beginning with the 1996 season, the board established a season of July 10 - August 5 (later amended to July 31) for the dip net fishery in the Kenai River. Establishing a season provided predictability to these fisheries. The household annual limit was 25 salmon for the head of the household and 10 additional salmon per member of the household of which only one king salmon could be retained per household. The regulations adopted by the board established a personal use dip net fishery that had season dates, which were independent of the abundance of returning salmon, and were not tied to the fisheries management plans for other user groups.

In 2002, the fishery was modified to manage the fishery more conservatively until inseason abundance information becomes available. The season dates remained unchanged but the daily hours was reduced to 6:00 a.m. to 11:00 p.m. until the department could project that the total Kenai River sockeye salmon late run would exceed 2.0 million fish. When the department could determine that the Kenai River late-run sockeye salmon would exceed 2.0 million fish, the daily hours the Kenai River personal use dip net fishery could be liberalized to 24 hours per day until the season closed on July 31.

The Kenai River personal use dip net fishery was closed inseason by emergency order in 1998 due to a weak return of late-run sockeye salmon to the Kenai River and in 2006 due to a late return.. From 1999-2001 and 2007, the Kenai River personal use dip net fishery was not liberalized or restricted due to the average strengths of the sockeye salmon runs. The Kenai River personal use dip net fishery was liberalized annually during the 2002-2005 and 2007 seasons. The fishery was liberalized by increasing the daily hours the fishery is open and was the result of the sockeye salmon runs that were projected to be greater than 2.0 million fish during those years.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. The management plan in regulation provides direction to liberalize and to also restrict the fishery based upon meeting abundance goals outlined in the plan when circumstances require.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 212 - 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.

PROPOSED BY: Steve Vanek

WHAT WOULD THE PROPOSAL DO? This proposal would link the opening date of the Kenai River personal use dip net fishery to abundance of sockeye salmon by not allowing the dip net fishery to begin until the lower end of the sockeye salmon Sustainable Escapement Goal has passed the department sonar.

WHAT ARE THE CURRENT REGULATIONS? Subject to the requirement of achieving the lower end of the optimal escapement goal, the department shall provide for a personal use dip net fishery in the lower Kenai River. In the Kenai River salmon may be taken by dip net from July 10 through July 31, seven days per week, from 6:00 a.m. to 11:00 p.m. The commissioner may extend, by emergency order, the personal use fishery to 24-hours per day if the department determines that the abundance of the Kenai River late-run sockeye salmon is greater than two million.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The opening date of the fishery would likely be delayed by some unknown number of days. Delaying the opening date would reduce opportunity to harvest sockeye salmon. Personal use harvest of sockeye salmon would likely shift from the mid-point or later segment of the run rather than from throughout the return. A delay in the opening date of the Kenai River personal use fishery could result in higher concentrated fishing effort. In addition, sockeye salmon harvest and congestion at the Kasilof River personal use fishery could increase.

BACKGROUND: The upper Cook Inlet personal use salmon fisheries are managed by the department under the terms of the Upper Cook Inlet Personal Use Salmon Fishery Management Plan (5 AAC 77.540). This plan provides for a personal use salmon gillnet fishery at the mouth of Kasilof River and salmon dip net fisheries in the Kenai and Kasilof rivers and Fish Creek in northern Cook Inlet. This plan was in effect for the 1981 season and was later adopted as regulation by the board in 1982. The plan has undergone several amendments since that time.

Prior to 1996, the gillnet and dip net fisheries at both the Kenai and Kasilof rivers did not always occur each year. These dip net fisheries were set to open when a specified sonar count was achieved. During years when the sonar count was not achieved, the dip net fishery scheduled for either the Kenai or Kasilof rivers did not occur.

Beginning with the 1996 season, the board established a season of July 10 - August 5 (later amended to July 31) for the dip net fishery in the Kenai River. Establishing a season provided predictability to these fisheries. The household annual limit was 25 salmon for the head of the household and 10 additional salmon per member of the household of which only one king salmon could be retained per household. The regulations adopted by the board established a personal use dip net fishery that had season dates, which were independent of the abundance of returning salmon, and were not tied to the fisheries management plans for other user groups.

In 2002, the fishery was modified to manage the fishery more conservatively until inseason abundance information becomes available. The season dates remained

unchanged but the daily hours was reduced to 6:00 a.m. to 11:00 p.m. until the department could project that the total Kenai River sockeye salmon late run would exceed 2.0 million fish. When the department could determine that the Kenai River late-run sockeye salmon would exceed 2.0 million fish, the daily hours the Kenai River personal use dip net fishery could be liberalized to 24 hours per day until the season closed on July 31.

The Kenai River personal use dip net fishery was closed inseason by emergency order in 1998 due to a weak return of late-run sockeye salmon to the Kenai River and in 2006 due to a late return.. From 1999-2001 and 2007, the Kenai River personal use dip net fishery was not liberalized or restricted due to the average strengths of the sockeye salmon runs. The Kenai River personal use dip net fishery was liberalized annually during the 2002-2005 and 2007 seasons. The fishery was liberalized by increasing the daily hours the fishery is open and was the result of the sockeye salmon runs that were projected to be greater than 2.0 million fish during those years.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. The management plan in regulation provides direction to liberalize and to also restrict the fishery based upon meeting abundance goals outlined in the plan when circumstances require.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 213 - 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.

PROPOSED BY: Teague Vanek

WHAT WOULD THE PROPOSAL DO? This proposal would link the opening date of the Kenai River personal use dip net fishery to abundance of sockeye salmon by not allowing the dip net fishery to begin until some number of sockeye has passed the department sonar by certain dates.

WHAT ARE THE CURRENT REGULATIONS? Subject to the requirement of achieving the lower end of the optimal escapement goal, the department shall provide for a personal use dip net fishery in the lower Kenai River. In the Kenai River salmon may be taken by dip net from July 10 through July 31, seven days per week, from 6:00 a.m. to 11:00 p.m. The commissioner may extend, by emergency order, the personal use fishery to 24-hours per day if the department determines that the abundance of the Kenai River late-run sockeye salmon is greater than two million.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The opening date of the fishery would likely be delayed by some unknown number of days. Delaying the opening date would reduce opportunity to harvest sockeye salmon. Personal use harvest of sockeye salmon would likely shift from the mid-point or later segment of the

run rather than from throughout the return. A delay in the opening date of the Kenai River personal use fishery could result in higher concentrated fishing effort. In addition, sockeye salmon harvest and congestion at the Kasilof River personal use fishery could increase.

BACKGROUND: The upper Cook Inlet personal use salmon fisheries are managed by the department under the terms of the Upper Cook Inlet Personal Use Salmon Fishery Management Plan (5 AAC 77.540). This plan provides for a personal use salmon gillnet fishery at the mouth of Kasilof River and salmon dip net fisheries in the Kenai and Kasilof rivers and Fish Creek in northern Cook Inlet. This plan was in effect for the 1981 season and was later adopted as regulation by the board in 1982. The plan has undergone several amendments since that time.

Prior to 1996, the gillnet and dip net fisheries at both the Kenai and Kasilof rivers did not always occur each year. These dip net fisheries were set to open when a specified sonar count was achieved. During years when the sonar count was not achieved, the dip net fishery scheduled for either the Kenai or Kasilof rivers did not occur.

Beginning with the 1996 season, the board established a season of July 10 - August 5 (later amended to July 31) for the dip net fishery in the Kenai River. Establishing a season provided predictability to these fisheries. The household annual limit was 25 salmon for the head of the household and 10 additional salmon per member of the household of which only one king salmon could be retained per household. The regulations adopted by the board established a personal use dip net fishery that had season dates, which were independent of the abundance of returning salmon, and were not tied to the fisheries management plans for other user groups.

In 2002, the fishery was modified to manage the fishery more conservatively until inseason abundance information becomes available. The season dates remained unchanged but the daily hours was reduced to 6:00 a.m. to 11:00 p.m. until the department could project that the total Kenai River sockeye salmon late run would exceed 2.0 million fish. When the department could determine that the Kenai River late-run sockeye salmon would exceed 2.0 million fish, the daily hours the Kenai River personal use dip net fishery could be liberalized to 24 hours per day until the season closed on July 31.

The Kenai River personal use dip net fishery was closed inseason by emergency order in 1998 due to a weak return of late-run sockeye salmon to the Kenai River and in 2006 due to a late return.. From 1999-2001 and 2007, the Kenai River personal use dip net fishery was not liberalized or restricted due to the average strengths of the sockeye salmon runs. The Kenai River personal use dip net fishery was liberalized annually during the 2002-2005 and 2007 seasons. The fishery was liberalized by increasing the daily hours the fishery is open and was the result of the sockeye salmon runs that were projected to be greater than 2.0 million fish during those years.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. The management plan in regulation provides direction to liberalize and to also restrict the fishery based upon meeting abundance goals outlined in the plan when circumstances require.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 214 - 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.

PROPOSED BY: Patricia L. Shearer and Sheila Caloona

WHAT WOULD THE PROPOSAL DO? This proposal would allow the Kenai River personal use dip net fishery season to be extended if it was previously closed then reopened inseason by emergency order.

WHAT ARE THE CURRENT REGULATIONS? Subject to the requirement of achieving the lower end of the optimal escapement goal, the department shall provide for a personal use dip net fishery in the lower Kenai River. In the Kenai River salmon may be taken by dip net from July 10 through July 31, seven days per week, from 6:00 a.m. to 11:00 p.m. The commissioner may extend, by emergency order, the personal use fishery to 24-hours per day if the department determines that the abundance of the Kenai River late-run sockeye salmon is greater than two million.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? It would provide additional opportunity for residents of the state to harvest salmon under personal use regulations. Exploitation of coho salmon in the personal use dip net fishery may increase if the season was extended appreciably into August.

BACKGROUND: The upper Cook Inlet personal use salmon fisheries are managed by the department under the terms of the Upper Cook Inlet Personal Use Salmon Fishery Management Plan (5 AAC 77.540). This plan provides for a personal use salmon gillnet fishery at the mouth of Kasilof River and salmon dip net fisheries in the Kenai and Kasilof rivers and Fish Creek in northern Cook Inlet. This plan was in effect for the 1981 season and was later adopted as regulation by the board in 1982. The plan has undergone several amendments since that time.

Prior to 1996, the gillnet and dip net fisheries at both the Kenai and Kasilof rivers did not always occur each year. These dip net fisheries were set to open when a specified sonar count was achieved. During years when the sonar count was not achieved, the dip net fishery scheduled for either the Kenai or Kasilof rivers did not occur.

Beginning with the 1996 season, the board established a season of July 10 - August 5 (later amended to July 31) for the dip net fishery in the Kenai River. Establishing a season provided predictability to these fisheries. The household annual limit was 25

salmon for the head of the household and 10 additional salmon per member of the household of which only one king salmon could be retained per household. The regulations adopted by the board established a personal use dip net fishery that had season dates, which were independent of the abundance of returning salmon, and were not tied to the fisheries management plans for other user groups.

In 2002, the fishery was modified to manage the fishery more conservatively until inseason abundance information becomes available. The season dates remained unchanged but the daily hours was reduced to 6:00 a.m. to 11:00 p.m. until the department could project that the total Kenai River sockeye salmon late run would exceed 2.0 million fish. When the department could determine that the Kenai River late-run sockeye salmon would exceed 2.0 million fish, the daily hours the Kenai River personal use dip net fishery could be liberalized to 24 hours per day until the season closed on July 31.

The Kenai River personal use dip net fishery was closed inseason by emergency order in 1998 due to a weak return of late-run sockeye salmon to the Kenai River and in 2006 due to a late return.. From 1999-2001 and 2007, the Kenai River personal use dip net fishery was not liberalized or restricted due to the average strengths of the sockeye salmon runs. The Kenai River personal use dip net fishery was liberalized annually during the 2002-2005 and 2007 seasons. The fishery was liberalized by increasing the daily hours the fishery is open and was the result of the sockeye salmon runs that were projected to be greater than 2.0 million fish during those years.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 215 - 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.

PROPOSED BY: Kenai River Sport Fishing Association

WHAT WOULD THE PROPOSAL DO? This proposal would increase the total annual limit for each personal use salmon fishing permit from 25 salmon to 50 salmon for the head of a household and from 10 salmon to 15 salmon for each dependent of the permit holder in the Kenai River personal use fishery when the number of sockeye salmon past the sonar exceeds 850,000 fish.

WHAT ARE THE CURRENT REGULATIONS? Personal use salmon fisheries are open only to residents of the state. In Cook Inlet, only one personal use salmon permit may be issued to each household per year. The total annual limit for each personal use

salmon fishing permit is 25 salmon for the head of a household and 10 salmon for each dependent of the permit holder.

In the Kenai River salmon may be taken by dip net from July 10 through July 31, seven days per week, from 6:00 a.m. to 11:00 p.m. The commissioner may extend, by emergency order, the personal use fishery to 24-hours per day if the department determines that the abundance of the Kenai River late-run sockeye salmon is greater than two million. Only one king salmon may be retained from the Kenai River dip net fishery.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The harvest potential would increase by 100% for each permit holder and by 33% for each dependant allowed to fish on a permit. The actual harvest would increase by some unknown amount and is dependant upon the number of fish they desire to harvest. It would likely take more time for permit holders to reach the permit limit therefore requiring them to fish longer each day or require them to fish additional days. The increased limit may attract more participants to the fishery. Consequently, congestion at access points and in the area the fishery occurs may increase on some days. Differing limits for the Kenai River and the rest of Cook Inlet would add complexity to the recording requirement. In addition, permit holders may turn in permit harvest cards after attaining the allowable limit under a normal fishery then subsequently require another permit if the limit was increased due to abundance.

BACKGROUND: The upper Cook Inlet personal use salmon fisheries are managed by the department under the terms of the Upper Cook Inlet Personal Use Salmon Fishery Management Plan (5 AAC 77.540). This plan provides for a personal use salmon gillnet fishery at the mouth of Kasilof River and salmon dip net fisheries in the Kenai and Kasilof rivers and Fish Creek in northern Cook Inlet. This plan was in effect for the 1981 season and was later adopted as regulation by the board in 1982. The plan has undergone several amendments since that time.

Prior to 1996, the gillnet and dip net fisheries at both the Kenai and Kasilof rivers did not always occur each year. These dip net fisheries were set to open when a specified sonar count was achieved. During years when the sonar count was not achieved, the dip net fishery scheduled for either the Kenai or Kasilof rivers did not occur.

Beginning with the 1996 season, the board established a season of July 10 - August 5 (later amended to July 31) for the dip net fishery in the Kenai River. Establishing a season provided predictability to these fisheries. The household annual limit was 25 salmon for the head of the household and 10 additional salmon per member of the household of which only one king salmon could be retained per household. The regulations adopted by the board established a personal use dip net fishery that had season dates, which were independent of the abundance of returning salmon, and were not tied to the fisheries management plans for other user groups.

In 2002, the fishery was modified to manage the fishery more conservatively until inseason abundance information becomes available. The season dates remained

unchanged but the daily hours was reduced to 6:00 a.m. to 11:00 p.m. until the department could project that the total Kenai River sockeye salmon late run would exceed 2.0 million fish. When the department could determine that the Kenai River late-run sockeye salmon would exceed 2.0 million fish, the daily hours the Kenai River personal use dip net fishery could be liberalized to 24 hours per day until the season closed on July 31

The Kenai River personal use dip net fishery was closed inseason by emergency order in 1998 due to a weak return of late-run sockeye salmon to the Kenai River and in 2006 due to a late return.. From 1999-2001 and 2007, the Kenai River personal use dip net fishery was not liberalized or restricted due to the average strengths of the sockeye salmon runs. The Kenai River personal use dip net fishery was liberalized annually during the 2002-2005 and 2007 seasons. The fishery was liberalized by increasing the daily hours the fishery is open and was the result of the sockeye salmon runs that were projected to be greater than 2.0 million fish during those years.

The 1999-2003 average harvest of nearly 163,000 sockeye salmon in the Kenai River is nearly a seven-fold increase from the 1987-1995 average of slightly less than 23,000 fish. From 2004-2006 sockeye salmon harvest have averaged 228,652, 26,964 and 49,203 in the Kenai River dip net, Kasilof River set gillnet and Kasilof River dip net fisheries, respectively. Permit returns for the Cook Inlet personal use fisheries for the years 2004 - 2006 indicate that an average of 22% of permit holders attained the allowable permit limit. A larger percentage of households with 2 or less individuals attained the allowable permit limit (average=14%), compared to the percentage of household with more than 2 individuals (average=7%) from 2004 - 2006.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 216 - 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.

PROPOSED BY: Robert L. Ball, Jr.

WHAT WOULD THE PROPOSAL DO? This proposal would double the annual limit for each personal use salmon fishing permit from 25 salmon to 50 salmon for the head of household and from 10 to 20 salmon for each dependent of the permit holder in the Kasilof River personal use fishery when the Kasilof River Optimal Escapement Goal of 150,000 to 300,000 is projected to be exceeded.

WHAT ARE THE CURRENT REGULATIONS? Personal use salmon fisheries are open only to residents of the state. In Cook Inlet, only one personal use salmon permit may be

issued to each household per year. The total annual limit for each personal use salmon fishing permit is 25 salmon for the head of a household and 10 salmon for each dependent of the permit holder.

In the Kasilof River salmon may be taken by dip net from June 25 through August 7, 24-hours per day. Salmon may be taken with a set gillnet in a designated area at the mouth of the Kasilof River from June 15 through June 24, daily from 6:00 a.m. to 11:00 p.m.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The harvest potential of each permit holder and each dependant would increase 100%. The actual harvest would increase by some unknown amount and is dependant upon the number of fish they desire to harvest. It would likely take more time for permit holders to reach the permit limit therefore requiring them to fish longer each day or require them to fish additional days. The increased limit may attract more participants to the fishery. Consequently, congestion at access points and in the area the fishery occurs may increase on some days. Differing limits for the Kasilof River and the rest of Cook Inlet would add complexity to the recording requirement. In addition, permit holders may turn in permit harvest cards after attaining the allowable limit under a normal fishery then subsequently require another permit if the limit was increased due to abundance.

BACKGROUND: The upper Cook Inlet personal use salmon fisheries are managed by the department under the terms of the Upper Cook Inlet Personal Use Salmon Fishery Management Plan (5 AAC 77.540). This plan provides for a personal use salmon gillnet fishery at the mouth of Kasilof River and salmon dip net fisheries in the Kenai and Kasilof rivers and Fish Creek in northern Cook Inlet. This plan was in effect for the 1981 season and was later adopted as regulation by the board in 1982. The plan has undergone several amendments since that time. The Upper Cook Inlet Personal Use Salmon Fishery Management Plan has no provision to change (increase or decrease) the salmon limit for personal use permits.

Prior to 1996, the gillnet and dip net fisheries at both the Kenai and Kasilof rivers did not always occur each year. These dip net fisheries were set to open when a specified sonar count was achieved. During years when the sonar count was not achieved, the dip net fishery scheduled for either the Kenai or Kasilof rivers did not occur.

Beginning with the 1996 season, the board established a season of July 10 - August 5 for the dip net fishery in the Kasilof River. The gillnet fishery began on June 21, with an established harvest cap of 5,000 to 10,000 fish and season closure by Emergency Order when the harvest was projected to achieve the upper limit. Establishing a season provided predictability to these fisheries.

During the February 1999 Board of Fisheries meeting, the board elected to provide for an increased harvest range in the Kasilof River set gillnet fishery of 10,000-20,000 fish and established the opening date of June 16th. The fishery remained open until closed by emergency order. Since the 2003 season, the fishery is open by regulation from June 15 through June 24. While the Kasilof River dip net fishery is open from June 25 through August 7.

The 1999-2003 average harvest of nearly 163,000 sockeye salmon in the Kenai River is nearly a seven-fold increase from the 1987-1995 average of slightly less than 23,000 fish. From 2004-2006 sockeye salmon harvest have averaged 228,652, 26,964 and 49,203 in the Kenai River dip net, Kasilof River set gillnet and Kasilof River dip net fisheries, respectively. Permit returns for the Cook Inlet personal use fisheries for the years 2004 - 2006 indicate that an average of 22% of permit holders attained the allowable permit limit. A larger percentage of households with 2 or less individuals attained the allowable permit limit (average=14%), compared to the percentage of household with more than 2 individuals (average=7%) from 2004 - 2006.

By regulation the Kasilof River personal use fisheries occur 24 hours per day. High sockeye passage rates and inriver returns projected to be greater than the upper goal range of the OEG warranted liberalization of the dip net fishery in 2004-2007 by emergency order. The liberalizations included an increase in the area open to dip netting from shore from the ADF&G markers located in Cook Inlet outside the river mouth upstream to the Sterling Highway Bridge. In addition, the area from which fish could be dip netted from a boat was increased from approximately river mile 1 to about river mile 3.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 217 - 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.

PROPOSED BY: Tom Obrien

WHAT WOULD THE PROPOSAL DO? This proposal would reduce the personal use salmon fishery limit to 5 salmon per person or 25 per household.

WHAT ARE THE CURRENT REGULATIONS? Personal use salmon fisheries are open only to residents of the state. In Cook Inlet, only one personal use salmon permit may be issued to each household per year. The total annual limit for each personal use salmon fishing permit is 25 salmon for the head of a household and 10 salmon for each dependent of the permit holder.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would reduce harvest and effort by some unknown amount. The reduction in harvest potential for each participant would vary depending on the size of the household. For example, a family of 4 is currently allowed to harvest 55 salmon. A 4-person household would be allowed a maximum of 25 salmon for the household representing a potential harvest reduction of 55%. Meanwhile a permit holder would experience an 80%

reduction in harvest potential if the limit was decreased from 25 salmon to 5 salmon. Overall the larger the family, the greater the reduction, while the reduction for small families would be somewhat less.

BACKGROUND: The upper Cook Inlet personal use salmon fisheries are managed by the department under the terms of the Upper Cook Inlet Personal Use Salmon Fishery Management Plan (5 AAC 77.540). This plan provides for a personal use salmon gillnet fishery at the mouth of Kasilof River and salmon dip net fisheries in the Kenai and Kasilof rivers and Fish Creek in northern Cook Inlet. This plan was in effect for the 1981 season and was later adopted as regulation by the board in 1982. The plan has undergone several amendments since that time.

Prior to 1996, the gillnet and dip net fisheries at both the Kenai and Kasilof rivers did not always occur each year. These dip net fisheries were set to open when a specified sonar count was achieved. During years when the sonar count was not achieved, the dip net fishery scheduled for either the Kenai or Kasilof rivers did not occur.

Beginning with the 1996 season, the board established a season of July 10 - August 5 (later amended to July 31) for the dip net fishery in the Kenai River. Establishing a season provided predictability to these fisheries. The household annual limit was 25 salmon for the head of the household and 10 additional salmon per member of the household of which only one king salmon could be retained per household. The regulations adopted by the board established a personal use dip net fishery that had season dates, which were independent of the abundance of returning salmon, and were not tied to the fisheries management plans for other user groups.

In 2002, the fishery was modified to manage the fishery more conservatively until inseason abundance information becomes available. The season dates remained unchanged but the daily hours was reduced to 6:00 a.m. to 11:00 p.m. until the department could project that the total Kenai River sockeye salmon late run would exceed 2.0 million fish. When the department could determine that the Kenai River late-run sockeye salmon would exceed 2.0 million fish, the daily hours the Kenai River personal use dip net fishery could be liberalized to 24 hours per day until the season closed on July 31.

The Kenai River personal use dip net fishery was closed inseason by emergency order in 1998 due to a weak return of late-run sockeye salmon to the Kenai River and in 2006 due to a late return.. From 1999-2001 and 2007, the Kenai River personal use dip net fishery was not liberalized or restricted due to the average strengths of the sockeye salmon runs. The Kenai River personal use dip net fishery was liberalized annually during the 2002-2005 and 2007 seasons. The fishery was liberalized by increasing the daily hours the fishery is open and was the result of the sockeye salmon runs that were projected to be greater than 2.0 million fish during those years.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 218 - 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.

PROPOSED BY: Richard Thompson

WHAT WOULD THE PROPOSAL DO? This proposal would reduce the personal use dip net annual limit from 25 salmon for the head of household to 20 salmon for the head of household and reduce the limit from 10 salmon to 5 salmon for each dependent member of the household. The proposal would also stipulate that no more than 50% of the personal use annual limit for each permit be taken from the Kenai River.

WHAT ARE THE CURRENT REGULATIONS? Personal use salmon fisheries are open only to residents of the state. In Cook Inlet, only one personal use salmon permit may be issued to each household per year. The total annual limit for each personal use salmon fishing permit is 25 salmon for the head of a household and 10 salmon for each dependent of the permit holder.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would reduce harvest and effort by some unknown amount. The reduction in harvest potential for each participant would vary depending on the size of the household. For example, a family of 4 is currently allowed to harvest 55 salmon. This proposal would reduce the limit to 35 or by about 36%. Overall the larger the family, the greater the reduction, while the reduction for small families would be somewhat less. Requiring a maximum of 50% of the annual household permit limit be taken from the Kenai River would reduce the harvest of salmon in the Kenai River personal use dip net fishery and increase the harvest and congestion in other personal use fisheries by undetermined amounts.

BACKGROUND: The upper Cook Inlet personal use salmon fisheries are managed by the department under the terms of the Upper Cook Inlet Personal Use Salmon Fishery Management Plan (5 AAC 77.540). This plan provides for a personal use salmon gillnet fishery at the mouth of Kasilof River and salmon dip net fisheries in the Kenai and Kasilof rivers and Fish Creek in northern Cook Inlet. This plan was in effect for the 1981 season and was later adopted as regulation by the board in 1982. The plan has undergone several amendments since that time.

Prior to 1996, the gillnet and dip net fisheries at both the Kenai and Kasilof rivers did not always occur each year. These dip net fisheries were set to open when a specified sonar count was achieved. During years when the sonar count was not achieved, the dip net fishery scheduled for either the Kenai or Kasilof rivers did not occur.

Beginning with the 1996 season, the board established a season of July 10 - August 5 (later amended to July 31) for the dip net fishery in the Kenai River. Establishing a season provided predictability to these fisheries. The household annual limit was 25 salmon for the head of the household and 10 additional salmon per member of the household of which only one king salmon could be retained per household. The regulations adopted by the board established a personal use dip net fishery that had season dates, which were independent of the abundance of returning salmon, and were not tied to the fisheries management plans for other user groups.

In 2002, the fishery was modified to manage the fishery more conservatively until inseason abundance information becomes available. The season dates remained unchanged but the daily hours was reduced to 6:00 a.m. to 11:00 p.m. until the department could project that the total Kenai River sockeye salmon late run would exceed 2.0 million fish. When the department could determine that the Kenai River late-run sockeye salmon would exceed 2.0 million fish, the daily hours the Kenai River personal use dip net fishery could be liberalized to 24 hours per day until the season closed on July 31.

The Kenai River personal use dip net fishery was closed inseason by emergency order in 1998 due to a weak return of late-run sockeye salmon to the Kenai River and in 2006 due to a late return.. From 1999-2001 and 2007, the Kenai River personal use dip net fishery was not liberalized or restricted due to the average strengths of the sockeye salmon runs. The Kenai River personal use dip net fishery was liberalized annually during the 2002-2005 and 2007 seasons. The fishery was liberalized by increasing the daily hours the fishery is open and was the result of the sockeye salmon runs that were projected to be greater than 2.0 million fish during those years.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 219 - 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.

PROPOSED BY: Richard Thompson

WHAT WOULD THE PROPOSAL DO? This proposal would reduce the personal use salmon fishery limit to 5 salmon per person or 15 per household.

WHAT ARE THE CURRENT REGULATIONS? Personal use salmon fisheries are open only to residents of the state. In Cook Inlet, only one personal use salmon permit may be issued to each household per year. The total annual limit for each personal use

salmon fishing permit is 25 salmon for the head of a household and 10 salmon for each dependent of the permit holder.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would reduce harvest and effort by some unknown amount. The reduction in harvest potential for each participant would vary depending on the size of the household. For example, a 4-person household harvest potential would be reduced by 72% (from 55 salmon to 15 salmon). Overall the larger the family, the greater the reduction, while the reduction for small families would be somewhat less. Participation in the fishery would decline.

BACKGROUND: The upper Cook Inlet personal use salmon fisheries are managed by the department under the terms of the Upper Cook Inlet Personal Use Salmon Fishery Management Plan (5 AAC 77.540). This plan provides for a personal use salmon gillnet fishery at the mouth of Kasilof River and salmon dip net fisheries in the Kenai and Kasilof rivers and Fish Creek in northern Cook Inlet. This plan was in effect for the 1981 season and was later adopted as regulation by the board in 1982. The plan has undergone several amendments since that time.

Prior to 1996, the gillnet and dip net fisheries at both the Kenai and Kasilof rivers did not always occur each year. These dip net fisheries were set to open when a specified sonar count was achieved. During years when the sonar count was not achieved, the dip net fishery scheduled for either the Kenai or Kasilof rivers did not occur.

Beginning with the 1996 season, the board established a season of July 10 - August 5 (later amended to July 31) for the dip net fishery in the Kenai River. Establishing a season provided predictability to these fisheries. The household annual limit was 25 salmon for the head of the household and 10 additional salmon per member of the household of which only one king salmon could be retained per household. The regulations adopted by the board established a personal use dip net fishery that had season dates, which were independent of the abundance of returning salmon, and were not tied to the fisheries management plans for other user groups.

In 2002, the fishery was modified to manage the fishery more conservatively until inseason abundance information becomes available. The season dates remained unchanged but the daily hours was reduced to 6:00 a.m. to 11:00 p.m. until the department could project that the total Kenai River sockeye salmon late run would exceed 2.0 million fish. When the department could determine that the Kenai River late-run sockeye salmon would exceed 2.0 million fish, the daily hours the Kenai River personal use dip net fishery could be liberalized to 24 hours per day until the season closed on July 31.

The Kenai River personal use dip net fishery was closed inseason by emergency order in 1998 due to a weak return of late-run sockeye salmon to the Kenai River and in 2006 due to a late return.. From 1999-2001 and 2007, the Kenai River personal use dip net fishery was not liberalized or restricted due to the average strengths of the sockeye salmon runs.

The Kenai River personal use dip net fishery was liberalized annually during the 2002-2005 and 2007 seasons. The fishery was liberalized by increasing the daily hours the fishery is open and was the result of the sockeye salmon runs that were projected to be greater than 2.0 million fish during those years.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 220 - 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.

PROPOSED BY: Steve Vanek

WHAT WOULD THE PROPOSAL DO? Establish a maximum mesh size of 2.5-inches for dip nets in the personal use fisheries in Cook Inlet.

WHAT ARE THE CURRENT REGULATIONS? Dip nets are legal gear as defined under the statewide general provisions of 5 AAC 39.105 (d) (24). **TYPES OF LEGAL GEAR.** A dip net is a bag-shaped net supported on all sides by a rigid frame; the maximum straight-line distance between any two points on the net frame, as measured through the net opening, may not exceed five feet; the depth of the bag must be at least one-half of the greatest straight-line distance, as measured through the net opening; no portion of the bag may be constructed of webbing that exceeds a stretched measurement of 4.5 inches; the frame must be attached to a single rigid handle and be operated by hand.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? A reduction in mesh size from the current 4.5 inches may result in fewer sockeye salmon harvested in the personal use dipnet fisheries. The elimination of gillnet material from dip nets could reduce the overall harvest efficiency of individual fishermen and there may be some unknown decline in harvest. Personal use fishermen may require more time to obtain the same amount of fish they desire to harvest.

BACKGROUND: Prior to 1988, there were no restrictions regarding mesh size that could be used in a dip net. In 1988, the board adopted the current statewide regulation limiting mesh size to a maximum of 4.5 inches. This regulation was in response to staff and public observation indicating more fish were "gilled" than "dipped" when larger mesh was used. At that time, the board agreed that smaller mesh should be used to ensure that the fish were dipped. There is no restriction on the material that can be used to form the dip net bag.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. Decreased harvest is an allocative issue rather than a biological issue. The regulation which stipulates the maximum mesh size allowed for use with a 'dip net' is a statewide provision under 5 AAC 39.105 and would need to be addressed statewide in order to ensure regulatory consistency. A uniform statewide standard is easier to enforce. Alaska Wildlife Troopers reports that abuse of net size is minimal and only a few cases of gear violations have been cited in the personal use fisheries in recent years.

COST ANALYSIS: The department believes that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery. Persons participating in this fishery would be required to change the type of webbing of their dip nets to meet new regulation specifications if the current webbing does not meet the newly adopted requirements.

PROPOSAL 221 - 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.

PROPOSED BY: Alaska Department of Fish and Game

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit dip netting from a vessel not equipped with a four-stroke or Direct Fuel Injection (DFI) two-stroke motor in the Kenai River personal use dip net fishery starting in the year 2010.

WHAT ARE THE CURRENT REGULATIONS? There are no restrictions on boat engine type in the Kenai River personal use dip net fishery. Personal use salmon fisheries are open only to residents of the state. In the Kenai River salmon may be taken by dip net from July 10 through July 31, seven days per week, from 6:00 a.m. to 11:00 p.m. Salmon may be taken by boat, in the area from an ADF&G regulatory marker located near the Kenai city dock upstream to the downstream side of the Warren Ames Bridge. The commissioner may extend, by emergency order, the personal use fishery to 24-hours per day if the department determines that the abundance of the Kenai River late-run sockeye salmon is greater than two million.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? A major source of hydrocarbon pollution in the lower Kenai River would be eliminated by 2010 resulting in an undetermined decline in hydrocarbon levels in the lower Kenai River. It would provide a phase-out period for two-stroke motors and allow two-stroke outboard owners a two year period to participate fully in the fishery without restriction before compliance would become mandatory. This proposal may prevent or limit some individuals from participating in the personal use dip net fishery if they do not have a vessel equipped with a four-stroke or DFI two-stroke motor. In addition, it may increase congestion in the shore-based fishery by some unknown amount.

BACKGROUND: In 1984, legislation created the Kenai River Special Management Area (KRSMA) with management assigned to the Department of Natural Resources, Division

of Parks and Outdoor Recreation (DPOR). The KRSMA includes Kenai and Skilak Lakes and the entire river system downstream to river mile 4, near the Warren Ames Bridge. The personal use fishery operates in waters outside of the KRSMA and is not subject to DNR regulations.

The upper Cook Inlet personal use salmon fisheries are managed by the department under the terms of the Upper Cook Inlet Personal Use Salmon Fishery Management Plan (5 AAC 77.540). Those harvesting salmon by boat in the personal use fishery are not restricted with regard to outboard motor.

Data collected from 2000-2006 indicates that the State Water Quality Standards of 10 parts per billion total aqueous hydrocarbons were consistently exceeded each summer with a direct correlation between the levels of hydrocarbons and the number of motorized vessels, especially when two-stroke motors constitute a large percentage of the vessels. In 2006, the Alaska Department of Environmental Conservation (DEC) listed the lower 19 miles of the Kenai River as a Category 5 impaired waterbody for petroleum hydrocarbon pollution exceeding state water quality standards.

ADF&G, DEC, & DNR have been working together to put controls in place that will bring the waterbody back into compliance with state water quality standards. DNR has proposed to adopt regulation changes in Title 11 of the Alaska Administrative Code dealing with boat and motor restrictions in the KRSMA. The proposed regulations are planned to take effect beginning in 2008, requiring all power boats operating in the KRSMA during July to use either four-stroke or DFI two-stroke motors. Also proposed is beginning January 1, 2010 all power boats operating in the KRSMA must have either four-stroke or DFI two-stroke motors year round.

This action by DNR would still leave the area of the personal use dip net fishery susceptible to exceeding state water quality standards and possibly preventing a delisting from the impaired waterbody list.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. However, the department recommends that this proposal be modified to begin when the changes to the DNR regulations are implemented. A coordinated effort will better enable DEC to measure and report changes to hydrocarbon levels within their waterbody recovery plan. It targets hydrocarbon emissions from vessels operating in the personal use dip net fishery on the lower Kenai River during July. Although the contribution of hydrocarbon pollution by the dip net fishery is undetermined, this measure is consistent with an element of the board adopted policy for the management of sustainable salmon fisheries that salmon habitat in fresh water should be protected on a watershed basis including appropriate management of water quality.

COST ANALYSIS: The department believes that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 222 - 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.

PROPOSED BY: Kenai Area Fisherman's Coalition

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit 2-stroke outboard motors operating in the Kenai River personal use dip net fishery each day based upon the vessel registration number issued by the Alaska Division of Motor Vehicles. Specifically, 2-stroke powered vessels with an odd numbered registration number would be allowed in the fishery only on odd numbered days and 2-stroke powered vessels with an even numbered registration number would only be allowed in the fishery on even numbered days.

WHAT ARE THE CURRENT REGULATIONS? There are no restrictions on boat engine type in the Kenai River personal use dip net fishery. Personal use salmon fisheries are open only to residents of the state. In the Kenai River salmon may be taken by dip net from July 10 through July 31, seven days per week, from 6:00 a.m. to 11:00 p.m. Salmon may be taken by boat, in the area from an ADF&G regulatory marker located near the Kenai city dock upstream to the downstream side of the Warren Ames Bridge. The commissioner may extend, by emergency order, the personal use fishery to 24-hours per day if the department determines that the abundance of the Kenai River late-run sockeye salmon is greater than two million.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal may reduce the number of two-stroke motors operating in the fishery each day by an undetermined number, while over the long-term it may not reduce the level of hydrocarbons sufficiently to meet federal water quality standards. This proposal may reduce participation in the fishery and increase congestion in the shore-based fishery by some unknown amount. For participants who use vessels powered by two-stroke motors, this proposal would reduce opportunity by 50%.

BACKGROUND: In 1984, legislation created the Kenai River Special Management Area (KRSMA) with management assigned to the Department of Natural Resources, Division of Parks and Outdoor Recreation (DPOR). The KRSMA includes Kenai and Skilak Lakes and the entire river system downstream to river mile 4, near the Warren Ames Bridge. The personal use fishery operates in waters outside of the KRSMA and is not subject to DNR regulations.

The upper Cook Inlet personal use salmon fisheries are managed by the department under the terms of the Upper Cook Inlet Personal Use Salmon Fishery Management Plan (5 AAC 77.540). Those harvesting salmon by boat in the personal use fishery are not restricted with regard to outboard motor.

Data collected from 2000-2006 indicates that the State Water Quality Standards of 10 parts per billion total aqueous hydrocarbons were consistently exceeded each summer with a direct correlation between the levels of hydrocarbons and the number of motorized vessels, especially when two-stroke motors constitute a large percentage of the vessels. In

2006, the Alaska Department of Environmental Conservation (DEC) listed the lower 19 miles of the Kenai River as a Category 5 impaired waterbody for petroleum hydrocarbon pollution exceeding state water quality standards.

ADF&G, DEC, & DNR have been working together to put controls in place that will bring the waterbody back into compliance with state water quality standards. DNR has proposed to adopt regulation changes in Title 11 of the Alaska Administrative Code dealing with boat and motor restrictions in the KRSMA. The proposed regulations are planned to take effect beginning in 2008, requiring all power boats operating in the KRSMA during July to use either four-stroke or DFI two-stroke motors. Also proposed is beginning January 1, 2010 all power boats operating in the KRSMA must have either four-stroke or DFI two-stroke motors year round.

This action by DNR would still leave the area of the personal use dip net fishery susceptible to exceeding state water quality standards and possibly preventing a delisting from the impaired waterbody list.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The department is supportive of taking action to reduce hydrocarbon contributions from vessels operating in the personal use dip net fishery on the lower Kenai River during July. However, this proposal still allows a source of hydrocarbon pollution to persist in the lower Kenai River during July.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 223 - 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.

PROPOSED BY: Kenai Area Fisherman's Coalition

WHAT WOULD THE PROPOSAL DO? Require vessels powered by a motor operating in the Kenai River personal use dip net fishery to be anchored or without power while fishing or alternatively restrict 2-stroke powered vessels to be on anchor in a restricted sub-area within the area of the lower Kenai River open to personal use dip net fishing from a boat.

WHAT ARE THE CURRENT REGULATIONS? There are no restrictions on boat engine type in the Kenai River personal use dip net fishery. Personal use salmon fisheries are open only to residents of the state. In the Kenai River salmon may be taken by dip net from July 10 through July 31, seven days per week, from 6:00 a.m. to 11:00 p.m. Salmon may be taken by boat, in the area from an ADF&G regulatory marker located near the Kenai city dock upstream to the downstream side of the Warren Ames Bridge. The commissioner may extend, by emergency order, the personal use fishery to

24-hours per day if the department determines that the abundance of the Kenai River late-run sockeye salmon is greater than two million.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Boats operating in the dip net fishery would be either on anchor or drifting with: 1) the wind, 2) downriver current or 3) upriver tidal current while dip nets are deployed into the water. This would reduce the overall harvest efficiency of individual fishermen and there may be some unknown decline in harvest. Enforcement as well as the public's interpretation of regulations would become considerably more complex. Navigation would become problematic or perhaps hazardous due to the combination of anchored and drifting vessels fishing among vessels traveling under power in a relatively small section the lower Kenai River.

BACKGROUND: In 1984, legislation created the Kenai River Special Management Area (KRSMA) with management assigned to the Department of Natural Resources, Division of Parks and Outdoor Recreation (DPOR). The KRSMA includes Kenai and Skilak Lakes and the entire river system downstream to river mile 4, near the Warren Ames Bridge. The personal use fishery operates in waters outside of the KRSMA and is not subject to DNR regulations.

The upper Cook Inlet personal use salmon fisheries are managed by the department under the terms of the Upper Cook Inlet Personal Use Salmon Fishery Management Plan (5 AAC 77.540). Those harvesting salmon by boat in the personal use fishery are not restricted with regard to outboard motor.

Data collected from 2000-2006 indicates that the State Water Quality Standards of 10 parts per billion total aqueous hydrocarbons were consistently exceeded each summer with a direct correlation between the levels of hydrocarbons and the number of motorized vessels, especially when two-stroke motors constitute a large percentage of the vessels. In 2006, the Alaska Department of Environmental Conservation (DEC) listed the lower 19 miles of the Kenai River as a Category 5 impaired waterbody for petroleum hydrocarbon pollution exceeding state water quality standards.

ADF&G, DEC, & DNR have been working together to put controls in place that will bring the waterbody back into compliance with state water quality standards. DNR has proposed to adopt regulation changes in Title 11 of the Alaska Administrative Code dealing with boat and motor restrictions in the KRSMA. The proposed regulations are planned to take effect beginning in 2008, requiring all power boats operating in the KRSMA during July to use either four-stroke or DFI two-stroke motors. Also proposed is beginning January 1, 2010 all power boats operating in the KRSMA must have either four-stroke or DFI two-stroke motors year round.

This action by DNR would still leave the area of the personal use dip net fishery susceptible to exceeding state water quality standards and possibly preventing a delisting from the impaired waterbody list.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The department is supportive of taking action to reduce hydrocarbon contributions from vessels operating in the personal use dip net fishery on the lower Kenai River during July. However, it is unclear whether or not the aim of the proposal is to reduce a source of hydrocarbon pollution in the lower Kenai River or to change boat dip netting fishing methods. If this proposal is to make the fishery less efficient, then the department is **NEUTRAL** on the allocative aspect of the proposal. Decreased harvest in the personal use fishery is an allocative issue rather than a biological issue.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 224 - 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.

PROPOSED BY: Bruce Knowles

WHAT WOULD THIS PROPOSAL DO? This proposal would allow the use of a rod and reel to harvest salmon in the Cook Inlet personal use salmon fisheries and would identify consumptive users as a person fishing for winter food supply.

WHAT ARE THE CURRENT REGULATIONS? The Upper Cook Inlet personal use salmon fishery management plan allows for the use of set nets or dipnets. The use of a fishing rod and fishing reel in the Upper Cook Inlet personal use salmon fisheries is not allowed. Statewide provisions do not allow the use of a fishing rod and fishing reel as a legal gear type harvesting fish in a personal use salmon fishery.

WHAT WOULD THE EFFECT BE IF THIS PROPOSAL WERE ADOPTED? This would cause gear conflicts between personal use fishermen using dipnets or set nets and those using a fishing rod while attempting to harvest fish in the same area. The overall harvest efficiency of individual fishermen would decrease with the change in gear-types and there may be some unknown decline in the total harvest in the personal use salmon fisheries if current participants switch from using dipnets and setnets to a rod and reel. Enforcement of regulations will also become more complicated with the introduction of a new gear-type to the personal use fisheries. It is uncertain what affect, if any, identifying consumptive users would have on the fishery.

BACKGROUND: Open seasons, bag limits, types of legal gear and areas open to fishing are addressed within the regulatory framework established by the Upper Cook Inlet Personal Use Salmon Fishery Management Plan. Currently, there are three locations in Upper Cook Inlet that are open to personal use fishing with either a set gillnet or a dipnet. Those areas are the Kasilof and Kenai rivers on the Kenai Peninsula and Fish Creek in the Matanuska-Susitna borough. The designated areas that are open to personal use fishing in these three locations are all within the terminus areas of the specific river mouth and Cook Inlet. Legal fishing gear is restricted to a dipnet in the Kenai River and

Fish Creek fisheries and either a set-gillnet or a dipnet in the Kasilof River, depending on the season.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Introducing a less efficient gear type into a fishery designed for greater harvest efficiency will compromise the intent of the fishery and the public's recognition of the purpose of a personal use fishery. The introduction of a gear type that will conflict with the existing harvest methods is not supported by ADF&G. The areas in which personal use salmon fisheries occur in Upper Cook Inlet are generally not conducive to harvest of sockeye salmon with a fishing rod and reel. The department is uncertain what the proposer is seeking regarding identifying consumptive users as a person fishing for winter food supply.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

KENAI RIVER RESIDENT SPECIES

PROPOSAL 236 - 5 AAC 57.120(6). General provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area.

PROPOSED BY: Spencer Devito

WHAT WOULD THE PROPOSAL DO? This proposal would increase the rainbow/steelhead trout bag and possession limit in unstocked lakes within the Kenai River drainage, except Kenai and Skilak lakes, from two to per day to five per day, with only one fish 20 inches or greater in length.

WHAT ARE THE CURRENT REGULATIONS? Rainbow/steelhead trout are subject to an annual limit of two fish 20 inches or greater in length, and a harvest record is required. Rainbow/steelhead trout may be taken from January 1- December 31, in lakes and ponds, including Kenai Lake and tributary lakes of Kenai Lake, except Skilak Lake and stocked lakes; bag and possession limit of two fish, of which only one may be 20 inches or greater in length;

Rainbow/steelhead trout may be taken from January 1 – December 31, in stocked lakes and ponds of the Kenai River and Kenai Lake drainage; bag and possession limit of five fish, of which only one may be 20 inches or greater in length. These stocked lakes and ponds include Aurora Lake, Barbara Lake, Cabin Lake, Carter Lake, Cecille Lake, Chugach Estates Lake, Douglas Lake, Elephant Lake, Island Lake, Longmere Lake, Loon Lake, Rainbow Lake, Scout Lake, Sport Lake, Thetis Lake, Tirmore Lake, and Vagt Lake.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal may increase the effort and harvest of wild rainbow trout in unstocked lakes within the Kenai River drainage by an unknown amount. It would also deviate from the standards set in the Statewide Management Standards for Wild Trout.

BACKGROUND: Past regulations governing the harvest of rainbow trout in the Kenai River drainage were liberal and became progressively conservative as well as complex as the fishery grew in popularity. Prior to 2005, the bag and possession limit for rainbow/steelhead trout in unstocked lakes was 2 per day from April 15-October 31, and 5 per day from November 1 – April 14. Currently, Kenai River drainage native rainbow trout are conservatively managed under the framework of the board adopted statewide management standards for wild trout. This policy established in 2003 was developed by the board and the department along with stakeholders and implemented throughout the state since its adoption. The policy has standardized the regulations for optimal sustained yield of wild trout stocks for waters in areas for which the board has not established a regional trout management plan and adopted provisions of the plan as regulations. Specifically, conservative management for wild rainbow trout means a bag and possession limit of two fish, of which only one may be 20 inches or greater in length, with an annual limit of two fish 20 inches or greater in length. During the 2005 Upper Cook Inlet board of fisheries meeting several proposals related to the Kenai River drainage rainbow trout were taken under advisement. Considerations were to reconcile complex regulations for this fishery and to provide a diversity of fishing opportunity that the department believed would be commensurate with the productive capability of the native rainbow trout population. Consequently, the board adopted the statewide standards for lakes of the Kenai River Drainage.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The current regulations for Kenai River drainage rainbow trout provide harvest opportunity, regulatory consistency and a fishery thought to be sustainable given the current level of participation. Twenty-seven Kenai Peninsula lakes are stocked with rainbow trout and other lakes and ponds supporting rainbow trout that are not in the Kenai River Drainage provide additional harvest opportunity under a bag limit of 5 fish per day.

COST ANALYSIS:

The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 237 - 5 AAC 57.120(6). General provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area.

PROPOSED BY: Dick Dykema

WHAT WOULD THE PROPOSAL DO? This proposal would increase the rainbow/steelhead trout bag and possession limit in all lakes within the Kenai River

drainage from two to per day to five per day, with only one fish 20 inches or greater in length.

WHAT ARE THE CURRENT REGULATIONS? Rainbow/steelhead trout are subject to an annual limit of two fish 20 inches or greater in length, and a harvest record is required. Rainbow/steelhead trout may be taken from January 1- December 31, in lakes and ponds, including Kenai Lake and tributary lakes of Kenai Lake, except Skilak Lake and stocked lakes; bag and possession limit of two fish, of which only one may be 20 inches or greater in length;

Rainbow/steelhead trout may be taken from January 1 – December 31, in stocked lakes and ponds of the Kenai River and Kenai Lake drainage; bag and possession limit of five fish, of which only one may be 20 inches or greater in length. These stocked lakes and ponds include Aurora Lake, Barbara Lake, Cabin Lake, Carter Lake, Cecille Lake, Chugach Estates Lake, Douglas Lake, Elephant Lake, Island Lake, Longmere Lake, Loon Lake, Rainbow Lake, Scout Lake, Sport Lake, Thetis Lake, Tirmore Lake, and Vagt Lake.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal may increase in the effort and harvest of wild rainbow trout in unstocked lakes within the Kenai River drainage by an unknown amount. It would also deviate from the standards set in the Statewide Management Standards for Wild Trout.

BACKGROUND: Historically board adopted regulations governing the harvest of rainbow trout in the Kenai River drainage were liberal and became progressively conservative as well as complex as the rainbow trout fishery grew in popularity. Currently native Kenai River drainage rainbow trout are conservatively managed under the framework of the board adopted statewide management standards for wild trout. This plan established in 2003 was developed by the department along with stakeholders and has been implemented in various areas throughout the state over the past several years. Its use has standardized the management regulations for the optimal sustained yield of wild trout stocks for waters in areas for which the board has not established a regional trout management plan and adopted provisions of the plan as regulations. Specifically, conservative management for wild rainbow trout means a bag and possession limit of two fish, of which only one may be 20 inches or greater in length, with an annual limit of two fish 20 inches or greater in length. During the 2005 Upper Cook Inlet board of fisheries meeting several proposals related to the Kenai River drainage rainbow trout were taken under advisement. Considerations were to reconcile complex regulations for this fishery and to provide a diversity of fishing opportunity that the department believed would be commensurate with the productive capability of the native rainbow trout population. Consequently, the board adopted the statewide standards for lakes of the Kenai River Drainage.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The current regulations for Kenai River drainage rainbow trout provide harvest opportunity, regulatory consistency and a fishery thought to be sustainable given the current level of

participation. Twenty-seven Kenai Peninsula lakes are stocked with rainbow trout and other lakes and ponds supporting rainbow trout that are not in the Kenai River Drainage provide additional harvest opportunity under a bag limit of 5 fish per day.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 238 - 5 AAC 57.120. General provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area.

PROPOSED BY: Kenai River Professional Guides Association

WHAT WOULD THE PROPOSAL DO? This proposal would close a portion of the Kenai River between the outlet of Skilak Lake and the Upper Killey River to fishing for Dolly Varden from April 15 – June 11.

WHAT ARE THE CURRENT REGULATIONS? Arctic char/Dolly Varden 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, except the waters within a one-half mile radius of the Kenai River inlet; bag and possession limit of one fish less than 18 inches in length; Arctic char/Dolly Varden 18 inches or greater in length may not be retained; Arctic char/Dolly Varden caught that are 18 inches or greater in length must be released immediately.

Rainbow/steelhead trout may be taken from June 11- May 1, in all flowing waters from the mouth of the Kenai 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 18 inches in length; rainbow/steelhead trout 18 inches or greater in length may not be retained; rainbow trout/steelhead trout caught that are 18 inches or greater in length must be released immediately

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would decrease fishing opportunity for Dolly Varden and may result in a decrease in harvest. Incidental catch and release of rainbow trout during the closed season for rainbow trout would decrease. Catch and release mortality, whether or not substantial, for both species during April 15 – June 11 would decrease by an unknown amount. Fishing effort may increase in lakes and ponds of the Kenai Peninsula Area where Dolly Varden and rainbow trout fishing is open the entire year. Enforcement of rainbow trout spawning season closure would be obtainable.

BACKGROUND: Historically a spring spawning closure prohibiting rainbow trout fishing in sections of the Kenai River has been used as part of the regulatory framework to manage this fishery. The spring spawning closure has gone through several phases. From 1959-1964 the closure was from April 1 - late May. Fishing was allowed during

the spring season from 1965 - 1981. Beginning in 1982, the spring spawning closure was reinstated from January 1 - June 14. The closure was extended to November 1 - June 14 during 1984-1988. In 1997 the fishery was liberalized again resulting in a rainbow trout season in all flowing waters of the Kenai River drainage below the Killey River from June 15 - April 14.

The current regulations were adopted in 2005 as a result of considering several proposals related to the Kenai River rainbow trout and Dolly Varden fisheries. The new regulations resulted in a net gain in fishing time and area, allowed harvest opportunity, and a more consistent regulatory framework for both species throughout the drainage. However while closed to rainbow trout fishing from May 2 – June 10 the area from the mouth of the Kenai River upstream to Skilak Lake remained open to fishing for Dolly Varden.

When fishing for Dolly Varden, anglers use a terminal gear configuration (line weight, hook and fly size) similar to that used to fish for rainbow trout. Consequently, anglers may fish for rainbow trout in waters closed to rainbow trout fishing under the guise of fishing for Dolly Varden. Since anglers use similar terminal gear for Dolly Varden and for rainbow trout and no rainbow trout are harvested, law enforcement has no probable cause recourse for enforcing the rainbow trout fishing closure. In spring, from Skilak Lake downstream for several river miles spawning aggregations of rainbow trout are easily identified and are vulnerable to fishing during the May 2 – June 10 spawning closure.

Participation in this fishery raised the public awareness of the management of Kenai River rainbow trout. This awareness has resulted in two divergent perspectives. The first, supports protection of rainbow trout during the spawning period in spring, thus seeks to close the area to Dolly Varden fishing. The second perspective advocates for fishing opportunity and regards the spring spawning closure as unnecessary. In lieu of these perspectives the department was concerned about the efficacy of the regulation adopted in 2005 as well as the effect of catch and release fishing pressure on spring aggregations of rainbow trout. Due to these factors the department issued an emergency order prohibiting anglers from removing rainbow trout caught during the closure from the water prior to releasing them. This adjustment was intended to assuage concerns by some stakeholders regarding conservation of rainbow trout. This was done in recognition of the long-standing history of public and departmental support of a rainbow trout fishing season closure during the spring on the Kenai River.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal with modifications to extend the area of closure to fishing for Dolly Varden and rainbow trout from the Moose River upstream to the waters of Skilak Lake within one-half mile radius of the Kenai River inlet at Skilak Lake from May 2 through June 10. This change would align the rainbow trout and Dolly Varden fishing seasons in the waters below Skilak Lake to the Moose River with the fishing season above Skilak Lake. The principal regulatory measures to meet the management objective of a sustainable wild rainbow trout fishery in the Kenai River are the spring closure and maximum size limit regulations. The spawning closure is consistent with the board adopted policy for the management of

sustainable wild trout fisheries as it protects wild trout stocks within the trout's spawning habitats. This regulation would also serve to discourage illegal fishing activities.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 239 - 5 AAC 57.120. General provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area.

PROPOSED BY: Andy Szczesny

WHAT WOULD THE PROPOSAL DO? This proposal would liberalize the rainbow trout fishing season in the Kenai River drainage by shortening the spring rainbow trout fishing closure by 14 days, (from May 2 - June 10, to May 15 to June 10).

WHAT ARE THE CURRENT REGULATIONS? Rainbow/steelhead trout may be taken from June 11- May 1, in all flowing waters from the mouth of the Kenai 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 18 inches in length; rainbow/steelhead trout 18 inches or greater in length may not be retained; rainbow trout/steelhead trout caught that are 18 inches or greater in length must be released immediately.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would increase fishing opportunity for rainbow/steelhead trout and may result in an increase in the effort and harvest by an unknown amount. Catch and release mortality, whether or not substantial, would increase.

BACKGROUND: Historically a spring spawning closure prohibiting rainbow trout fishing in sections of the Kenai River has been used as part of the regulatory framework to manage this fishery. The spring spawning closure has gone through several phases. From 1959-1964 the closure was from April 1 - late May. Fishing was allowed during the spring season from 1965 - 1981. Beginning in 1982, the spring spawning closure was reinstated from January 1 - June 14. The closure was extended to November 1 - June 14 during 1984-1988. In 1997 the fishery was liberalized again resulting in a rainbow trout season in all flowing waters of the Kenai River drainage below the Killey River from June 15 - April 14.

The current regulations were adopted in 2005 as a result of considering several proposals related to the Kenai River rainbow trout and Dolly Varden fisheries. The new regulations resulted in a net gain in fishing time and area, allowed harvest opportunity, and a more consistent regulatory framework for both species throughout the drainage. However while closed to rainbow trout fishing from May 2 - June 10 the area from the mouth of the Kenai River upstream to Skilak Lake remained open to fishing for Dolly Varden.

The current regulations were adopted in 2005 as a result of considering several proposals related to the Kenai River rainbow trout and Dolly Varden fisheries. The new regulations resulted in a net gain in fishing time and area, allowed harvest opportunity and a more consistent regulatory framework for both species throughout the drainage. Maturity samples collected from Kenai River rainbow trout during the spring from 1998-2002 were used to develop the spawning season closure dates. As indicated by the numbers of spawning rainbow trout in the samples collected across all years, spawning occurred from late in April, through mid-June. Specifically, the number of both spawning and post-spawning rainbow trout detected in samples increased markedly throughout May, with spawning fish detected in samples through mid-June.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The current regulations for Kenai River drainage rainbow trout provide harvest opportunity, regulatory consistency and a fishery thought to be sustainable given the current level of participation.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 240 - 5 AAC 57.120. General provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area.

PROPOSED BY: Ted Wellman

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit sport fishing in the Kenai River from the outlet of Skilak Lake downstream to the Upper Killey River from May 2 to June 10.

WHAT ARE THE CURRENT REGULATIONS? The flowing waters of the Kenai River from its mouth upstream to the outlet of Skilak Lake are open to king salmon fishing from January 1 – July 31; sockeye, pink, and chum salmon may be taken from January 1 – December 31; coho salmon may be taken only from July 1 – October 31; Arctic char/Dolly Varden may be taken from; January 1 – December 31; rainbow/steelhead trout may be taken from June 11- May 1.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would decrease fishing opportunity for Dolly Varden and may result in a decrease in harvest. Incidental catch and release of rainbow trout during the closed season for rainbow trout would decrease. Catch and release mortality, whether or not substantial, for both species during May 2 - June 10 would decrease by an unknown amount. King salmon fishing opportunity and harvest may decrease by a small amount as would sockeye salmon fishing. Fishing for the other species would not be impacted since they are not present. Fishing effort may increase in lakes and ponds of the Kenai Peninsula

Area where Dolly Varden and rainbow trout fishing in open the entire year. Enforcement of rainbow trout spring season closure would be obtainable.

BACKGROUND: Historically a spring spawning closure prohibiting rainbow trout fishing in sections of the Kenai River has been used as part of the regulatory framework to manage this fishery. The spring spawning closure has gone through several phases. From 1959-1964 the closure was from April 1 - late May. Fishing was allowed during the spring season from 1965 - 1981. Beginning in 1982, the spring spawning closure was reinstated from January 1 - June 14. The closure was extended to November 1 - June 14 during 1984-1988. In 1997 the fishery was liberalized again resulting in a rainbow trout season in all flowing waters of the Kenai River drainage below the Killey River from June 15 - April 14.

The current regulations were adopted in 2005 as a result of considering several proposals related to the Kenai River rainbow trout and Dolly Varden fisheries. The new regulations resulted in a net gain in fishing time and area, allowed harvest opportunity, and a more consistent regulatory framework for both species throughout the drainage. However while closed to rainbow trout fishing from May 2 – June 10 the area from the mouth of the Kenai River upstream to Skilak Lake remained open to fishing for Dolly Varden to provide harvest opportunity.

When fishing for Dolly Varden, anglers use a terminal gear configuration (line weight, hook and fly size) similar to that used to fish for rainbow trout. Consequently, anglers may fish for rainbow trout in waters closed to rainbow trout fishing under the false pretext of fishing for Dolly Varden. Since anglers use similar terminal gear for Dolly Varden and for rainbow trout and no rainbow trout are harvested, law enforcement has no probable cause recourse for enforcing the rainbow trout fishing closure. In spring, from Skilak Lake downstream for several river miles spawning aggregations of rainbow trout are easily identified and are vulnerable to fishing during the May 2 – June 10 closure.

Participation in this fishery raised the public awareness of the management of Kenai River rainbow trout. This awareness has resulted in two divergent perspectives. The first, supports protection of rainbow trout during the spawning period in spring, thus seeks to close the area to Dolly Varden fishing. The second perspective advocates for fishing opportunity and regards the spring closure as unnecessary. In lieu of these perspectives the department was concerned about the efficacy of the regulation adopted in 2005 as well as the effect of catch and release fishing pressure on spring aggregations of rainbow trout. Due to these factors the department issued an emergency order prohibiting anglers from removing rainbow trout caught during the closure from the water prior to releasing them. This adjustment was intended to assuage concerns by some stakeholders regarding conservation of rainbow trout. This was done in recognition of the long-standing history of public and departmental support of a rainbow trout fishing spawning season closure during the spring on the Kenai River.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Closing this area to all sport fishing unnecessarily restricts fishing opportunity on salmon species. The

department does support aligning the Arctic Char/Dolly Varden and rainbow/steelhead trout seasons as described in our comments under proposal 238.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 241 - 5 AAC 57.120. General provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area.

PROPOSED BY: Alaska Dept. of Fish and Game

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit the removal of rainbow trout from the water during the spring rainbow trout fishing closure on the Kenai River from May 2 to June 10.

WHAT ARE THE CURRENT REGULATIONS? Rainbow/steelhead trout may be taken from June 11- May 1, in all flowing water of the Kenai River drainage. There are no regulations in the Kenai River drainage that prohibit removing rainbow trout from the water that are intended to be released.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Prohibiting anglers from removing rainbow/steelhead trout from the water during the May 2 – June 10 spawning closure may reduce mortality of incidentally-caught trout during the time when the spawning trout may be more susceptible to handling mortality. It may also deter some anglers from fishing or fishing illegally for rainbow trout during the spring closure as they would not be able to remove the rainbow trout from the water to photograph it.

BACKGROUND: Historically a spring spawning closure prohibiting rainbow trout fishing in sections of the Kenai River has been used as part of the regulatory framework to manage this fishery. The spring spawning closure has gone through several phases. From 1959-1964 the closure was from April 1 - late May. Fishing was allowed during the spring season from 1965 - 1981. Beginning in 1982, the spring spawning closure was reinstated from January 1 - June 14. The closure was extended to November 1 - June 14 during 1984-1988. In 1997 the fishery was liberalized again resulting in a rainbow trout season in all flowing waters of the Kenai River drainage below the Killey River from June 15 - April 14.

The current regulations were adopted in 2005 as a result of considering several proposals related to the Kenai River rainbow trout and Dolly Varden fisheries. The new regulations resulted in a net gain in fishing time and area, allowed harvest opportunity, and a more consistent regulatory framework for both species throughout the drainage. However while closed to rainbow trout fishing from May 2 – June 10 the area from the mouth of the Kenai River upstream to Skilak Lake remained open to fishing for Dolly Varden to provide harvest opportunity.

When fishing for Dolly Varden, anglers use a terminal gear configuration (line weight, hook and fly size) similar to that used to fish for rainbow trout. Consequently, anglers may fish for rainbow trout in waters closed to rainbow trout fishing under the false pretext of fishing for Dolly Varden. Since anglers use similar terminal gear for Dolly Varden and for rainbow trout and no rainbow trout are harvested, law enforcement has no probable cause recourse for enforcing the rainbow trout fishing closure. In spring, from Skilak Lake downstream for several river miles spawning aggregations of rainbow trout are easily identified and are vulnerable to fishing during the May 2 – June 10 closure.

Participation in this fishery raised the public awareness of the management of Kenai River rainbow trout. This awareness has resulted in two divergent perspectives. The first, supports protection of rainbow trout during the spawning period in spring, thus seeks to close the area to Dolly Varden fishing. The second perspective advocates for fishing opportunity and regards the spring closure as unnecessary. In lieu of these perspectives the department was concerned about the efficacy of the regulation adopted in 2005 as well as the effect of catch and release fishing pressure on spring aggregations of rainbow trout. Due to these factors the department issued an emergency order prohibiting anglers from removing rainbow trout caught during the closure from the water prior to releasing them. This adjustment was intended to assuage concerns by some stakeholders regarding conservation of rainbow trout. This was done in recognition of the long-standing history of public and departmental support of a rainbow trout fishing season closure during the spring on the Kenai River.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. The department recognizes that a consistent spring closure to rainbow trout fishing throughout the drainage would make this regulation unnecessary. A resolution to the issue of rainbow trout fishing during the spring spawning closure is to extend the area of closure to fishing for Dolly Varden and rainbow trout from the Moose River upstream to the waters of Skilak Lake within one-half mile radius of the Kenai River inlet at Skilak Lake from May 2 through June 10. This change would align the rainbow trout and Dolly Varden fishing seasons in the waters below Skilak Lake to the Moose River with the fishing season above Skilak Lake. The principal regulatory measures to meet the management objective of a sustainable wild rainbow trout fishery in the Kenai River are the spring closure and maximum size limit regulations. The spawning closure is consistent with the board adopted policy for the management of sustainable wild trout fisheries as it protects wild trout stocks within the trout's spawning habitats. This would also serve to discourage illegal fishing activities

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 242 - 5 AAC 57.120. General provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area.

PROPOSED BY: Cooper Landing Fish and Game Advisory Committee

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit removing rainbow trout or Dolly Varden from the waters of the Kenai River drainage if they are intended to be released.

WHAT ARE THE CURRENT REGULATIONS? There are no regulations in the Kenai River drainage that prohibit removing rainbow trout and Dolly Varden from water that are intended to be released.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Prohibiting anglers from removing rainbow/steelhead trout from the water during the May 2 – June 10 spawning closure may reduce mortality of incidentally-caught trout during the time when the spawning trout may be more susceptible to handling mortality. It could possibly disenfranchise anglers who photograph these species prior to releasing them back into the water.

BACKGROUND: Fishing for rainbow trout and Dolly Varden in the Kenai River is very popular. Historically board adopted regulations governing the harvest of rainbow trout in the Kenai River drainage were liberal and became progressively conservative as well as complex as the rainbow trout fishery grew in popularity. Currently native Kenai River rainbow trout and Dolly Varden are conservatively managed.

Angler participation in rainbow trout fishing measured by catch of rainbow trout in the Kenai River has increased greatly since 1990. Catch averaged 28,787 rainbow from 1984 - 1994 and increased to an average of about 101,000 from 1995 - 2005. The reported catch for 2006 the most recent year available was 131,819 rainbow trout. Similar catch trends in the Dolly Varden fishery are also evident as catch averaged 72,439 fish from 1990 - 2000 and increased to an average of 110,778 Dolly Varden from 2001 – 2005. In 2006 an estimated 98,298 Dolly Varden were caught in the Kenai River.

The department does not have an estimate of the catch and release mortality rate for the rainbow trout or Dolly Varden in the Kenai River fisheries. We do know that estimates of the catch of rainbow trout in the Upper and Middle Kenai River are high in relation to the numbers of rainbow trout thought to inhabit these river sections. Research to estimate the abundance of rainbow trout in a portion of the Upper Kenai River was undertaken during the mid-1980's, 1995 and in 2001 and in the Middle Kenai River during 1987 and 1999. Research findings show that the abundance of rainbow trout in both areas increased over time. In the Upper River the population estimate increased from 2,250 rainbow trout in 1986 to 6,826 rainbow trout in 2001, while in the Middle River the population was estimated to be 1,750 rainbow trout in 1986 and increased to 7,882 rainbow trout by 1999. These data point-out that the catch rate for the population is high, in other words most individual rainbow trout are caught and released numerous times over a life span.

Estimates of the catch and release mortality of rainbow trout available through the fisheries literature vary considerably. Factors such as gear type, water temperature, fish size, fighting time and handling techniques influence the mortality rate. Overall, the literature points to the fact that fishing with bait for rainbow trout is not commensurate with conservative management objectives. Furthermore, regulations that control hook size and type are not considered as major factors that contribute to achieving conservative management objectives, because the efficacy of these regulations can be difficult to measure. The current management objectives for rainbow trout and Dolly Varden fisheries of the Kenai River are:

1. To provide the opportunity for angler participation at a level that can be supported by the fisheries resource and associated habitat.
2. To ensure, through appropriate management and research programs, that the rainbow trout and Dolly Varden populations do not decline below levels necessary to ensure sustained yield.

Based upon the increases in population size of rainbow trout as well as high catch rates of both rainbow trout and Dolly Varden the management objectives for these fisheries are being met.

DEPARTMENT COMMENTS: The Department is **NEUTRAL** on this proposal because it is a social issue not a biological issue. Rainbow trout fishing is closed during spawning to protect the breeding segment of the population during an important stage of their life history. Proper catch and release handling throughout the remainder of the year that includes removing small fish from the water prior to release may largely be a philosophical argument since there is evidence to suggest that it does not have a significant impact on viability or cause increased mortality, when done properly. The photograph of a rainbow trout or a Dolly Varden may be considered as the harvest for many anglers who practice catch and release. Data points out the facts that catch of these species in the Kenai River is high in relation to their abundance indicating that many survive multiple captures repeatedly. Enforcement may currently issue citations to those excessively handling a fish after it is removed from the water under the definition of "molesting" which in part includes dragging, kicking, throwing, striking, or otherwise abusing a fish that is intended to be released.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 243 - 5 AAC 57.121. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area; 5 AAC 57.122. 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 and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means

for the Upper Section of the Kenai River Drainage Area.

PROPOSED BY: George Krumm

WHAT WOULD THE PROPOSAL DO? This proposal would require the use of a single, barbless hook in the Kenai River upstream of Lower Killey River from August 21 to June 10.

WHAT ARE THE CURRENT REGULATIONS? In the Kenai River from its mouth upstream to the outlet of Skilak Lake, only one unbaited single-hook lure is allowed from January 1 to June 30. From July 1 – July 31, bait is allowed, but anglers must still use only one single-hook lure.

In the Kenai River from its mouth upstream to the Upper Killey River, bait and multiple hooks are allowed from August 1 – October 31.

In the Kenai River from the Upper Killey River confluence upstream to Skilak Lake, bait and multiple hooks are allowed from August 1 – September 1; and only unbaited single-hook lures are allowed from September 1 to December 31.

In the Upper Kenai River upstream of Skilak Lake, only one unbaited, single-hook, artificial lure is allowed year-round, with the gap between point and shank of three-eighths inch or less.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Opportunity to land fish may be reduced since it is generally considered to be more difficult to land fish without a barb on the hook. The hook may be removed from the fish easily since it is generally considered to be more difficult to remove a hook from a fish that has a barb on it. The effect of barbless hooks on mortality is unknown because research on mortality due to hook type is inconclusive.

BACKGROUND: Studies of fish caught and released using sport fishing gear are inconclusive as to the effect on fish survival using barbless hooks, single hooks, and single barbless hooks. These studies have shown that hooking mortality is generally related to the location of the hook wound. Estimates of the catch and release mortality of rainbow trout available through the literature vary considerably. Factors such as gear type, water temperature, fish size, fighting time and handling techniques influence the mortality rate. Overall, the literature points to the fact that fishing with bait for rainbow trout is not commensurate with conservative management objectives.

Angler participation in rainbow trout fishing measured by catch of rainbow trout in the Kenai River has increased greatly since 1990. Catch averaged 28,787 rainbow from 1984 - 1994 and increased to an average of about 101,000 from 1995 - 2005. The reported catch for 2006 the most recent year available was 131,819 rainbow trout. Similar catch trends in the Dolly Varden fishery are also evident as catch averaged 72,439 fish from

1990 - 2000 and increased to an average of 110,778 Dolly Varden from 2001 – 2005. In 2006 an estimated 98,298 Dolly Varden were caught in the Kenai River.

The department does not have an estimate of the catch and release mortality rate for the rainbow trout or Dolly Varden in the Kenai River fisheries. We do know that estimates of the catch of rainbow trout in the Upper and Middle Kenai River are high in relation to the numbers of rainbow trout thought to inhabit these river sections. Research to estimate the abundance of rainbow trout in a portion of the Upper Kenai River was undertaken during the mid-1980's, 1995 and in 2001 and in the Middle Kenai River during 1987 and 1999. Research findings show that the abundance of rainbow trout in both areas increased over time. In the Upper River the population estimate increased from 2,250 rainbow trout in 1986 to 6,826 rainbow trout in 2001, while in the Middle River the population was estimated to be 1,750 rainbow trout in 1986 and increased to 7,882 rainbow trout by 1999. These data point-out that the catch rate for the population is high, in other words most individual rainbow trout are caught and released numerous times over a life span.

Estimates of the catch and release mortality of rainbow trout available through the fisheries literature vary considerably. Factors such as gear type, water temperature, fish size, fighting time and handling techniques influence the mortality rate. Overall, the literature points to the fact that fishing with bait for rainbow trout is not commensurate with conservative management objectives. Furthermore, regulations that control hook size and type are not consider as major factors that contribute to achieving conservative management objectives, because the efficacy of these regulations can be difficult to measure. The current management objectives for rainbow trout and Dolly Varden fisheries of the Kenai River are:

1. To provide the opportunity for angler participation at a level that can be supported by the fisheries resource and associated habitat.
2. To ensure, through appropriate management and research programs, that the rainbow trout and Dolly Varden populations do not decline below levels necessary to ensure sustained yield.

Based upon the increases in population size of rainbow trout as well as high catch rates of both rainbow trout and Dolly Varden the management objectives for these fisheries are being met.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal because there is no biological evidence to support the conclusion that fishing with barbless hooks will result in a measurable increase in the abundance of rainbow trout or Dolly Varden. The area and dates specified under this proposal are already managed primarily under unbaited, one single-hook, artificial lure only regulations.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 244 - 5 AAC 57.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area.

PROPOSED BY: Cooper Landing Fish and Game Advisory Board

WHAT WOULD THE PROPOSAL DO? This proposal would require the use of barbless hooks or hooks with pinched barbs with a hook gap no greater than 3/8" when targeting rainbow trout and Dolly Varden in the Kenai River.

WHAT ARE THE CURRENT REGULATIONS? In the Kenai River from its mouth upstream to the outlet of Skilak Lake, only one unbaited single-hook lure is allowed from January 1 to June 30. From July 1 – July 31, bait is allowed, but anglers must still use only one single-hook lure.

In the Kenai River from its mouth upstream to the Upper Killey River, bait and multiple hooks are allowed from August 1 – October 31.

In the Kenai River from the Upper Killey River confluence upstream to Skilak Lake, bait and multiple hooks are allowed from August 1 – September 1; and only unbaited single-hook lures are allowed from September 1 to December 31.

In the Upper Kenai River upstream of Skilak Lake, only one unbaited, single-hook, artificial lure is allowed year-round, with the gap between point and shank of three-eighths inch or less.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Opportunity to land fish may be reduced since it is generally considered to be more difficult to land fish without a barb on the hook. The hook may be removed from the fish easily since it is generally considered to be more difficult to remove a hook from a fish that has a barb on it. The effect of barbless hooks on mortality is unknown because research on mortality due to hook type is inconclusive.

BACKGROUND: Studies of fish caught and released using sport fishing gear are inconclusive as to the effect on fish survival using barbless hooks, single hooks, and single barbless hooks. These studies have shown that hooking mortality is generally related to the location of the hook wound. Estimates of the catch and release mortality of rainbow trout available through the literature vary considerably. Factors such as gear type, water temperature, fish size, fighting time and handling techniques influence the mortality rate. Overall, the literature points to the fact that fishing with bait for rainbow trout is not commensurate with conservative management objectives.

Angler participation in rainbow trout fishing measured by catch of rainbow trout in the Kenai River has increased greatly since 1990. Catch averaged 28,787 rainbow from 1984 - 1994 and increased to an average of about 101,000 from 1995 - 2005. The reported catch for 2006 the most recent year available was 131,819 rainbow trout. Similar catch

trends in the Dolly Varden fishery are also evident as catch averaged 72,439 fish from 1990 - 2000 and increased to an average of 110,778 Dolly Varden from 2001 – 2005. In 2006 an estimated 98,298 Dolly Varden were caught in the Kenai River.

The department does not have an estimate of the catch and release mortality rate for the rainbow trout or Dolly Varden in the Kenai River fisheries. We do know that estimates of the catch of rainbow trout in the Upper and Middle Kenai River are high in relation to the numbers of rainbow trout thought to inhabit these river sections. Research to estimate the abundance of rainbow trout in a portion of the Upper Kenai River was undertaken during the mid-1980's, 1995 and in 2001 and in the Middle Kenai River during 1987 and 1999. Research findings show that the abundance of rainbow trout in both areas increased over time. In the Upper River the population estimate increased from 2,250 rainbow trout in 1986 to 6,826 rainbow trout in 2001, while in the Middle River the population was estimated to be 1,750 rainbow trout in 1986 and increased to 7,882 rainbow trout by 1999. These data point-out that the catch rate for the population is high, in other words most individual rainbow trout are caught and released numerous times over a life span.

Estimates of the catch and release mortality of rainbow trout available through the fisheries literature vary considerably. Factors such as gear type, water temperature, fish size, fighting time and handling techniques influence the mortality rate. Overall, the literature points to the fact that fishing with bait for rainbow trout is not commensurate with conservative management objectives. Furthermore, regulations that control hook size and type are not consider as major factors that contribute to achieving conservative management objectives, because the efficacy of these regulations can be difficult to measure. The current management objectives for rainbow trout and Dolly Varden fisheries of the Kenai River are:

1. To provide the opportunity for angler participation at a level that can be supported by the fisheries resource and associated habitat.
2. To ensure, through appropriate management and research programs, that the rainbow trout and Dolly Varden populations do not decline below levels necessary to ensure sustained yield.

Based upon the increases in population size of rainbow trout as well as high catch rates of both rainbow trout and Dolly Varden the management objectives for these fisheries are being met.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal because there is no biological evidence to support the conclusion that fishing with barbless hooks will result in a measurable increase in the abundance of rainbow trout or Dolly Varden. The area and dates specified under this proposal are already managed primarily under unbaited, one single-hook, artificial lure only regulations.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 245 - 5 AAC 57.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area.

PROPOSED BY: Ted Wellman

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit the use of treble hooks, barbed hooks, and any hook larger than a no. 6 size when targeting rainbow trout and Dolly Varden in the Kenai River upstream of the confluence of Moose River.

WHAT ARE THE CURRENT REGULATIONS? In the Kenai River from its mouth upstream to the outlet of Skilak Lake, only one unbaited single-hook lure is allowed from January 1 to June 30. From July 1 – July 31, bait is allowed, but anglers must still use only one single-hook lure.

In the Kenai River from its mouth upstream to the Upper Killey River, bait and multiple hooks are allowed from August 1 – October 31.

In the Kenai River from the Upper Killey River confluence upstream to Skilak Lake, bait and multiple hooks are allowed from August 1 – September 1; and only unbaited single-hook lures are allowed from September 1 to December 31.

In the Upper Kenai River upstream of Skilak Lake, only one unbaited, single-hook, artificial lure is allowed year-round, with the gap between point and shank of three-eighths inch or less.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Opportunity to land fish may be reduced since it is generally considered to be more difficult to land fish without a barb on the hook. The hook may be removed from the fish easily since it is generally considered to be more difficult to remove a hook from a fish that has a barb on it. The effect of barbless hooks on mortality is unknown because research on mortality due to hook type is inconclusive.

BACKGROUND: Studies of fish caught and released using sport fishing gear are inconclusive as to the effect on fish survival using barbless hooks, single hooks, and single barbless hooks. These studies have shown that hooking mortality is generally related to the location of the hook wound. Estimates of the catch and release mortality of rainbow trout available through the literature vary considerably. Factors such as gear type, water temperature, fish size, fighting time and handling techniques influence the mortality rate. Overall, the literature points to the fact that fishing with bait for rainbow trout is not commensurate with conservative management objectives.

Angler participation in rainbow trout fishing measured by catch of rainbow trout in the Kenai River has increased greatly since 1990. Catch averaged 28,787 rainbow from 1984 - 1994 and increased to an average of about 101,000 from 1995 - 2005. The reported

catch for 2006 the most recent year available was 131,819 rainbow trout. Similar catch trends in the Dolly Varden fishery are also evident as catch averaged 72,439 fish from 1990 - 2000 and increased to an average of 110,778 Dolly Varden from 2001 - 2005. In 2006 an estimated 98,298 Dolly Varden were caught in the Kenai River.

The department does not have an estimate of the catch and release mortality rate for the rainbow trout or Dolly Varden in the Kenai River fisheries. We do know that estimates of the catch of rainbow trout in the Upper and Middle Kenai River are high in relation to the numbers of rainbow trout thought to inhabit these river sections. Research to estimate the abundance of rainbow trout in a portion of the Upper Kenai River was undertaken during the mid-1980's, 1995 and in 2001 and in the Middle Kenai River during 1987 and 1999. Research findings show that the abundance of rainbow trout in both areas increased over time. In the Upper River the population estimate increased from 2,250 rainbow trout in 1986 to 6,826 rainbow trout in 2001, while in the Middle River the population was estimated to be 1,750 rainbow trout in 1986 and increased to 7,882 rainbow trout by 1999. These data point-out that the catch rate for the population is high, in other words most individual rainbow trout are caught and released numerous times over a life span.

Estimates of the catch and release mortality of rainbow trout available through the fisheries literature vary considerably. Factors such as gear type, water temperature, fish size, fighting time and handling techniques influence the mortality rate. Overall, the literature points to the fact that fishing with bait for rainbow trout is not commensurate with conservative management objectives. Furthermore, regulations that control hook size and type are not considered as major factors that contribute to achieving conservative management objectives, because the efficacy of these regulations can be difficult to measure. The current management objectives for rainbow trout and Dolly Varden fisheries of the Kenai River are:

1. To provide the opportunity for angler participation at a level that can be supported by the fisheries resource and associated habitat.
2. To ensure, through appropriate management and research programs, that the rainbow trout and Dolly Varden populations do not decline below levels necessary to ensure sustained yield.

Based upon the increases in population size of rainbow trout as well as high catch rates of both rainbow trout and Dolly Varden the management objectives for these fisheries are being met.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal because there is no biological evidence to support the conclusion that fishing with barbless hooks will result in a measurable increase in the abundance of rainbow trout or Dolly Varden. The area and dates specified under this proposal are already managed primarily under unbaited, one single-hook, artificial lure only regulations. Furthermore, the variation in hook sizes for 6/0 hooks makes this section of the proposal ineffective and the inability to identify a 6/0 hook makes it unenforceable. There is a substantial variation among hook

brands and styles as to what is designated as a 6/0 hook. Unless an enforcement officer could readily determine the brand and model of hook, it would be virtually impossible to determine if the hook was 6/0 or smaller. If the board adopts a hook size limitation, we recommend that hook requirements be defined by the following language: "a hook with gap between the point and shank greater than x/y inches" (3/8 inch, 1/2 inch, etc.).

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 246 - 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.

PROPOSED BY: John Sanderson

WHAT WOULD THE PROPOSAL DO? This proposal would close the waters of the mainstem Kenai River at approximately river-mile 47 between the upper and lower boundary signs delineating the swan sanctuary to all fishing from an anchored boat during the period June 15-December 31.

WHAT ARE THE CURRENT REGULATIONS? Fishing from an anchored vessel is allowed during this time period. However, under Title 11 of the Alaska Administration Code (11 AAC 20.862. Boating Methods), there is a Department of Natural Resources regulation that states:

(b) A person may not anchor a boat in the Kenai River Special Management Area in a manner obstructing a primary traffic channel or drift fishing channel of any section of the river.

WHAT WOULD THE EFFECT BE IF THE PROPOSAL WERE ADOPTED? Restrict boat anglers who fish while anchored in that area of the Kenai River extending upstream from approximately river mile 47 to river mile 50 near the outlet of Skilak Lake from using an anchor while fishing. Hunters, other boat users and non-fishing anglers would still be allowed to anchor in this area of the Kenai River.

BACKGROUND: Current DNR regulations stipulate that no one may anchor a boat such that it obstructs the primary traffic channel. U.S. Coast Guard regulations for inland waterways also state that obstruction of the navigable channel is prohibited for reasons of safety. Nonetheless, during the past several years members of the fishing public using this area of the river have complained of conflicting uses by powerboat and anchoring, drift boat fishermen.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. This proposal addresses a social issue between competing uses of the river or a potential safety issue with no biological concerns that require board action.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 247 - 5 AAC 57.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area.

PROPOSED BY: Philip Brower

WHAT WOULD THE PROPOSAL DO? This proposal would eliminate the size restrictions for Dolly Varden on the entire Kenai River drainage.

WHAT ARE THE CURRENT REGULATIONS? The bag and possession limits for Dolly Varden in the Kenai River drainage are as follows:

Kenai Lake drainages:

- in flowing waters (1 per day/1 in possession; *must be less than 16" long*)
- in lakes and ponds (2 per day/2 in possession; *only 1 (one) fish 20" or longer*)

Upper Kenai River tributaries:

- in flowing waters (1 per day/1 in possession; *must be less than 16" long*)
- in lakes and ponds (2 per day/2 in possession; *only 1 (one) fish 20" or longer*)

Lower Kenai River tributaries:

- in flowing waters (1 per day/1 in possession; *must be less than 18" long*)
- in lakes and ponds (2 per day/2 in possession; *only 1 (one) fish 20" or longer*)
- in stocked lakes and ponds (5 per day/5 in possession; *only 1 (one) fish 20" or longer*)

Lower Kenai River mainstem and Skilak Lake:

- in all waters (1 per day/1 in possession; *must be less than 18" long*)

Upper Kenai River mainstem and Russian River:

- in all waters (1 per day/1 in possession; *must be less than 16" long*)

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Harvest of Dolly Varden over 18" or 16" in length would increase by an unknown amount. Harvest of large breeding Dolly Varden would increase thereby impacting the reproductive capability of the stock.

BACKGROUND: Regulations for the management of Dolly Varden in the Northern Kenai Peninsula Management Area (NKPMA) have been noteworthy for the series of incremental changes that have occurred during the past 10-15 years. Many of these regulation changes were focused upon specific areas of the Kenai River. Over time, these regulations contributed to a system of complex and often conflicting measures that have

not always served the public or the resource well. During the 2005 BOF cycle, the department, at the urging of the public, sought recommendations to modify the codified regulations in order to resolve inconsistencies and develop a concise order of regulations that recognize important biological and social implications. The various proposals under consideration at that time aimed to lessen complexity and provide for more consistent regulations that addressed the biological and social considerations of managing Dolly Varden resources of the NKPMA.

Research illustrate that approximately 30% of Dolly Varden female spawners are less than 18 inches. The proportion of female spawners less than 20 inches is nearly 70%. Within the two inch zone between 18 and 20 inches is situated approximately 40% of the spawning female Dolly Varden. Length distributions for captured Dolly Varden indicate that 85% of all Dolly Varden are less than 20 inches and 70% are less than 18 inches. Providing for an 18 inch harvest cutoff protects twice as many female spawners as the 20 inch limit; 15% of the total population versus 7.5%, recognizing that 50% of the total population are females. The abundance of Dolly Varden has not been estimated historically however, given that the majority of the reproductive segment in the population is protected under the current regulation the fishery is thought to be sustainable under the existing regulatory structure.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The current regulations for Dolly Varden incorporate important biological and social factors that the board, department, and stakeholders have previously reviewed.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 248 - 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.

PROPOSED BY: Kenai River Fishermen's Coalition

WHAT WOULD THE PROPOSAL DO? This proposal would increase the daily bag/possession limit of Arctic Char/Dolly Varden in Cooper Lake from 2 per day and in possession to 5 per day and in possession of which only one could be 20 inches or greater in length.

WHAT ARE THE CURRENT REGULATIONS? The limit for Arctic Char/Dolly Varden in Cooper Lake is 2 per day and in possession of which only one may be 20 inches or greater in length.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Fishing effort and harvest of Arctic Char/Dolly Varden may increase by an unknown amount

BACKGROUND: Cooper Lake was intermittently stocked with rainbow trout and king salmon from 1984 – 1994 and is not considered a candidate water for future stocking. Fishing effort at Cooper Lake is relatively low and supports a catch of rainbow trout and Arctic char/Dolly Varden generally numbering in the hundreds of fish.

A Cooper Lake fish resources study for compliance with Federal Energy Regulatory Commission (FERC) re-licensing requirements for the Cooper Lake Hydroelectric Project (Project) was conducted during 2003-2004. One element of the study was to estimate abundance of Arctic Char/Dolly Varden in Cooper Lake. A series of mark and recapture experiments were conducted to gain insight into abundance of adult and subadult Arctic char. Mark - recapture models for both closed and open populations were employed to estimate abundance. The estimated abundance of Arctic Char/Dolly Varden in Cooper Lake from the various models ranged from approximately 58,000 to 109,000 fish, however the most sophisticated model estimated the abundance at approximately 94,000 Arctic Char/Dolly Varden in Cooper Lake.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. Although this proposal conflicts with the consistent regulatory package for Kenai River drainage Arctic char/Dolly Varden. An acceptable solution in response to the low harvest levels and abundant population would be to align limits at Cooper Lake with the stocked lake limits for the NKPMA

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 249 - 5 AAC 57.121(6). Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area.

PROPOSED BY: Alaska Department of Fish and Game

WHAT WOULD THE PROPOSAL DO? This proposal would decrease the bag and possession limit of lake trout in Hidden Lake from 2 fish of any size to 1 fish of any size.

WHAT ARE THE CURRENT REGULATIONS? The bag and possession limit for lake trout in Hidden Lake is 2 fish with no size limit.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Harvest of lake trout in Hidden Lake would decrease by an unknown amount. It may also result in an increase in fishing effort in the future if the numbers, age, and size of lake trout in the population increase by a reduction in the harvest.

BACKGROUND: Lake trout harvest regulations at Hidden Lake are liberal. The bag limit was 10 between 1948 and 1968. In 1969 the bag limit remained at 10 of which only 2 could be over 20 inches. In 1983 the fishery was liberalized to allow a bag limit of

12 lake trout: 2 over 20 inches and 10 under 20 inches. In 1997 the regulations changed to the current limit of 2 per day and in possession regardless of size. Concurrent to the 1997 bag limit reduction from 12 fish to 2 fish was the closure of Hidden Lake to burbot fishing. The closure reduced the number of lines that could be used by anglers fishing through the ice from 15 lines to just 2 lines.

Due to regulation changes lake trout harvest at Hidden Lake estimated through the SWHS declined sharply from 1,131 fish in 1996 to just 524 fish in 1997. Prior to 1997 the average harvest was about 1,350 fish and has averaged approximately 360 fish since 1997.

Lake trout populations generally exist at low densities have slow growth rates, mature at a relatively old age, low fecundity, alternate-year spawning regimes and strict habitat requirements. Due to these life history characteristics, lake trout can be over exploited by relatively low harvest rates. Consequently, many Alaska lake trout fisheries are conservatively managed yield-based fisheries. In these fisheries a general lake area model is used to estimate annual yield potential (sustainable harvest) and regulations are designed to ensure annual harvest do not exceed the yield potential. The lake area model indicates the sustainable yield for Hidden Lake may be approximately 400 lake trout per year.

The estimated lake trout harvest from Hidden Lake exceeded the estimated yield potential for 25 of the last 29 years. The abundance, size or age structure of the lake trout population of Hidden Lake is not presently known nor is the historical size and age structure precisely known. Given these facts, there is concern that lake trout of Hidden Lake may have been overexploited to a level necessary to ensure sustained yield. Recent angler and department observations indicate yield at this roadside fishery may not allow the lake trout population in Hidden Lake to grow to historic, abundance, size and age structure as represented with the low numbers of lake trout in angler catches and lack of larger lake trout being caught by anglers. Although the most recent harvest estimate in 2006 was 386 lake trout, it is likely the current regulation of two lake trout per day will permit future yields to exceed the estimated sustainable yield of approximately 400 fish if the bag limit is not reduced.

Department objectives for the lake trout fishery are to: 1) provide the opportunity for angler participation at a level that can be supported by the fisheries resource and associated habitat, and 2) ensure through appropriate management and research programs, that the population does not decline below the level necessary to ensure sustained yield.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. The department views this as a necessary action to ensure the sustainable harvest of lake trout from Hidden Lake.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 250 - 5 AAC 57.121(1)(I). Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area; and 5 AAC 57.122(4). 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.

PROPOSED BY: Alaska Department of Fish and Game

WHAT WOULD THE PROPOSAL DO? This proposal would allow the use of up to five lines to fish for pike through the ice in Arc Lake and Scout Lake.

WHAT ARE THE CURRENT REGULATIONS? Unless otherwise provided in regulations, sport fishing may be conducted only by use of a single line attached to not more than one plug, spoon, spinner, or two flies, or two hooks. The line must be closely attended.

Except in Alexander Lake, northern pike may be taken by spear, sport fishing gear, ice fishing gear, or by bow and arrow (the arrow must be attached to the bow with a line and the arrow must have a barbed tip). When fishing through the ice for pike, anglers may use two hooks on a single line, provided that both hooks are attached to one single piece of bait.

In the following lakes, sport fishing through the ice for northern pike is allowed using 5 lines, provided that: (1) standard ice fishing gear is used, (2) the fishing gear is closely attended, and (3) all other species of fish caught are released immediately.

Northern Cook Inlet: Figure Eight, Sucker, Flathorn, Lower Vern, Upper Vern, Lockwood, Whiskey, Hewitt, Donkey, Threemile/Tukhallah, Trapper, Trail, Neil, and Kroto lakes, No Name/Cabin Lake, and lakes of the Nancy Lake Recreation Area (except Nancy lake).

Kenai Peninsula: Mackey lakes, Tote Road Lakes, and Derks, Sevena, Cisca, and Union lakes.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would likely attract anglers to participate in the winter ice fisheries at Arc and Scout Lake and result in the increase in harvest of northern pike by an unknown amount.

BACKGROUND: Northern pike are not native to the Kenai Peninsula. Through illegal stocking northern pike have established populations in several NKPMA lakes. Recently northern pike were discovered in Arc Lake (2000) and Scout Lake (2005). These lakes were previously stocked by the department and supported recreational fisheries for rainbow trout and land-locked king salmon. Since discovery of northern pike stocking has been discontinued.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. The department views this as a necessary housekeeping proposal to take action to reduce invasive northern pike in these waters.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 251 - 5 AAC 57.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area.

PROPOSED BY: Bryan Copenhaver

WHAT WOULD THE PROPOSAL DO? Allow the use of up to five lines to fish for pike in Stormy Lake.

WHAT ARE THE CURRENT REGULATIONS? Unless otherwise provided in regulations, sport fishing may be conducted only by use of a single line attached to not more than one plug, spoon, spinner, or two flies, or two hooks. The line must be closely attended.

Except in Alexander Lake, northern pike may be taken by spear, sport fishing gear, ice fishing gear, or by bow and arrow (the arrow must be attached to the bow with a line and the arrow must have a barbed tip). When fishing through the ice for pike, anglers may use two hooks on a single line, provided that both hooks are attached to one single piece of bait.

In the following lakes, sport fishing through the ice for northern pike is allowed using 5 lines, provided that: (1) standard ice fishing gear is used, (2) the fishing gear is closely attended, and (3) all other species of fish caught are released immediately.

Northern Cook Inlet: Figure Eight, Sucker, Flathorn, Lower Vern, Upper Vern, Lockwood, Whiskey, Hewitt, Donkey, Threemile/Tukhallah, Trapper, Trail, Neil, and Kroto lakes, No Name/Cabin Lake, and lakes of the Nancy Lake Recreation Area (except Nancy lake).

Kenai Peninsula: Mackey lakes, Tote Road Lakes, and Derks, Sevena, Cisca, and Union lakes.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would likely attract anglers to participate in the northern pike fishery at Stormy lake and result in the increase in harvest of northern pike by an unknown amount.

BACKGROUND: Northern pike are not native to the Kenai Peninsula. Through illegal stocking northern pike have established populations in several NKPMA lakes. Northern

pike are known to have been present in Stormy Lake for approximately 3 decades. An outlet stream in the northwest corner of the lake drains into the lower Swanson River. The Swanson River is a major coho salmon producing drainage that also supports sockeye salmon. The drainage consists of several small creeks and interconnected lakes that also support native rainbow trout and Dolly Varden. Migration of northern pike into the Swanson River drainage is a concern for the department due to the negative impact an established northern pike population could have on Pacific salmon stocks as well as other resident fish.

Stormy Lake supports native populations of rainbow trout, Dolly Varden, longnose sucker and also provides rearing habitat for juvenile salmon. Sport fisheries for rainbow trout and Dolly Varden remain viable however they have been impacted to an unknown degree by invasive northern pike. Northern pike are somewhat popular to fish for through the ice at Stormy Lake due to the potential to catch a fish of large size, fighting ability and lack of other fishing opportunities during the winter. Small harvests are reported annually by the SWHS. Therefore, measures to reduce the numbers of northern pike while maintaining native fish stocks could be undertaken through application of seasonal regulations which make them easier to catch. Similar regulations have been applied in other areas of Cook Inlet.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal with modification to allow up to five lines to increase exploitation of northern pike during the winter fishery through the ice while maintaining current harvest levels of native species. The department views this as a necessary action to reduce invasive northern pike in these waters.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 252. Page 220. 5 AAC 56.120 (7). GENERAL PROVISIONS FOR SEASONS, BAG, POSSESSION, AND SIZE LIMITS, AND METHODS AND MEANS FOR THE KENAI PENINSULA AREA; AND 5 AAC 57.120. GENERAL PROVISIONS FOR SEASONS, BAG, POSSESSION, AND SIZE LIMITS, AND METHODS AND MEANS FOR THE KENAI RIVER DRAINAGE AREA.

PROPOSED BY: Natalee Vanderford

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit releasing alive any sport, commercial, personal use, or subsistence caught northern pike within all freshwaters of the Kenai Peninsula.

WHAT ARE THE CURRENT REGULATIONS? In all waters of the Kenai Peninsula northern pike can be taken using spears, bow and arrow (with arrow attached by a line), bait, spinning, and fly-fishing gear. There is no closed season for northern pike and the bag and possession limit is unlimited. Wanton waste laws apply

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The harvest of northern pike would be increased by an unknown amount. This proposal would require all pike to be harvested whether or not the angler prefers to keep them or not.

BACKGROUND: Northern pike are not native to the Kenai Peninsula. Through illegal stocking northern pike have established populations in several NKPMA lakes. Northern pike are known to have been present in Kenai Peninsula fresh waters for approximately 3 decades. Migration of northern pike into drainages is a concern for the department due to the negative impact northern pike have on native fish species including Pacific salmon stocks.

Stocked lakes supporting viable sport fisheries for rainbow trout and land-locked salmon have been eliminated due to the presence of northern pike. Additionally, northern pike have negatively impact production of naturally occurring native fish species including Pacific salmon stocks in the Soldotna Creek drainage, part of the Kenai River system. Northern pike are somewhat popular to fish for especially in winter through the ice due to the potential to catch a fish of large size, fighting ability and lack of other fishing opportunities during the winter. Small harvests are reported annually by the SWHS.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal to reduce the numbers of northern pike in Kenai Peninsula fresh waters. The provision of 5 AAC 75.065. Waste of fish; the intentional waste or destruction of any species of sport-caught fish is prohibited could be waived for northern pike to require retention without requiring consumption.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

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Chickaloon River Salmon Sport Fisheries: 235

Russian River Sport Fisheries: 253, 254

Kenai River King Salmon Sport Fisheries: 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277

Kenai River Sockeye and Coho Salmon Sport Fisheries: 278, 279, 280, 281, 282, 92

KASILOF RIVER SALMON SPORT FISHERIES

PROPOSAL 225 – 5 AAC 56.122(8)(A)(ii). Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area.

PROPOSED BY: Kenai River Professional Guide Association

WHAT WOULD THE PROPOSAL DO? This proposal would establish Thursday as an additional day each week that naturally-produced king salmon may be retained on the Kasilof River.

WHAT ARE THE CURRENT REGULATIONS? In the Kasilof River drainage excluding Crooked Creek and Tustumena Lake and its tributaries: king salmon 20 inches or greater in length may be taken from January 1- June 30, upstream of Sterling highway Bridge, and from January 1- July 31, downstream of the Sterling highway Bridge; bag and possession limit of one fish; annual limit of five king salmon 20 inches or greater in length; a harvest record is required from January 1-June 30. A hatchery king salmon with a clipped adipose fin as evidenced by a healed fin clip scar where the adipose fin is normally located 20 inches or greater in length may retained daily. A hatchery king salmon 20 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 king salmon from the water before releasing the fish. A naturally-produced king salmon with an adipose fin intact may be retained on Tuesdays and Saturdays only prior to July 1. A naturally-produced king salmon 20 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 king salmon from the water before releasing the fish. In addition, the commissioner may, by emergency order, increase the days for retention of naturally produced king salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Since the department has added a third day by emergency order the last two seasons, there would likely be little change to the existing fishery. Although providing a predictable harvest opportunity for anglers may result in a slight increase in angler participation.

BACKGROUND: Early-run Kasilof River king salmon originate from Crooked Creek, a Kasilof River tributary. Management of the early-run Kasilof River king salmon fishery

has undergone substantial changes since the late 1990's due to: 1) closure of the Crooked Creek hatchery as a sockeye salmon production facility, 2) changes in king salmon stocking levels, 3) establishment of a king salmon escapement goal, and 4) public access improvements that affected changes in king salmon fishing effort and regulations.

From 1988-1996 the number of naturally-produced king salmon in the spawning escapement in Crooked Creek upstream from the hatchery was held at approximately 700 fish. During this time total returns, supported mostly by annually stocking 210,000 king salmon smolt, were thought to range from approximately 2,800 to 8,600 fish. Harvest of early-run king salmon was first estimated by the statewide harvest survey in 1996. Returns from the years (1996-2001) of these high stocking levels supported an average annual early-run king salmon harvest 6,500 fish. Beginning in 1999, the number of fish allowed upstream of the weir to spawn was increased to approximately 2,700 king salmon. This action was taken to evaluate the potential returns from naturally-spawning king salmon as a means of compensating for a proposed reduction in stocking levels from 210,000 smolt to 105,000 smolt. In 2000 the number of smolt stocked was reduced in response to significant numbers of Crooked Creek early-run hatchery fish straying into Slikok Creek, a tributary of the Kenai River.

The current SEG, set in 2001, is a range of 650 to 1,700 naturally produced fish. The department annually enumerates the escapement and estimates the age, sex and length composition of naturally and hatchery produced king salmon returning to the Kasilof River at a weir located above the area open to fishing at the Crooked Creek facility. At the weir naturally-produced king salmon broodstock are collected for egg-takes to enhance the early-run return. Approximately 250 returning adult fish are utilized for broodstock and the resulting smolt production is returned to Crooked Creek. Hatchery produced king salmon adults that reach the weir are considered to be surplus stock excess to escapement needs. Additionally, a creel survey was conducted during the early-run fishery during 2003 through 2007 to estimate catch and harvest of early-run king salmon.

The retention of naturally-produced early-run king salmon from the Kasilof River was first prohibited by E.O. on June 12, 2002 because of increased angler participation due to the closure of the Kenai River and concern for not meeting the escapement goal. This action resulted in an escapement of 1,381 naturally-produced king salmon and an estimated harvest of 4,791 king salmon. In 2003, the Board of Fisheries passed regulations prohibiting retention of naturally-produced fish. During the 2003 and 2004 seasons when the harvest of naturally-produced king salmon was prohibited, a total of 3,078 and 2,422 hatchery king salmon were harvested, and the escapement goal was exceeded by 854 and 456 fish. An additional escapement of 1,115 and 2,160 hatchery king salmon also occurred showing there was still a surplus of hatchery and naturally-produced king salmon. Due to increasing escapements of naturally produced fish and fact that the natural production could likely sustain some level of harvest, the board adopted the current regulations in 2005 that allow the retention of naturally produced fish two days each week with the ability to allow an additional third day by emergency order. In 2006 and 2007, Thursday was added by emergency order as the third day naturally produced fish could be retained.

The numbers of naturally-produced king salmon in the escapement exceeded the goal in 2005 (1,903) and achieved the goal in 2006 (1,516) and 2007 (993), while escapement of surplus hatchery king salmon ranged from 652 to 1,052 king salmon. Total escapement of king salmon during 2002-2007 averaged over 3,300 fish.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal. The department considers this a housekeeping proposal because an emergency order adding one extra day/week has been issued the last two seasons and will continue to be issued in the future. The addition of a third day provides the department the ability to more appropriately manage the run to achieve the SEG of naturally-produced early-run king salmon. The department's approach to management of naturally-produced king salmon is precautionary in the anticipation of a better understanding of king salmon production at Crooked Creek.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 226 – 5 AAC 56.122(8)(A)(ii). Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area.

PROPOSED BY: Kasilof Land Owners Association

WHAT WOULD THE PROPOSAL DO? This proposal would increase the bag and possession limit from one hatchery king salmon to two hatchery king salmon in the Kasilof River.

WHAT ARE THE CURRENT REGULATIONS? In the Kasilof River drainage excluding Crooked Creek and Tustumena Lake and its tributaries: the bag and possession limit of king salmon 20 inches or greater in length is one fish.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The fishery would be liberalized by increasing the bag and possession limit of hatchery king salmon and could: 1) increase angler participation, 2) reduce the numbers of hatchery produced king salmon in the spawning escapement, 3) possibly result in an increase in catch and release mortality of naturally-produced king salmon due to anglers sorting king salmon to retain a second hatchery king salmon, and 4) attract Kenai River anglers whom have attained a the daily bag limit to also fish the Kasilof River for a second king salmon the same day.

BACKGROUND: From 1988-1996 the number of naturally-produced king salmon in the spawning escapement in Crooked Creek upstream from the hatchery was held at approximately 700 fish. During this time total returns, supported mostly by annually stocking 210,000 king salmon smolt, were thought to range from approximately 2,800 to

8,600 fish. Harvest of early-run king salmon was first estimated by the statewide harvest survey in 1996. Returns from the years (1996-2001) of these high stocking levels supported an average annual early-run king salmon harvest 6,500 fish. Beginning in 1999, the number of fish allowed upstream of the weir to spawn was increased to approximately 2,700 king salmon. This action was taken to evaluate the potential returns from naturally-spawning king salmon as a means of compensating for a proposed reduction in stocking levels from 210,000 smolt to 105,000 smolt. In 2000 the number of smolt stocked was reduced in response to significant numbers of Crooked Creek early-run hatchery fish straying into Slikok Creek, a tributary of the Kenai River.

The current SEG, set in 2001, is a range of 650 to 1,700 naturally produced fish. In 2002 the department began counting the numbers of king salmon in the escapement. In addition, estimated the age, sex and length composition of naturally and hatchery produced king salmon returning to the Kasilof River at a weir located above the area open to fishing at the Crooked Creek facility. At the weir naturally-produced king salmon broodstock are collected for egg-takes to enhance the early-run return. Approximately 250 returning adult fish are utilized for broodstock and the resulting smolt production is returned to Crooked Creek. Hatchery produced king salmon adults that reach the weir are considered to be surplus stock excess to escapement needs. Additionally, a creel survey was conducted during the early-run fishery during 2003 through 2007 to estimate catch and harvest of early-run king salmon.

The retention of naturally-produced early-run king salmon from the Kasilof River was first prohibited by E.O. on June 12, 2002 because of increased angler participation due to the closure of the Kenai River and concern for not meeting the escapement goal. This action resulted in an escapement of 1,381 naturally-produced king salmon and an estimated harvest of 4,791 king salmon. In 2003, the Board of Fisheries passed regulations prohibiting retention of naturally-produced fish. During the 2003 and 2004 seasons when the harvest of naturally-produced king salmon was prohibited, a total of 3,078 and 2,422 hatchery king salmon were harvested, and the escapement goal was exceeded by 854 and 456 fish. An additional escapement of 1,115 and 2,160 hatchery king salmon also occurred showing there was still a surplus of hatchery and naturally-produced king salmon. Due to increasing escapements of naturally produced fish and fact that the natural production could likely sustain some level of harvest, the board adopted the current regulations in 2005 that allow the retention of naturally produced fish two days each week with the ability to allow an additional third day by emergency order. In 2006 and 2007, Thursday was added by emergency order as the third day naturally produced fish could be retained.

The numbers of naturally-produced king salmon in the escapement exceeded the goal in 2005 (1,903) and achieved the goal in 2006 (1,516) and 2007 (993), while escapement of surplus hatchery king salmon ranged from 652 to 1,052 king salmon. Total escapement of king salmon during 2002-2007 averaged over 3,300 fish.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal as a method of increasing hatchery king salmon exploitation so that future surpluses can be utilized.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 227 – 5 AAC 56.122(8)(A)(ii). Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area.

PROPOSED BY: Friends of the Kasilof River Association

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit anglers from continuing to fish in the Kasilof River once they have retained the bag limit of king salmon from the Kasilof River.

WHAT ARE THE CURRENT REGULATIONS? In the Kasilof River drainage excluding Crooked Creek and Tustumena Lake and its tributaries: an angler may continue to fish after retaining a bag limit of king salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would restrict anglers that may fish for sockeye salmon and other species after retaining a bag limit of king salmon, thus it may decrease exploitation of Kasilof River sockeye salmon and impact angler effort to some unknown degree. The catch and release mortality of king salmon would likely decrease by some unknown amount.

BACKGROUND: The Kasilof River supports both early and late run king salmon. King salmon returning to the Kasilof River prior to July 1 originate primarily from Crooked Creek, a Kasilof River tributary and are managed as early-run fish and. Late-run king salmon return during July – early September and originate primarily from the mainstem and to a lesser extent Crooked Creek. The SEG for early-run king salmon is 650 to 1,700 naturally-produced fish. The department annually enumerates the escapement and estimates the age, sex and length composition of naturally and hatchery produced king salmon returning to the Kasilof River at a weir located above the area open to fishing at the Crooked Creek facility. At the weir naturally-produced king salmon broodstock are collected for egg-takes to enhance the early-run return. Approximately 250 returning adult fish are utilized for broodstock and the resulting smolt production is returned to Crooked Creek. Hatchery produced king salmon adults that reach the weir are considered to be surplus stock excess to escapement needs. Additionally, a creel survey was conducted during the early-run fishery during 2003 through 2007 to estimate catch and harvest of early-run king salmon.

There is no escapement goal for Kasilof River late-run king salmon. From 1996-2006 harvest estimated by the Statewide Harvest Survey has averaged 931 late-run king salmon. In 2005 the department began a late-run king salmon assessment program to estimate run-timing and spawning distribution. Information gained from this first year

allowed the department to add a mark-recapture phase to the program to estimate abundance of late-run Kasilof River king salmon in 2006-2007.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal because it unduly restricts anglers that may want to fish primarily for sockeye salmon after they have retained a bag limit of king salmon. The department has been successful in achieving the goal range for naturally-produced early-run king salmon and is supportive of regulations to liberalize harvest of hatchery king salmon. Overall the department has no biological concern for either the early or late-runs that would warrant restricting anglers from continuing to fish for other species of fish after retaining a bag limit of king salmon.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 228 – 5 AAC 56.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area.

PROPOSED BY: Kenai River Sport Fishing Association

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit fishing in an area of the upper Kasilof River from July 1 through August 31 to protect spawning king salmon. It would designate an area of the Kasilof River from the Sterling Highway Bridge upstream to Tustemena Lake as a king salmon spawning sanctuary.

WHAT ARE THE CURRENT REGULATIONS? Fishing in the Kasilof River is open the entire year. Relative to king salmon fishing, in the Kasilof River drainage excluding Crooked Creek and Tustumena Lake and its tributaries: king salmon 20 inches or greater in length may be taken from January 1- June 30, upstream of Sterling highway Bridge, and from January 1- July 31, downstream of the Sterling highway Bridge; bag and possession limit of one fish; annual limit of five king salmon 20 inches or greater in length; a harvest record is required from January 1-June 30. A naturally-produced king salmon with an adipose fin intact may be retained on Tuesdays and Saturdays only prior to July 1. For other salmon 16” or greater in length fishing is open the entire year; bag and possession limit of three fish; of which only two per day and in possession may be coho salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would decrease the area above the Sterling Highway Bridge open to fishing. Fishing opportunity for sockeye and coho salmon as well as for resident species would decrease. Incidental catch of and illegal fishing for king salmon would decrease thereby giving protection to king salmon in their spawning habitats. Enforcement of current closure to king salmon fishing upstream of the Sterling Highway Bridge would be simplified.

BACKGROUND: The Kasilof River supports both early and late run king salmon. King salmon returning to the Kasilof River prior to July 1 originate primarily from Crooked Creek, a Kasilof River tributary and are managed as early-run fish and. Late-run king salmon return during July – early September and originate primarily from the mainstem and to a lesser extent Crooked Creek. Late-run king salmon are thought to spawn from mid-August through September. There is no escapement goal for Kasilof River late-run king salmon. From 1996-2006 harvest estimated by the Statewide Harvest Survey has averaged 931 late-run king salmon. In 2005 the department began a late-run king salmon assessment program to estimate run-timing and spawning distribution. Information gained from 2005 allowed the department to add a mark-recapture phase to the program to estimate abundance of late-run Kasilof River king salmon in 2006-2007.

Recently angler effort above the bridge during August has resulted in some enforcement problems associated with anglers actively attempting to take king salmon in an area closed to king salmon fishing under the guise of fishing for coho salmon. Current regulations allow anglers to fish throughout an area where pre-spawning aggregations of king salmon are easily identified and are vulnerable to fishing. Typically on this section of the Kasilof River during July and August anglers are fishing for sockeye and coho salmon and to a lesser extent resident species. When fishing for coho salmon anglers use a terminal gear configuration (line weight, hook and bait size) similar to that used to fish for king salmon in the Kasilof River. Consequently, anglers may target king salmon in waters closed to king salmon fishing under the false pretext of fishing for coho salmon. Since these anglers use similar terminal gear for coho salmon and generally do not harvest king salmon, law enforcement has difficulty enforcing the king salmon fishing closure. Fishing effort in the upper Kasilof River is relatively low in July and early August, closing sections of the river would result in a loss of fishing opportunity for coho salmon and resident species.

A Federal subsistence fishery also takes place in Kasilof River waters within the Kenai National Wildlife Refuge from the outlet of Tustumena Lake downstream to the first set of rapids (Silver Salmon Rapids). In this fishery salmon may be taken by dip net or rod and reel. Seasons and harvest limits depend on the species. Specifically, king and sockeye salmon may be taken from June 16 – August 15. The harvest limit for king salmon is 10 per permit holder and 2 for each additional household member, while for sockeye the harvest limit is 25 per permit holder and 5 for each additional household member. For coho and pink salmon the season is June 16 – October 31 and harvest limits are the same as those for king salmon (10 per permit holder and 2 for each additional household member).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal however is supportive of its king salmon conservation attributes because it is consistent with a principle of the board adopted policy for the management of sustainable salmon fisheries, that salmon stocks should be protected within spawning habitats and it helps to prevent illegal fishing activity.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 229 – 5 AAC 56.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area.

PROPOSED BY: David Carpenter

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit the use of outboard powered boats on the Kasilof River upstream of the Old Kasilof Landing (also known as Trujillo's Landing located at approximately river mile 3.5).

WHAT ARE THE CURRENT REGULATIONS? In the Kasilof River drainage downstream of the Sterling Highway Bridge, from January 1-July 31, a person may not sport fish from a vessel that has on board a motor that is more than 10 horsepower; from January 1 – July 31, a motor may be used only between the mouth of the Kasilof River and Trujillo's Landing, and only after fishing from the vessel has ceased for the day; a person may not deploy sport fishing gear from a vessel after a motor has been used to propel that vessel on the same day. Sport fishing from a power boat is allowed after July 31 downstream of the Sterling Highway Bridge and year-round upstream of the Sterling Highway Bridge.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Power boat use on approximately 15.5 miles or about 80% of the Kasilof River would be eliminated downstream of the Sterling Highway Bridge. This proposal would decrease angler efficiency in that section of river and may reduce the harvest of coho salmon by an unknown amount. Most likely nonguided anglers would be impacted more than guided anglers in that anecdotal information indicates that few guides operate motorized vessels on the Kasilof River.

BACKGROUND: The board does not have authority to prohibit power boat use for non-fishing activities. Currently, the use of power boats in the Kasilof River is allowed year-round, but regulations prohibit a person from sport fishing from a vessel that has a motor in excess of 10 horsepower on board prior to August 1 below the Sterling Highway Bridge. From August through September anglers primarily fish for coho salmon. Although creel surveys are not conducted in the Kasilof River during the coho salmon fishery, catch and harvest information is collected from the SWHS. Coho salmon harvests in this fishery have been relatively stable and have not increased in recent years. For example, from 2001-2005 the coho salmon harvest averaged 4,891 fish. During 2006 the estimated harvest of coho salmon was 3,458 fish. Information separating out angling activity by motorized boats and non-motorized boats participating in the Kasilof River coho salmon sport fishery is not available. Observations by department staff suggests this fishery is comprised of primarily local anglers using predominantly drift boats although motorized boats are present, few are observed. At present the department has

no immediate concern for the biological status of Kasilof River coho salmon or habitat impacts caused by the limited number of power boats using the Kasilof River from August 1 through December 31.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Habitat loss through riverbank erosion caused by power boat wakes has not been identified due to the relatively low level of power boat use. The department is **NEUTRAL** to the perceived social conflict between power boats and drift boats on the Kasilof River.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 230 – 5 AAC 56.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area.

PROPOSED BY: Friends of the Kasilof River

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit fishing or dip netting from a power boat on the Kasilof River between Trujillo's Landing located at approximately river mile 3.5 and slack water at approximately river mile 16.5.

WHAT ARE THE CURRENT REGULATIONS? In the Kasilof River drainage downstream of the Sterling Highway Bridge, from January 1-July 31, a person may not sport fish from a vessel that has on board a motor that is more than 10 horsepower; from January 1 – July 31, a motor may be used only between the mouth of the Kasilof River and Trujillo's Landing, and only after fishing from the vessel has ceased for the day; a person may not deploy sport fishing gear from a vessel after a motor has been used to propel that vessel on the same day. Personal use dip netting is allowed from a vessel powered by an outboard motor from ADF&G regulatory markers located on the Cook Inlet beaches outside the terminus of the river upstream for a distance of one mile.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Fishing from a power boat would be prohibited on approximately 13 miles or nearly 70% of the Kasilof River after July 31. This proposal would decrease angler efficiency and may reduce the harvest of coho salmon by an unknown amount. This proposal would not impact dip netting from a power boat. Most likely non-guided anglers would be impacted more than guided anglers in that anecdotal information indicates that few guides operate motorized vessels on the Kasilof River.

BACKGROUND: Historically, throughout the 1970's and 1980's nearly all fishing conducted at the Kasilof River was from the shoreline. Beginning in the 1990's an increasing number of drift boats were used in the fishery. In 2002 the Board of Fisheries adopted regulations prohibiting fishing from a motorized vessel during king salmon season downstream of the Sterling Highway Bridge. This regulation was adopted in

recognition of the predominant use of drift boats in the fishery and to address the growing number of anglers participating in the Kasilof River early-run king salmon fishery.

From August through September anglers primarily fish for coho salmon. Although creel surveys are not conducted in the Kasilof River during the coho salmon fishery, catch and harvest information is collected from the SWHS. Coho salmon harvests in this fishery have been relatively stable and have not increased in recent years. For example, from 2001-2005 the coho salmon harvest averaged 4,891 fish. During 2006 the estimated harvest of coho salmon was 3,458 fish. Information separating out angling activity by motorized boats and non-motorized boats participating in the Kasilof River coho salmon sport fishery is not available. Observations by department staff suggests this fishery is comprised of primarily local anglers using predominantly drift boats although both motorized and non-motorized boats are present. At present the department has no immediate concern for the biological status of Kasilof River coho salmon or habitat impacts caused by the limited number of power boats using the Kasilof River from August 1 through December 31.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Habitat loss through riverbank erosion caused by power boat wakes has not been identified due to the relatively low level of power boat use. The department is **NEUTRAL** to the perceived social conflict between power boats and drift boats on the Kasilof River.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 231 – 5 AAC 56.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area.

PROPOSED BY: Robert L. Ball, Jr.

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit fishing from a boat in the Kasilof River upstream of the Sterling Highway Bridge to the public boat ramp located near the outlet of Tustumena Lake from July 1 through August 15.

WHAT ARE THE CURRENT REGULATIONS? In the Kasilof River drainage, upstream of Sterling Highway Bridge to the outlet of Tustumena Lake, fishing is open the entire year except for king salmon. King salmon 20 inches or greater in length may be taken from January 1- June 30 upstream of the Sterling Highway Bridge, and from January 1- July 31, downstream of the Sterling Highway Bridge

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The area above the Sterling Highway Bridge open to fishing for anglers fishing from a boat would be closed for 15 days. The harvest of sockeye and coho salmon as well as for resident species may be reduced by an unknown amount. Portions of the Kasilof River corridor riverbank between the Sterling Highway Bridge and Tustumena Lake outlet is private

property. Therefore, it is possible that conflicts could arise between land-owners and the anglers who may stop to fish from shore. Incidental catch of and illegal fishing for king salmon would presumably decrease assuming king salmon cannot be targeted from shore thereby giving some protection to spawning king salmon. Enforcement of the current closure to king salmon fishing in this area would be simplified.

BACKGROUND: BACKGROUND: The Kasilof River supports both early and late run king salmon. King salmon returning to the Kasilof River prior to July 1 originate primarily from Crooked Creek, a Kasilof River tributary and are managed as early-run fish and. Late-run king salmon return during July – early September and originate primarily from the mainstem and to a lesser extent Crooked Creek. Late-run king salmon are thought to spawn from mid-August through September. There is no escapement goal for Kasilof River late-run king salmon. From 1996-2006 harvest estimated by the Statewide Harvest Survey has averaged 931 late-run king salmon. In 2005 the department began a late-run king salmon assessment program to estimate run-timing and spawning distribution. Information gained from 2005 allowed the department to add a mark-recapture phase to the program to estimate abundance of late-run Kasilof River king salmon in 2006-2007.

Recently angler effort above the bridge during August has resulted in some enforcement problems associated with anglers actively attempting to take king salmon in an area closed to king salmon fishing under the guise of fishing for coho salmon. Current regulations allow anglers to fish throughout an area where pre-spawning aggregations of king salmon are easily identified and are vulnerable to fishing. Typically on this section of the Kasilof River during July and August anglers are fishing for sockeye and coho salmon and to a lesser extent resident species. When fishing for coho salmon anglers use a terminal gear configuration (line weight, hook and bait size) similar to that used to fish for king salmon in the Kasilof River. Consequently, anglers may target king salmon in waters closed to king salmon fishing under the false pretext of fishing for coho salmon. Since these anglers use similar terminal gear for coho salmon and generally do not harvest king salmon, law enforcement has difficulty enforcing the king salmon fishing closure. Fishing effort in the upper Kasilof River is relatively low in July and early August, closing sections of the river would result in a loss of fishing opportunity for coho salmon and resident species.

A Federal subsistence fishery also takes place in Kasilof River waters within the Kenai National Wildlife Refuge from the outlet of Tustemena Lake downstream to the first set of rapids (Silver Salmon Rapids). In this fishery salmon may be taken by dip net or rod and reel. Seasons and harvest limits depend on the species. Specifically, king and sockeye salmon may be taken from June 16 – August 15. The harvest limit for king salmon is 10 per permit holder and 2 for each additional household member, while for sockeye the harvest limit is 25 per permit holder and 5 for each additional household member. For coho and pink salmon the season is June 16 – October 31 and harvest limits are the same as those for king salmon (10 per permit holder and 2 for each additional household member).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal however is supportive of its king salmon conservation attributes because it is consistent with a principle of the board adopted policy for the management of sustainable salmon fisheries, that salmon stocks should be protected within spawning habitats and it helps to prevent illegal fishing activity.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 232 – 5 AAC 56.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area.

PROPOSED BY: Dave Richards

WHAT WOULD THE PROPOSAL DO? This proposal would allow fishing from a motorized vessel in the Kasilof River drainage from January 1 – July 31.

WHAT ARE THE CURRENT REGULATIONS? In the Kasilof River drainage downstream of the Sterling Highway Bridge, from January 1-July 31, a person may not sport fish from a vessel that has on board a motor that is more than 10 horsepower; from January 1 – July 31, a motor may be used only between the mouth of the Kasilof River and Trujillo's Landing, and only after fishing from the vessel has ceased for the day; a person may not deploy sport fishing gear from a vessel after a motor has been used to propel that vessel on the same day. Sport fishing from a power boat is allowed after July 31 downstream of the Sterling Highway Bridge and year-round upstream of the Sterling Highway Bridge.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would likely increase angler efficiency and harvest potential of king salmon by allowing power boat anglers the ability to fish each hole multiple times. Social conflicts may develop between power boat anglers and drift boat anglers due to crowding and competition for fishing areas. Drift boat anglers and shore anglers would be impacted because the preferred method of fishing for king salmon on the Kasilof River is from shore or from a drift boat.

BACKGROUND: Historically, throughout the 1970's and 1980's nearly all fishing conducted at the Kasilof River was from the shoreline. Beginning in the 1990's an increasing number of drift boats were used in the fishery. In 2002 the Board of Fisheries adopted regulations prohibiting fishing from a motorized vessel during king salmon season downstream of the Sterling Highway Bridge. This regulation was adopted in recognition of the predominance of the drift boat fishery and to address the growing number of anglers participating in the Kasilof River early-run king salmon fishery.

From May through July anglers fish for king and sockeye salmon while from August through September anglers fish for sockeye and coho salmon as well as resident species. Information separating out angling activity by motorized boats and non-motorized boats participating in the sport fisheries after July is not available. Observations by department staff suggests this fishery is comprised of primarily local anglers using predominantly drift boats although both motorized and non-motorized boats are present.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal and is **NEUTRAL** on the social conflict between power boats and drift boats. The Kasilof River king salmon fishery provides a diverse drift boat king salmon fishing experience that is unique to Southcentral Alaska anglers and unique to king salmon fisheries connected to the Alaska road transportation system. Regulations have been developed around the understanding or the harvest potential of the drift boat and shore fishery. Allowing fishing from power boats prior to August 1 would likely result in changes in fishing patterns, higher exploitation rates and substantial regulatory actions in the future to ensure management objectives can be achieved.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSALS 233 – 5 AAC 56.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area.

PROPOSED BY: Michael Craig

WHAT WOULD THE PROPOSAL DO? This proposal would allow a person to sport fish from an anchored vessel in the area known as “The People’s Hole” and identified by an ADF&G regulatory marker located near the mouth of Crooked Creek, downstream approximately 2,700 feet to an ADF&G regulatory marker located near the cutbank.

WHAT ARE THE CURRENT REGULATIONS? In the Kasilof River drainage from January 1 to June 30, a person may not sport fish from an anchored vessel in an area from ADF&G regulatory marker located near the mouth of Crooked Creek, downstream approximately 2,700 feet to an ADF&G regulatory marker located near the cutbank.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would increase conflict between shore-based and drift boat anglers. It may also negatively impact shore fishing opportunity due to the displacement of shore-based anglers from the only major public shoreline fishing area available on the Kasilof River below the Sterling Highway Bridge. Displacement could possibly result in conflicts between private landowners and shore-based anglers who seek less crowded areas to fish from shore. This proposal may increase the harvest of king salmon by drift boat anglers.

BACKGROUND: Historically, throughout the 1970's and 1980's nearly all fishing conducted at the Kasilof River was from the shoreline. Beginning in the 1990's an increasing number of drift boats were used in the fishery. In 2002 the Board of Fisheries adopted regulations prohibiting fishing from a motorized vessel during king salmon season downstream of the Sterling Highway Bridge. This regulation was adopted in recognition of the predominance of the drift boat fishery and to address the growing number of anglers participating in the Kasilof River early-run king salmon fishery.

Growth in this fishery resulted in public access improvements at the Kasilof River that attracted both shore-based and drift boat anglers. Improvements at the Crooked Creek State Recreation Site attracted shore-based anglers to fish a section of river near the confluence of the Kasilof River and Crooked Creek. A Kasilof River public boat launch located approximately two river miles upstream from the recreation site attracted drift boat anglers. Conflict due to crowding between these user groups for limited fishing space became a social issue. Shore-based anglers sought to eliminate fishing from drift boats in this area because they felt they were being displaced from the river because this section offered the only public shore-based fishing access to the Kasilof River below the Sterling Highway Bridge.

To provide some parity in fishing opportunity given the very limited public access to sport fish from shore on the lower Kasilof River and to support a diversity of fishing experiences for the Kasilof River king salmon fishery the board reached a compromise with both user groups to allow fishing from vessels in the river section however prohibited sport fishing from an anchored vessel. This regulation became effective in 2002.

DEPARTMENT COMMENTS: The department is **NEUTRAL** due to the social aspects of this proposal.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 234 – 5 AAC 56.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area.

PROPOSED BY: Robert L. Ball, Jr.

WHAT WOULD THE PROPOSAL DO? This proposal would increase the sockeye salmon bag limit to 6 fish per day and allow the department to increase the sockeye salmon bag limit to 12 per day and 24 in possession by emergency order.

WHAT ARE THE CURRENT REGULATIONS? In the Kasilof River drainage, salmon, other than king salmon, 16 inches or greater in length, may be taken from January 1 –

December 31; bag and possession limit of three fish, of which only 2 may be coho salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? An increase in the limit may result in an increase in fishing effort and inriver exploitation of sockeye salmon. This would make the bag and possession limits on the Kasilof River different from all other Kenai Peninsula Area waters.

BACKGROUND: The sockeye salmon bag and possession limit of 3 fish is a general provision for the entire Kenai Peninsula Area. Kasilof River sockeye salmon are harvested primarily by UCI commercial fisheries, as well as by the Kasilof River personal use set gillnet and dip net fisheries and to a lesser extent the inriver sport fisheries. The escapement of sockeye salmon is estimated by sonar at approximately river mile 8. The department manages Kasilof River sockeye salmon to achieve a BEG of 150,000 to 250,000. If the department projects that the escapement goal of sockeye salmon into the Kasilof River will be exceeded the department may increase sport fish bag and possession limits by emergency order as long as the total harvest under the increased bag and possession limit will not reduce the escapement below the escapement goal. In nine of the last ten years the escapement of sockeye salmon into the Kasilof River has exceeded the escapement goal. Consequently, the department, over several years has taken the inseason management action to raise the limit in the sport fishery from 3 per day and in possession to 6 per day and 12 in possession.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

CHICKALOON RIVER SALMON SPORT FISHERIES

PROPOSAL 235 - 5 AAC 56.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area.

PROPOSED BY: Vernon Porter

WHAT WOULD THE PROPOSAL DO? This proposal would open the Chickaloon River to sport fishing for king salmon from May 1 through July 31. It would also establish an annual limit of one king salmon 20 inches or greater in length.

WHAT ARE THE CURRENT REGULATIONS? The Chickaloon River is closed sport fishing for king salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? An unknown number of king salmon would be harvested from the Chickaloon River. Participation would likely be small initially, but it could increase due to angler interest in fishing for king salmon. Access to fishing areas may be problematic.

BACKGROUND: The Chickaloon River originates from Swan Lake located in the Kenai Mountains. Nearly all of the drainage, except Swan Lake, which is within the boundary of the Chugach National Forest, is within the lowland wilderness unit of the Kenai National Wildlife Refuge. Several adjoining streams merge into the Chickaloon River before it flows to its terminus on the south shore of Turnagain Arm in Cook Inlet, approximately 12 miles south of Anchorage. These include Thurman, Mystery, East Fork, Scenic, Indian Fork, and Lonesome creeks.

Access to the drainage is restricted under Kenai National Wildlife Refuge regulations. Seasonal automobile access is via a very primitive road that is a natural gas pipeline easement trail that originates at mile 64 of the Sterling Highway, approximately 30 miles north of the city of Soldotna. This road is open only from August 9 – October 20. The primitive road is about 31 miles in length and terminates on the Chickaloon River flats. Access to the area is primarily for hunting purposes. Aircraft access is also restricted by USFWS regulations. Floatplanes may land only in the lower 6.5 miles of the Chickaloon River, while wheeled aircraft are prohibited from access except at four designated areas dispersed throughout the lowland wilderness unit.

Since the 1950's the Chickaloon River drainage has been sporadically surveyed by several government agencies to assess fish stocks. The drainage is known to support spawning and rearing king, sockeye, pink, coho, and chum salmon as well as several resident freshwater species. Distribution of spawning and rearing king, sockeye, pink and coho salmon are documented in the ADF&G anadromous stream catalog. The most comprehensive fisheries survey was conducted by the USFWS during 1984 and 1985. During these years the peak stream index count of adult king salmon was approximately 2,600 fish. King salmon are early-run fish that return in mid-May through June and spawn from late July – August. Estimates of sport harvest, catch, and effort are not available from the SWHS for the Chickaloon River drainage. In this survey, sport fishing statistics are estimated by location. Due to the small size of the sport fishing activity that may occur and the corresponding lack of returns from anglers who may fish there, no estimates of catch or harvest of any species have been reported for the Chickaloon River drainage. This indicates that little or no fishing effort occurs in the drainage.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. There is a lack of information on the Chickaloon River king salmon stock. Several small populations of king salmon are present in Cook Inlet, and abundance combined with limited information on population status preclude establishment of a viable king salmon sport fishery. The Chickaloon River is a similar situation.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

RUSSIAN RIVER SALMON SPORT FISHERIES

PROPOSAL 253 - 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.

PROPOSED BY: Charles Owen

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit sport fishing from a boat 100 yards upstream to 25 yards downstream of the Russian River Ferry Crossing on the Kenai River.

WHAT ARE THE CURRENT REGULATIONS? The use of outboard motors is prohibited year-round in the Kenai River, from the waters of Skilak Lake within on-half mile radius of the Kenai River inlet, upstream to the downstream edge of the Sterling Highway Bridge at the outlet of Kenai Lake. There is no regulation prohibiting sport fishing from a boat in these waters.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted anglers would have to reel in their lines while floating through a 125 yard section of river. It is uncertain whether or not this would reduce the potential for an accident to occur between a drift boat and the Russian River ferry.

BACKGROUND: The Russian River ferry operation is contained within the boundary of the Kenai National Wildlife Refuge. A ferry operation to transport the public to settlement sites on the south bank of the Kenai River predates the 1941 establishment of the refuge. In 1949 the refuge issued the first permit to operate a ferry near the Kenai – Russian rivers confluence. The ferry has been operated under private contract for the refuge’s visitor services program for the past several decades to transport refuge visitors across the Kenai River to access the south bank of the Kenai River and the lower Russian River. Two public boat launches upstream of the ferry crossing at Cooper Landing and Sportsman’s Landing provide access for anglers to drift and to fish from a boat in the drift area of the Kenai River. The drift only area begins near the Kenai Lake outlet at about river mile 80 and extends downstream to river mile 65 at the Skilak Lake inlet. The majority of boats passing through the ferry crossing area do not stop. During the mid-point of the early and late-runs of sockeye salmon to the Russian River numerous rafts and drift boats pass through this area daily throughout the fishing season. The ferry operates from June 11 through Labor Day when it closes for winter. Typically, ferry crossings and shoreline fishing declines dramatically when the area closes to the retention of sockeye salmon after August 20. No record of the number of ferry – drift boat accidents at the Russian River ferry area is available.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Adoption of this proposal will not lessen the number of boats passing through the ferry crossing area

that may potentially collide with the ferry while it is transiting across the Kenai River. Many of the boats drifting downstream do not stop in this area.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 254 - 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

PROPOSED BY: Jack Storer

WHAT WOULD THE PROPOSAL DO? This proposal would establish a youth only fishing area downstream of the Russian River ferry crossing on the Kenai River.

WHAT ARE THE CURRENT REGULATIONS? Department of the Interior 50 CFR Part 36 for public use and access on Kenai National Wildlife Refuge. §36.39(i)(6): Fishing is prohibited June 1 to August 15, on the south bank of the Kenai River from the Kenai-Russian River Ferry dock to a point 100 feet downstream.

The Board of Fisheries may adopt regulations establishing restricted seasons and areas necessary for persons under 16 years of age to participate in sport fishing.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted, this regulation would conflict with a federal regulation that currently prohibits sport fishing in this area. If the board were to adopt a regulation creating a youth fishery in an area outside of the federally closed waters, it would provide anglers under 16 years of age an area where they could fish unimpeded by competition from adults. Adults would be excluded from this area and, depending on how large of a youth area is established, it could exacerbate crowding outside of the youth area

BACKGROUND: The Russian River ferry has been in service to transport sport anglers across the Kenai River to access the south bank of the Kenai River and the lower Russian River for many years. Federal regulations closed the shoreline 100 feet below the ferry dock to fishing in 1986 for safety reasons. From a point 100 feet below the ferry dock extending downstream there are two areas with restricted access to the public for fishing including a: 1) wheelchair only, and 2) mobility impaired only, It is uncertain what year the Kenai National Wildlife Refuge asserted claims of jurisdiction over angler restrictions on refuge lands limiting access to anglers at these two areas. During the 2005 fishing season, the Russian River ferry operator posted signs to create a third area opened only children 11 and under. This occurred only one season and was done without any state or federal authority.

In April of 2004, the Alaska Legislature passed HB 98 giving the board authority to establish restricted seasons and areas necessary for persons under 16 years of age to

participate in sport fishing. Since then, the board has established youth-only fisheries on Campbell Creek in Anchorage, First Lake and the Seward Lagoon in Seward, and the Nick Dudiak Fishing Lagoon in Homer. These youth-only fisheries occur only for a day or two during the peak of salmon runs or after a lake is stocked.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal because the designated area below the Russian River ferry crossing is not legally authorized under the provisions of ANICLA or under preceding federal regulations. The department is however **SUPPORTIVE** of establishing youth-only fisheries around the state.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

KENAI RIVER KING SALMON SPORT FISHERIES

PROPOSAL 255 - 5 AAC 57.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area.

PROPOSED BY: Kenai River Sportfishing Association

WHAT WOULD THE PROPOSAL DO? This proposal would establish a new bag limit for king salmon 20 inches or greater in length on the Kenai River. The bag and possession limit would be two fish, of which only one may be greater than 20 inches in length but less than 28 inches in length and one may be 28 inches or greater in length. In addition, there would be no annual limit for king salmon greater than 20 inches in length but less than 28 inches in length

WHAT ARE THE CURRENT REGULATIONS? In waters open to king salmon sport fishing, early-run regulations allow for the harvest of 10 king salmon less than 20 inches per day and harvest of one king salmon per day 20 inches or greater in length and less than 44 inches or 55 inches or greater in length. Any king salmon caught that is 44 inches or longer but less than 55 inches must be released unharmed. The non-retention slot-limit is in effect from January 1 through June 30 in the Kenai River from the mouth upstream to the Soldotna Bridge and from January 1 through July 14 for those waters of the Kenai River from the Soldotna Bridge upstream to the outlet of Skilak Lake.

Late-run regulations are in effect from July 1 – July 31, below the Soldotna Bridge, and from July 15-July 31 upstream of the Soldotna Bridge. In waters open to king salmon sport fishing, daily bag limits are 10 king salmon per day less than 20 inches in length and one king salmon per day 20 inches or greater in length.

There is an annual limit of 2 king salmon 20 inches or greater in length from the Kenai River. King salmon 20 inches or greater in length must be recorded on the back of the angler's fishing license. Any king salmon harvested in the Kenai River that is 55 inches

or larger must be sealed by an authorized representative of the department within 3 days after harvest.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted, this proposal would increase harvest opportunity and the exploitation of Kenai River king salmon. Increased harvests may increase the likelihood of in-season restrictions.

BACKGROUND: Prior to 1999, no more than five king salmon 16" or greater in length could be harvested from Cook Inlet fresh and salt waters annually, of which no more than two could be taken from the Kenai River. Harvested king salmon 16" or greater in length had to be recorded on the back of an angler's fishing license. Harvest and recording requirements were changed by the BOF at the 1999 UCI meeting to apply to king salmon 20" or more in length in all Cook Inlet waters.

Nearly all king salmon less than 28" in total length are age 1.1 or 1.2 king salmon. Most age 1.1 king salmon are 20" or less in total length, while age 1.2 fish range from approximately 17" to 34" in total length.

Significant changes to the management of the early-run king salmon fishery that have occurred recently include: 1) implementation of the 44"-55" slot limit in 2003, and 2) establishment of an OEG of 5,300 to 9,000 king salmon in 2005. Prior to 2005 the early-run was managed to achieve a BEG of 7,200 to 14,400 king salmon. The estimated escapement of early-run king salmon has exceeded the upper goal range since its implementation (2005-2007) despite being liberalized inseason by emergency order allowing the use of bait. The late-run is managed to achieve a BEG of 17,800 to 35,700 king salmon. Since 2005 the estimated escapements for the late run have been within the BEG range.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Harvest opportunity for one ocean "jack" king salmon was increased by the board eight years ago, when the board raised the minimum length for the recording requirement, from 16" to 20". This proposal may change the prosecution of Kenai River king salmon fisheries by requiring a reduction of harvest opportunity for king salmon over 28 inches to ensure adequate spawning escapement when the numbers of king salmon in the returns may be below average. The department views this regulation as a liberalization that would promote the selective harvest of 2-ocean king salmon. This concern is greater for the late-run because 2-ocean fish typically comprise on average less than 20% of total return and are exploited in the marine commercial and inriver recreational (sport and personal use) fisheries.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 256 - 5 AAC 57.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area.

PROPOSED BY: James Karl Johnson

WHAT WOULD THE PROPOSAL DO? This proposal would eliminate the bag limits for king salmon less than 28 inches in length.

WHAT ARE THE CURRENT REGULATIONS? In waters open to king salmon sport fishing, early-run regulations allow for the harvest of 10 king salmon less than 20 inches per day and harvest of one king salmon per day 20 inches or greater in length and less than 44 inches or 55 inches or greater in length. Any king salmon caught that is 44 inches or longer but less than 55 inches must be released unharmed. The non-retention slot-limit is in effect from January 1 through June 30 in the Kenai River from the mouth upstream to the Soldotna Bridge and from January 1 through July 14 for those waters of the Kenai River from the Soldotna Bridge upstream to the outlet of Skilak Lake.

Late-run regulations are in effect from July 1 – July 31, below the Soldotna Bridge, and from July 15-July 31 upstream of the Soldotna Bridge. In waters open to king salmon sport fishing, daily bag limits are 10 king salmon per day less than 20 inches in length and one king salmon per day 20 inches or greater in length.

There is an annual limit of 2 king salmon 20 inches or greater in length from the Kenai River. King salmon 20 inches or greater in length must be recorded on the back of the angler's fishing license. Any king salmon harvested in the Kenai River that is 55 inches or larger must be sealed by an authorized representative of the department within 3 days after harvest.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted, this proposal would increase the exploitation of Kenai River king salmon. Increased harvests may increase the likelihood of in-season restrictions.

BACKGROUND: Prior to 1999, no more than five king salmon 16" or greater in length could be harvested from Cook Inlet fresh and salt waters annually, of which no more than two could be taken from the Kenai River. Harvested king salmon 16" or greater in length had to be recorded on the back of an angler's fishing license. Harvest and recording requirements were changed by the BOF at the 1999 UCI meeting to apply to king salmon 20" or more in length in all Cook Inlet waters.

Nearly all king salmon less than 28" in total length are age 1.1 or 1.2 king salmon. Most age 1.1 king salmon are 20" or less in total length, while age 1.2 fish range from approximately 17" to 34" in total length.

Significant changes to the management of the early-run king salmon fishery that have occurred recently include: 1) implementation of the 44"-55" slot limit in 2003, and 2) establishment of an OEG of 5,300 to 9,000 king salmon in 2005. Prior to 2005 the early-

run was managed to achieve a BEG of 7,200 to 14,400 king salmon. The estimated escapement of early-run king salmon has exceeded the upper goal range since its implementation (2005-2007) despite being liberalized inseason by emergency order allowing the use of bait. The late-run is managed to achieve a BEG of 17,800 to 35,700 king salmon. Since 2005 the estimated escapements for the late run have been within the BEG range.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Harvest opportunity for one ocean "jack" king salmon was increased by the board eight years ago, when the board raised the minimum length for the recording requirement, from 16" to 20". This proposal may change the prosecution of Kenai River king salmon fisheries by requiring a reduction of harvest opportunity for king salmon over 28 inches to ensure adequate spawning escapement when the numbers of king salmon in the returns may be below average. The department views this regulation as a liberalization that would promote the selective harvest of 2-ocean king salmon. This concern is greater for the late-run because 2-ocean fish typically comprise on average less than 20% of total return and are exploited in the marine commercial and inriver recreational (sport and personal use) fisheries.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 257 - 5 AAC 57.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area.

PROPOSED BY: Robert Estes

WHAT WOULD THE PROPOSAL DO? This proposal would establish new bag limits for king salmon on the Kenai River. Anglers would be allowed to retain one fish less than 30 inches in length per day with an annual limit of two king salmon. Anglers would also be allowed to retain one fish over 30 inches per day with an annual limit of two king salmon. The proposal would also maintain the current slot limit during the early run.

WHAT ARE THE CURRENT REGULATIONS? In waters open to king salmon sport fishing, early-run regulations allow for the harvest of 10 king salmon less than 20 inches per day and harvest of one king salmon per day 20 inches or greater in length and less than 44 inches or 55 inches or greater in length. Any king salmon caught that is 44 inches or longer but less than 55 inches must be released unharmed. The non-retention slot-limit is in effect from January 1 through June 30 in the Kenai River from the mouth upstream to the Soldotna Bridge and from January 1 through July 14 for those waters of the Kenai River from the Soldotna Bridge upstream to the outlet of Skilak Lake.

Late-run regulations are in effect from July 1 – July 31, below the Soldotna Bridge, and from July 15-July 31 upstream of the Soldotna Bridge. In waters open to king salmon

sport fishing, daily bag limits are 10 king salmon per day less than 20 inches in length and one king salmon per day 20 inches or greater in length.

There is an annual limit of 2 king salmon 20 inches or greater in length from the Kenai River. King salmon 20 inches or greater in length must be recorded on the back of the angler's fishing license. Any king salmon harvested in the Kenai River that is 55 inches or larger must be sealed by an authorized representative of the department within 3 days after harvest.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted, this proposal would likely increase the exploitation of Kenai River king salmon. Increased harvests may increase the likelihood of in-season restrictions.

BACKGROUND: Prior to 1999, no more than five king salmon 16" or greater in length could be harvested from Cook Inlet fresh and salt waters annually, of which no more than two could be taken from the Kenai River. Harvested king salmon 16" or greater in length had to be recorded on the back of an angler's fishing license. Harvest and recording requirements were changed by the BOF at the 1999 UCI meeting to apply to king salmon 20" or more in length in all Cook Inlet waters.

Nearly all king salmon less than 28" in total length are age 1.1 or 1.2 king salmon. Most age 1.1 king salmon are 20" or less in total length, while age 1.2 fish range from approximately 17" to 34" in total length.

Significant changes to the management of the early-run king salmon fishery that have occurred recently include: 1) implementation of the 44"-55" slot limit in 2003, and 2) establishment of an OEG of 5,300 to 9,000 king salmon in 2005. Prior to 2005 the early-run was managed to achieve a BEG of 7,200 to 14,400 king salmon. The estimated escapement of early-run king salmon has exceeded the upper goal range since its implementation (2005-2007) despite being liberalized inseason by emergency order allowing the use of bait. The late-run is managed to achieve a BEG of 17,800 to 35,700 king salmon. Since 2005 the estimated escapements for the late run have been within the BEG range.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Harvest opportunity for one ocean "jack" king salmon was increased by the board eight years ago, when the board raised the minimum length for the recording requirement, from 16" to 20". This proposal may change the prosecution of Kenai River king salmon fisheries by requiring a reduction of harvest opportunity for king salmon over 30" to ensure adequate spawning escapement when the numbers of king salmon in the returns may be below average. The department views this regulation as a liberalization that would promote the selective harvest of 2-ocean king salmon. This concern is greater for the late-run because 2-ocean fish typically comprise on average less than 20% of total return and are exploited in the marine commercial and inriver recreational (sport and personal use) fisheries.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 258 - 5 AAC 56.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area; 5 AAC 60.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Knik Arm Drainages Area; and 5 AAC 61.110. General provisions for seasons, bag, possession, and size limits, and methods and means for the Susitna River Drainage Area.

PROPOSED BY: Tim D. Hiner and David Richards

WHAT WOULD THE PROPOSAL DO? This proposal would change the minimum size requirement for annual limits of king salmon in Cook Inlet freshwater fisheries. Annual limits on king salmon would apply to king salmon 25" or greater in length instead of 20" or greater in length.

WHAT ARE THE CURRENT REGULATIONS? A total annual limit of 5 king salmon 20" or greater in length may be taken from fresh waters of Cook Inlet north of the latitude of Point Adam. Of these 5 total king salmon, no more than 2 may be taken from the Kenai River or Deep Creek.

King salmon 20 inches or greater in length that are removed from the water must be retained and recorded on the back of the angler's fishing license. Anglers may retain up to ten king salmon less than 20 inches in length per day from all Cook Inlet freshwater king salmon fisheries all year except in areas closed to king salmon fishing.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted, this proposal would likely increase the exploitation of Cook Inlet freshwater king salmon. Increased harvests may increase the likelihood of in-season restrictions.

BACKGROUND: Prior to 1999, no more than five king salmon 16" or greater in length could be harvested from Cook Inlet fresh and salt waters annually, of which no more than two could be taken from the Kenai River. Harvested king salmon 16" or greater in length had to be recorded on the back of an angler's fishing license. Harvest and recording requirements were changed by the BOF at the 1999 UCI meeting to apply to king salmon 20" or more in length in all Cook Inlet waters.

Nearly all king salmon less than 28" in total length are age 1.1 or 1.2 king salmon. Most age 1.1 king salmon are 20" or less in total length, while age 1.2 fish range from approximately 17" to 34" in total length.

Significant changes to the management of the early-run king salmon fishery that have occurred recently include: 1) implementation of the 44"-55" slot limit in 2003, and 2) establishment of an OEG of 5,300 to 9,000 king salmon in 2005. Prior to 2005 the early-

run was managed to achieve a BEG of 7,200 to 14,400 king salmon. The estimated escapement of early-run king salmon has exceeded the upper goal range since its implementation (2005-2007) despite being liberalized inseason by emergency order allowing the use of bait. The late-run is managed to achieve a BEG of 17,800 to 35,700 king salmon. Since 2005 the estimated escapements for the late run have been within the BEG range.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Harvest opportunity for one ocean "jack" king salmon was increased by the board eight years ago, when the board raised the minimum length for the recording requirement, from 16" to 20". This proposal may change the prosecution of Kenai River king salmon fisheries by requiring a reduction of harvest opportunity for king salmon over 25" inches to ensure adequate spawning escapement when the numbers of king salmon in the returns may be below average. The department views this regulation as a liberalization that would promote the selective harvest of 2-ocean king salmon. This concern is greater for the late-run because 2-ocean fish typically comprise on average less than 20% of total return and are exploited in the marine commercial and inriver recreational (sport and personal use) fisheries.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 259 - 5 AAC 57.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area.

PROPOSED BY: Robert L. Ball Jr.

WHAT WOULD THE PROPOSAL DO? This proposal would modify the current bag and possession limit on the Kenai River for king salmon 20 inches or greater in length. Anglers would be allowed to retain any hatchery king salmon 20 inches or greater in length, as identified by a missing adipose fin with a healed scar, in addition to the current limit of one wild king salmon per day. The hatchery king salmon must be recorded and would count against the angler's annual limit of five king salmon from the Cook Inlet region, but it would not count against the annual limit of two from the Kenai River.

WHAT ARE THE CURRENT REGULATIONS? In waters open to king salmon sport fishing, early-run regulations allow for the harvest of 10 king salmon less than 20 inches per day and harvest of one king salmon per day 20 inches or greater in length and less than 44 inches or 55 inches or greater in length. Any king salmon caught that is 44 inches or longer but less than 55 inches must be released unharmed. The non-retention slot-limit is in effect from January 1 through June 30 in the Kenai River from the mouth upstream to the Soldotna Bridge and from January 1 through July 14 for those waters of the Kenai River from the Soldotna Bridge upstream to the outlet of Skilak Lake.

Late-run regulations are in effect from July 1 – July 31, below the Soldotna Bridge, and from July 15-July 31 upstream of the Soldotna Bridge. In waters open to king salmon sport fishing, daily bag limits are 10 king salmon per day less than 20 inches in length and one king salmon per day 20 inches or greater in length.

There is an annual limit of 2 king salmon 20 inches or greater in length from the Kenai River. King salmon 20 inches or greater in length must be recorded on the back of the angler's fishing license. Any king salmon harvested in the Kenai River that is 55 inches or larger must be sealed by an authorized representative of the department within 3 days after harvest.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would not have a measurable effect on harvest, as the occurrence of hatchery fish entering the Kenai River is very rare. Modifying fishing licenses to accommodate a hatchery fish category would be challenging and confusing to anglers.

BACKGROUND: The department currently stocks hatchery raised king salmon that are released into Crooked Creek, a tributary of Kasilof River. Salmon released in Crooked Creek can be identified by a missing adipose fin. Stocking levels prior to the year 2000 were 210,000 smolt. Stocking levels were reduced to approximately 105,000 fish annually due to concerns about straying to the Kenai River as well as other Kenai Peninsula streams. The occurrence of strayed hatchery fish from the Crooked Creek stocking program in the Kenai River is currently thought to be extremely low because no recoveries have been made recently via department king salmon assessment programs. Creel and test netting studies on the Kenai have determined that the occurrence of hatchery king salmon in the harvest and the inriver netting program is somewhere in the range of 0.002% prior to 2000. Since that time the number of hatchery king salmon occurring in the Kenai River is considered to be a rare event.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The occurrence is rare and does not warrant a special regulation and harvesting requirement.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 260 - 5 AAC 57.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area.

PROPOSED BY: Nathan Corr

WHAT WOULD THE PROPOSAL DO? This proposal would modify the annual limit for king salmon 20 inches or greater in length on the Kenai River. The hatchery king salmon must be recorded and would count against the angler's annual limit of five king salmon from the Cook Inlet region, but it would not count against the annual limit of two from the Kenai River.

WHAT ARE THE CURRENT REGULATIONS? In the Kenai River, the annual harvest limit is two king salmon 20 inches or greater in length. King salmon 20 inches or greater in length that are removed from the water must be retained and recorded on the back of the angler's fishing license.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would not have a measurable effect on harvest, as the occurrence of hatchery fish entering the Kenai River is very rare. Modifying fishing licenses to accommodate a hatchery fish category would be challenging and confusing to anglers.

BACKGROUND: The department currently stocks hatchery raised king salmon that are released into Crooked Creek, a tributary of Kasilof River. Salmon released in Crooked Creek can be identified by a missing adipose fin. Stocking levels prior to the year 2000 were 210,000 smolt. Stocking levels were reduced to approximately 105,000 fish annually due to concerns about straying to the Kenai River as well as other Kenai Peninsula streams. The occurrence of strayed hatchery fish from the Crooked Creek stocking program in the Kenai River is currently thought to be extremely low because no recoveries have been made recently via department king salmon assessment programs. Creel and test netting studies on the Kenai have determined that the occurrence of hatchery king salmon in the harvest and the inriver netting program is somewhere in the range of 0.002% prior to 2000. Since that time the number of hatchery king salmon occurring in the Kenai River is considered to be a rare event.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The occurrence is rare and does not warrant a special regulation and harvesting requirement.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 261 - 5 AAC 57.120(2)(a),(i). General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area.

PROPOSED BY: Andy Szczesny

WHAT WOULD THE PROPOSAL DO? This proposal would eliminate the slot length limit for early-run king salmon in the Kenai River.

WHAT ARE THE CURRENT REGULATIONS? In waters of the Kenai River open to king salmon sport fishing, early-run regulations allow for the harvest of 10 king salmon less than 20 inches per day and harvest of one king salmon per day 20 inches or greater in length and less than 44 inches or 55 inches or greater in length. Any king salmon caught that is 44 inches or longer but less than 55 inches must be released unharmed. The non-retention slot-limit is in effect from January 1 through June 30 in the Kenai River from

the mouth upstream to the Soldotna Bridge and from January 1 through July 14 for those waters of the Kenai River from the Soldotna Bridge upstream to the outlet of Skilak Lake.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would increase the harvest and overall exploitation of king salmon during the early run. Anglers would be allowed to harvest 5-ocean as well as those larger-sized 4-ocean fish currently protected by the slot limit. It may result in increased fishing effort by drawing those anglers that are discouraged from participating in the fishery due to the current slot limit.

BACKGROUND: Prior to 2003, there was no slot limit in the Kenai River king salmon sport fishery, anglers were permitted to harvest king salmon regardless of the total length of the fish. However, the department, along with the public, recognized a decline in larger, older-aged king salmon returning to the Kenai River during the early-run. Although the exact cause for the decline in older king salmon during the early-run is not understood, the selective harvest of larger, 5-ocean fish was the only practical factor that could be directly influenced by fishery managers. Therefore, at the department's request, the board adopted a slot-limit harvest restriction in 2002 of 40 to 55 inches. This restriction almost completely eliminated the harvest potential of 5-ocean fish, allowed the retention of a very rare record-sized fish, and allowed harvest of younger smaller fish. In 2003 the board adjusted the slot limit to 44 to 55 inches based on a department recommended slot limit of 45 to 55 inches to protect the larger, older king salmon returning to the Kenai River during the early-run as a precautionary response to the decline in 5-ocean fish in the age composition of the escapements within the returning early-run stock. At present the slot limit allows approximately 73% of the returning early-run stocks to be available for harvest. Under the slot size-limit restrictions, most (87%) of the 5-ocean fish are protected, while at the same time the slot limit protects about 40% of the 4-ocean fish in the return.

From 1986 – 1996 an average of about 5.6% (1,036 fish) of the early-run were 5-ocean fish. During 1997 – 2002 the average was about 2% (200 fish). From 2003 – 2006 the estimated return of 5-ocean king salmon during the early-run averaged 3% (569 fish) of the return. During 2003 – 2006, an onsite creel survey of the inriver sport fishery downstream of the Soldotna Bridge did not detect a harvest of 5-ocean king salmon. Preliminary estimates of the 2007 harvest by age class of early-run king salmon indicate that approximately 0.9% (25 fish) were 5-ocean king salmon.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The slot limit regulation effects on inriver harvests have succeeded in almost completely eliminating the harvest of large-sized 5-ocean king salmon. In addition, the slot limit, in part along with several factors including: prohibition of bait during most of the return, a two king salmon annual limit, low angler participation, and average to above average early-run stock abundance, has resulted in a reduction in the total harvest rate of early-run king salmon. During 2005-2007 there have been surpluses in excess to escapement needs, but it is still prudent to prevent the overharvest of 5-ocean fish in the return. It is possible

with a modification of the lower end of the slot limit to achieve a small increase in harvest opportunity, while at the same time protecting most 5-ocean fish in the return.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 262 - 5 AAC 57.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area.

PROPOSED BY: Joshua Caleb Johnson

WHAT WOULD THE PROPOSAL DO? This proposal would eliminate the slot limit for early-run king salmon in the Kenai River.

WHAT ARE THE CURRENT REGULATIONS? In waters of the Kenai River open to king salmon sport fishing, early-run regulations allow for the harvest of 10 king salmon less than 20 inches per day and harvest of one king salmon per day 20 inches or greater in length and less than 44 inches or 55 inches or greater in length. Any king salmon caught that is 44 inches or longer but less than 55 inches must be released unharmed. The non-retention slot-limit is in effect from January 1 through June 30 in the Kenai River from the mouth upstream to the Soldotna Bridge and from January 1 through July 14 for those waters of the Kenai River from the Soldotna Bridge upstream to the outlet of Skilak Lake.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would increase the harvest and overall exploitation of king salmon during the early run. Anglers would be allowed to harvest 5-ocean as well as those larger-sized 4-ocean fish currently protected by the slot limit. It may result in increased fishing effort by drawing those anglers that are discouraged from participating in the fishery due to the current slot limit.

BACKGROUND: Prior to 2003, there was no slot limit in the Kenai River king salmon sport fishery, anglers were permitted to harvest king salmon regardless of the total length of the fish. However, the department, along with the public, recognized a decline in larger, older-aged king salmon returning to the Kenai River during the early-run. Although the exact cause for the decline in older king salmon during the early-run is not understood, the selective harvest of larger, 5-ocean fish was the only practical factor that could be directly influenced by fishery managers. Therefore, at the department's request, the board adopted a slot-limit harvest restriction in 2002 of 40 to 55 inches. This restriction almost completely eliminated the harvest potential of 5-ocean fish, allowed the retention of a very rare record-sized fish, and allowed harvest of younger smaller fish. In 2003 the board adjusted the slot limit to 44 to 55 inches based on a department recommended slot limit of 45 to 55 inches to protect the larger, older king salmon returning to the Kenai River during the early-run as a precautionary response to the decline in 5-ocean fish in the age composition of the escapements within the returning

early-run stock. At present the slot limit allows approximately 73% of the returning early-run stocks to be available for harvest. Under the slot size-limit restrictions, most (87%) of the 5-ocean fish are protected, while at the same time the slot limit protects about 40% of the 4-ocean fish in the return.

From 1986 – 1996 an average of about 5.6% (1,036 fish) of the early-run were 5-ocean fish. During 1997 – 2002 the average was about 2% (200 fish). From 2003 – 2006 the estimated return of 5-ocean king salmon during the early-run averaged 3% (569 fish) of the return. During 2003 – 2006, an onsite creel survey of the inriver sport fishery downstream of the Soldotna Bridge did not detect a harvest of 5-ocean king salmon. Preliminary estimates of the 2007 harvest by age class of early-run king salmon indicate that approximately 0.9% (25 fish) were 5-ocean king salmon.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The slot limit regulation effects on inriver harvests have succeeded in almost completely eliminating the harvest of large-sized 5-ocean king salmon. In addition, the slot limit, in part along with several factors including: prohibition of bait during most of the return, a two king salmon annual limit, low angler participation, and average to above average early-run stock abundance, has resulted in a reduction in the total harvest rate of early-run king salmon. During 2005-2007 there have been surpluses in excess to escapement needs, but it is still prudent to prevent the overharvest of 5-ocean fish in the return. It is possible with a modification of the lower end of the slot limit to achieve a small increase in harvest opportunity, while at the same time protecting most 5-ocean fish in the return.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 263 - 5 AAC 57.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area.

PROPOSED BY: Kenai River Fishermen's Coalition

WHAT WOULD THE PROPOSAL DO? This proposal would extend the season ending date for the slot limit for early-run king salmon on the Kenai River above the Soldotna Bridge from July 14 to July 31.

WHAT ARE THE CURRENT REGULATIONS? In waters of the Kenai River open to king salmon sport fishing, early-run regulations allow for the harvest of 10 king salmon less than 20 inches per day and harvest of one king salmon per day 20 inches or greater in length and less than 44 inches or 55 inches or greater in length. Any king salmon caught that is 44 inches or longer but less than 55 inches must be released unharmed. The non-retention slot-limit is in effect from January 1 through June 30 in the Kenai River from the mouth upstream to the Soldotna Bridge and from January 1 through July 14 for those waters of the Kenai River from the Soldotna Bridge upstream to the outlet of Skilak Lake.

Late-run regulations are in effect from July 1 – July 31, below the Soldotna Bridge, and from July 15-July 31 upstream of the Soldotna bridge, bag and possession limit of one king salmon per day 20 inches or greater in length.

There is an annual limit of 2 king salmon 20 inches or greater in length from the Kenai River. King salmon 20 inches or greater in length must be recorded on the back of the angler's fishing license. Any king salmon harvested in the Kenai River that is 55 inches or larger must be sealed by an authorized representative of the department within 3 days after harvest.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would decrease the harvest and overall exploitation of large early run Kenai River king salmon that may be present in the Kenai River mainstem above the Soldotna Bridge after July 14. Angler effort may also decline in the fishery above the Soldotna Bridge because of the loss of harvest opportunity. Anglers who presently fish upstream may fish downstream of the Soldotna Bridge thereby contributing to crowding anglers into the lower river. This proposal would also result in an undetermined decrease in exploitation of large-sized late-run king salmon.

BACKGROUND: Prior to 2003, there was no slot limit in the Kenai River king salmon sport fishery, anglers were permitted to harvest king salmon regardless of the total length of the fish. However, the department, along with the public, recognized a decline in larger, older-aged king salmon returning to the Kenai River during the early-run. Although the exact cause for the decline in older king salmon during the early-run is not understood, the selective harvest or exploitation of larger fish 5-ocean fish was the only practical factor that could be directly influenced by fishery managers. Therefore, at the department's request, the board adopted a slot-limit harvest restriction in 2002 to protect the larger, older king salmon returning to the Kenai River during the early-run as a precautionary response to the decline in 5-ocean fish in the age composition of the escapements within the returning early-run stock. At present the slot limit allows approximately 73% of the returning early-run stocks to be available for harvest. Under the slot size-limit restrictions, most (87%) of the 5-ocean fish are protected, while at the same time the slot limit protects about 40% of the 4-ocean fish in the return.

From 1986 – 1996 an average of about 5.6% (1,036 fish) of the early-run return were 5-ocean fish. During 1997 – 2002 the average was about 2% (200 fish). From 2003 – 2006 the estimated return of 5-ocean king salmon during the early-run averaged 3% (569 fish) of the return.

A decline in 5-ocean king salmon returning to the Kenai River during the late-run is not, at present, a biological concern for the department. Data from the sport fishery and the inriver netting program, indicates that the age-class and size composition of the late-run return and escapement is relatively stable and within the bounds experienced during the past 19 years.

Information gathered during tagging and radio-telemetry studies conducted by the department and other resource agencies indicate that early-run king salmon primarily spawn in the tributaries of the Kenai River, such as the Funny and Killey rivers as well as other tributaries such as Benjamin, Slikok, Beaver creeks. Furthermore, a much smaller percentage of early-run fish were thought to spawn in various reaches of the mainstem below Skilak Lake. Distribution of the early-run return to these various spawning areas is not estimated annually nor is the number of 5-ocean fish present in the mainstem from July 15 through July 31. From 2003 – 2007 the estimated return of 5-ocean king salmon during the early-run averaged 569 fish and ranged from approximately 129 fish in 2003 to 865 fish in 2006. From June 21 – July 31, 2007, no 5-ocean king salmon were detected in a sample of 131 king salmon harvested in the sport fishery from the Soldotna Bridge upstream to Skilak Lake.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The early-run is currently managed to achieve an OEG of 5,300 to 9,000 king salmon. The department liberalized the fishery in 2005-2007 to allow bait in an attempt to contain escapement within the escapement goal, however the estimated escapement goal of early-run king salmon was exceeded each year. Therefore additional restrictions for the early-run king salmon sport fishery are viewed as unnecessary at this time.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 264 - 5 AAC 57.121. General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area.

PROPOSED BY: Francis V. Estalilla, M.D.

WHAT WOULD THE PROPOSAL DO? This proposal would extend the season ending date that the slot limit for early-run king salmon on the Kenai River would apply to below the Soldotna Bridge from June 30 to July 14.

WHAT ARE THE CURRENT REGULATIONS? In waters of the Kenai River open to king salmon sport fishing, early-run regulations allow for the harvest of 10 king salmon less than 20 inches per day and harvest of one king salmon per day 20 inches or greater in length and less than 44 inches or 55 inches or greater in length. Any king salmon caught that is 44 inches or longer but less than 55 inches must be released unharmed. The non-retention slot-limit is in effect from January 1 through June 30 in the Kenai River from the mouth upstream to the Soldotna Bridge and from January 1 through July 14 for those waters of the Kenai River from the Soldotna Bridge upstream to the outlet of Skilak Lake.

Late-run regulations are in effect from July 1 – July 31, below the Soldotna Bridge, and from July 15-July 31 upstream of the Soldotna bridge, bag and possession limit of one king salmon per day 20 inches or greater in length.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would decrease harvest opportunity for large-sized late-run king salmon over 50% of the time the river is open to fishing for late-run king salmon. This proposal would also decrease the harvest of late-run king salmon by an unknown amount.

BACKGROUND: Prior to 2003, there was no slot limit in the Kenai River king salmon sport fishery, anglers were permitted to harvest king salmon regardless of the total length of the fish. However, the department, along with the public, recognized a decline in larger, older-aged king salmon returning to the Kenai River during the early-run. Although the exact cause for the decline in older king salmon during the early-run is not understood, the selective harvest or exploitation of larger fish 5-ocean fish was the only practical factor that could be directly influenced by fishery managers. Therefore, at the department's request, the board adopted a slot-limit harvest restriction in 2002 to protect the larger, older king salmon returning to the Kenai River during the early-run as a precautionary response to the decline in 5-ocean fish in the age composition of the escapements within the returning early-run stock. At present the slot limit allows approximately 73% of the returning early-run stocks to be available for harvest. Under the slot size-limit restrictions, most (87%) of the 5-ocean fish are protected, while at the same time the slot limit protects about 40% of the 4-ocean fish in the return.

From 1986 – 1996 an average of about 5.6% (1,036 fish) of the early-run return were 5-ocean fish. During 1997 – 2002 the average was about 2% (200 fish). From 2003 – 2006 the estimated return of 5-ocean king salmon during the early-run averaged 3% (569 fish) of the return.

A decline in 5-ocean king salmon returning to the Kenai River during the late-run is not, at present, a biological concern for the department. Data from the sport fishery and the inriver netting program, indicates that the age-class and size composition of the late-run is relatively stable and within the bounds experienced during the past 19 years. The late-run is managed to achieve a BEG of 17,800 to 35,700 king salmon. Recently, from 2005-2007 the estimated escapements for the late run have been within the BEG range.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Data from a previous study has shown that 81% of radio-tagged king salmon that entered the Kenai River before July 1 were tributary spawners and 94% entered tributary streams by July 15. However, 19% of radio-tagged king salmon that entered the Kenai River before July 1 were mainstem spawners with roughly 73% of mainstem spawning occurring upstream of the Soldotna Bridge.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 265 - 5 AAC 57.120(2)(A). General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area.

PROPOSED BY: Alaska Department of Fish and Game

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit anglers from possessing a king salmon that has been filleted, headed, mutilated, or otherwise disfigured in a manner that prevents determination of the length of the fish from January 1 to July 14 on the Kenai River, until the fish is permanently offloaded from a vessel or from the fishing site if it was taken from the riverbank.

WHAT ARE THE CURRENT REGULATIONS? There are no regulations prohibiting an angler from filleting or cutting a king salmon prior to offloading a fish or leaving a fishing site.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal is housekeeping in nature to allow involved agencies the means to effectively conduct enforcement and research of king salmon harvested during the slot limit.

BACKGROUND: For the past 5 years the department has issued emergency orders at the beginning of the early-run king salmon fishery restricting the disfigurement of king salmon to facilitate enforcement of the slot limit and gather biological information on king salmon.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal that is housekeeping in nature.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 266 - 5 AAC 57.121. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area.

PROPOSED BY: Kenai River Professional Guide Association

WHAT WOULD THE PROPOSAL DO? This proposal would restrict the use of bait on the Kenai River from January 1 to June 30, from the confluence of the Moose River to the outlet of Skilak Lake.

WHAT ARE THE CURRENT REGULATIONS? The use of bait while sport fishing in the mainstem of the Kenai River from its mouth upstream to the outlet of Skilak Lake, is prohibited from January 1 – June 30, unless superseded by emergency order.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would prohibit the department from allowing the use of bait in the waters of the Kenai River from the confluence of the Moose River to the outlet of Skilak Lake through an emergency order. Although the department has not allowed the use of bait in this section of water during the early-run king salmon fishery, this proposal would eliminate that option in the future and reduce the department's emergency order authority.

BACKGROUND: Bait has traditionally been used to increase the harvest of king salmon. Allowing or restricting the use of bait is utilized as a management tool to increase or decrease harvest levels to meet established escapement goals.

The Kenai River and Kasilof River Early-run King Salmon Management Plan directs the department to manage the sport fishery targeting Kenai River early-run king salmon to achieve an OEG of 5,300 – 9,000 fish. If the department projects the spawning escapement will exceed the upper end of the OEG, the department may liberalize the sport fishery by allowing the use of bait from the mouth of the Kenai River upstream to Skilak Lake. Since 2005, the early-run king salmon fishery has been liberalized allowing bait from the mouth of the Kenai River upstream to the confluence of the Moose and Kenai Rivers.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. By regulation bait is not allowed in this downstream of Skilak Lake unless superseded by emergency order to harvest king salmon surplus to escapement needs. Furthermore, reducing the flexibility in the plan would preclude fishery managers from liberalizing the fishery in the entire area open to king salmon when warranted.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 267 - 5 AAC 57.121. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area.

PROPOSED BY: Mel Erickson

WHAT WOULD THE PROPOSAL DO? This proposal would allow the use of bait on the Kenai River starting on either May 1 or June 1 for the early-run king salmon fishery.

WHAT ARE THE CURRENT REGULATIONS? The use of bait while sport fishing in the mainstem of the Kenai River from its mouth upstream to the outlet of Skilak Lake, is prohibited from January 1 – June 30, unless superseded by emergency order.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would increase angler effort, harvest and exploitation of early run king salmon and may increase the potential for inseason restrictions or closure of the fishery.

BACKGROUND: Bait has traditionally been used to increase the harvest of king salmon. Allowing or restricting the use of bait is utilized as a management tool to increase or decrease harvest levels to meet established escapement goals.

The Kenai River and Kasilof River Early-run King Salmon Management Plan directs the department to manage the sport fishery targeting Kenai River early-run king salmon to achieve an OEG of 5,300 – 9,000 fish. If the department projects the spawning escapement will exceed the upper end of the OEG, the department may liberalize the sport fishery by allowing the use of bait from the mouth of the Kenai River upstream to Skilak Lake. Since 2005, the early-run king salmon fishery has been liberalized allowing bait from the mouth of the Kenai River upstream to the confluence of the Moose and Kenai Rivers.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The liberalization of bait in the early-run king salmon fishery should be used as an inseason management tool based upon stock abundance rather than implemented at the beginning of a run prior to assessment of run strength.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 268 - 5 AAC 57.121. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area.

PROPOSED BY: Kenai Area Fishermen's Coalition

WHAT WOULD THE PROPOSAL DO? This proposal would extend the Slikok Creek, Funny River and Lower Killey River sanctuary closures through July 31 or the end of the king salmon season, whichever is later.

WHAT ARE THE CURRENT REGULATIONS? The following waters of the Kenai River are closed to sport fishing, as follows:

From January 1 – July 14, 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;

From June 25 – July 14, 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-half mile upstream from the mouth of the lower Killey River, is closed to the taking of king salmon;

From January 1 – July 14, 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 approximately 100 yards upstream from the mouth of Slikok Creek is closed to the taking of king salmon;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would decrease the harvest and overall exploitation of early-run Kenai River king salmon that may be present in the Kenai River mainstem sanctuaries above the Soldotna Bridge after July 14 by an unknown amount. Angler effort may also decline in the fishery above the Soldotna Bridge because of the loss of harvest opportunity. Anglers that presently fish upstream may fish downstream of the Soldotna Bridge thereby contributing to crowding in the lower river. It would also result in an undetermined decrease in exploitation of late-run king salmon because more of the river will close to king salmon fishing.

BACKGROUND: The Board of Fisheries adopted the seasonally closed-water regulations which restricted the confluence areas of Slikok Creek, Funny River and the Killey River to fishing at the request of the department during the November 1996 meeting. Information gathered during tagging and radio-telemetry studies conducted by the department and other resource agencies indicate that king salmon entering the Kenai River in May and June primarily spawn in the tributaries of the Kenai River, such as the Funny and Killey rivers as well as other tributaries such as Benjamin, Slikok, Beaver creeks. Furthermore, a much smaller percentage of fish entering the Kenai River in May and June were thought to spawn in various reaches of the mainstem below Skilak Lake. Distribution of the early-run return to these various spawning areas is not estimated annually nor is the number present in the mainstem from July 15 through July 31. For management purposes, king salmon arriving in May and June are managed as early-run fish.

The same telemetry studies found that early-run king salmon can hold in these seasonally closed confluence areas of the mainstem for some time into July before ascending tributaries to spawn. By July 15, 95% of Killey River spawners have left the mainstem holding areas for spawning areas. Similarly, by July 16, 95% of Funny River spawners have left the mainstem holding areas for spawning areas. All early-run spawners have ascended these larger tributaries by July 21. Studies also indicated that all king salmon tagged during the early-run period prior to July 1 had migrated past the Soldotna Bridge by July 19.

Overall, it is not known whether or not 100% of the king salmon destined for these tributaries have exited the closed mainstem waters by July 15 however the fraction is small. In addition, it is not known how many king salmon spawn in these seasonally closed waters of the mainstem each year. Regardless of final location, spawning of all early-run king salmon is thought to peak in mid to late July. A weir operated in the Funny River about two miles upstream of the confluence of the Kenai and Funny rivers

during 2006 and 2007 indicated 84% in 2006 and 76% in 2007 of the total escapement to the Funny River had passed through the weir on July 15.

DEPARTMENT COMMENTS: The department **OPPOSES** the biological aspects of this proposal as a conservation measure and is **NEUTRAL** on the social aspects. This proposal would further reduce angling opportunity in specific tributary locations of the Kenai River that are at present very conservatively managed. Current regulations provide adequate seasonal protection of those stocks that are holding in the tributary confluence areas prior to the fish leaving the mainstem and entering the tributaries to spawn. Further restricting the already limited fishing opportunities for these stocks is not biologically justified. In the Kenai River, the primary protection for mainstem spawning king salmon is the season closure date of August 1.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 269 - 5 AAC 57.121. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area.

PROPOSED BY: Andy Szczesny

WHAT WOULD THE PROPOSAL DO? This proposal would extend the Slikok Creek, Funny River and Lower Killey River sanctuary closures through July 31. This proposal also seeks to extend the Killey River sanctuary upstream to include all three Killey River confluences with the Kenai River.

WHAT ARE THE CURRENT REGULATIONS? The following waters of the Kenai River are closed to sport fishing, as follows:

From January 1 – July 14, 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;

From June 25 – July 14, 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-half mile upstream from the mouth of the lower Killey River, is closed to the taking of king salmon;

From January 1 – July 14, 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 approximately 100 yards upstream from the mouth of Slikok Creek is closed to the taking of king salmon;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would decrease the harvest and overall exploitation of early-run Kenai River king salmon that may be present in the Kenai River mainstem sanctuaries above the Soldotna Bridge after July 14 by an unknown amount. It would also decrease the total area of the Kenai River mainstem open to king salmon fishing by over two river miles. Angler effort may also decline in the fishery above the Soldotna Bridge because of the loss of harvest opportunity. Anglers that presently fish upstream may fish downstream of the Soldotna Bridge thereby contributing to crowding in the lower river. It would also result in an undetermined decrease in exploitation of late-run king salmon because more of the river will close to king salmon fishing.

BACKGROUND: The Board of Fisheries adopted the seasonally closed-water regulations which restricted the confluence areas of Slikok Creek, Funny River and the Killey River to fishing at the request of the department during the November 1996 meeting. Information gathered during tagging and radio-telemetry studies conducted by the department and other resource agencies indicate that king salmon entering the Kenai River in May and June primarily spawn in the tributaries of the Kenai River, such as the Funny and Killey rivers as well as other tributaries such as Benjamin, Slikok, Beaver creeks. Furthermore, a much smaller percentage of fish entering the Kenai River in May and June were thought to spawn in various reaches of the mainstem below Skilak Lake. Distribution of the early-run return to these various spawning areas is not estimated annually nor is the number present in the mainstem from July 15 through July 31. For management purposes, king salmon arriving in May and June are managed as early-run fish.

The same telemetry studies found that early-run king salmon can hold in these seasonally closed confluence areas of the mainstem for some time into July before ascending tributaries to spawn. By July 15, 95% of Killey River spawners have left the mainstem holding areas for spawning areas by ascending primarily the Lower and Middle Forks of the Killey River. Similarly, by July 16, 95% of Funny River spawners have left the mainstem holding areas for spawning areas. All early-run spawners have ascended these larger tributaries by July 21. Studies also indicated that all king salmon tagged during the early-run period prior to July 1 had migrated past the Soldotna Bridge by July 19.

Overall, it is not known whether or not 100% of the king salmon destined for these tributaries have exited the closed mainstem waters by July 15 however the fraction is small. In addition, it is not known how many king salmon spawn in these seasonally closed waters of the mainstem each year. Regardless of final location, spawning of all early-run king salmon is thought to peak in mid to late July. A weir operated in the Funny River about two miles upstream of the confluence of the Kenai and Funny rivers during 2006 and 2007 indicated 84% in 2006 and 76% in 2007 of the total escapement to the Funny River had passed through the weir on July 15.

DEPARTMENT COMMENTS: The department **OPPOSES** the biological aspects of this proposal as a conservation measure and is **NEUTRAL** on the social aspects. This

proposal would further reduce angling opportunity in specific tributary locations of the Kenai River that are at present very conservatively managed. Current regulations provide adequate seasonal protection of those stocks that are holding in the tributary confluence areas prior to the fish leaving the mainstem and entering the tributaries to spawn. Further restricting the already limited fishing opportunities for these stocks is not biologically justified. In the Kenai River, the primary protection for mainstem spawning king salmon is the season closure date of August 1.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 270 - 5 AAC 57.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area.

PROPOSED BY: Ruth Marie Johnson

WHAT WOULD THE PROPOSAL DO? This proposal would extend the Kenai River king salmon fishing season through August 7.

WHAT ARE THE CURRENT REGULATIONS? The open season for king salmon on the Kenai River is from January 1 – July 31. The department may, by emergency order, extend the king salmon sport fishing season up to seven days during the first week of August if the biological escapement goal is projected to be exceeded.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would increase effort directed for king salmon and increase the number harvested by an unknown amount.

BACKGROUND: The provision allowing the department to extend the king salmon season was first adopted into the Kenai River Late-Run King Salmon Management Plan in 1992. Since that time, the department extended the king salmon sport fishing season below Eagle Rock during four different years between 1993 – 2001. The provision to extend the season was removed from the plan for the 2002-2004 seasons due to concerns of low abundance of coho salmon stocks throughout Cook Inlet. In 2005 the board removed some of the restrictions it placed on coho salmon fisheries, and readopted the provision to extend the king salmon season by emergency order. Season extensions have averaged about five days and the harvest during the extended seasons have averaged less than 200 fish.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The increase in effort and harvest as a result of fishing later into August could lead to restricting the fishery prior to the end of July that would not have happened under the current approach. The department prefers to have the authority to extend the season by emergency order as a management tool to utilize in times of high abundance.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 271 - 5 AAC 21.359. Kenai River Late-Run King Salmon Management Plan.

PROPOSED BY: Melvin Forsyth Jr.

WHAT WOULD THE PROPOSAL DO? This proposal would extend the Kenai River king salmon sport fishing season through August 10.

WHAT ARE THE CURRENT REGULATIONS? The open season for king salmon on the Kenai River is from January 1 – July 31. The department may, by emergency order, extend the king salmon sport fishing season up to seven days during the first week of August if the biological escapement goal is projected to be exceeded.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would increase effort directed for king salmon and increase the number harvested by an unknown amount.

BACKGROUND: The provision allowing the department to extend the king salmon season was first adopted into the Kenai River Late-Run King Salmon Management Plan in 1992. Since that time, the department extended the king salmon sport fishing season below Eagle Rock during four different years between 1993 – 2001. The provision to extend the season was removed from the plan for the 2002-2004 seasons due to concerns of low abundance of coho salmon stocks throughout Cook Inlet. In 2005 the board removed some of the restrictions it placed on coho salmon fisheries, and readopted the provision to extend the king salmon season by emergency order. Season extensions have averaged about five days and the harvest during the extended seasons has averaged less than 200 fish.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The increase in effort and harvest as a result of fishing later into August could lead to restricting the fishery prior to the end of July that would not have happened under the current approach. The department prefers to have the authority to extend the season by emergency order as a management tool to utilize in times of high abundance.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 272 - 5 AAC 21.359. Kenai River Late-Run King Salmon Management Plan.

PROPOSED BY: Melvin Forsyth Jr.

WHAT WOULD THE PROPOSAL DO? This proposal would increase the minimum escapement goal level from 17,800 to 35,000 late-run king salmon into the Kenai River in July.

WHAT ARE THE CURRENT REGULATIONS? The Kenai River Late-Run King Salmon Management Plan states that the department shall manage the late run of Kenai River king salmon to achieve a biological escapement goal of 17,800 – 35,700 king salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would reduce fishing opportunity for sport anglers to fish for king salmon dramatically as the department would have to manage to ensure an escapement of at least 35,000 king salmon thereby eliminating both sport and commercial fishing seasons in most years.

BACKGROUND: The estimated spawning escapement of late-run king salmon has exceeded 35,000 fish in just 4 of the past 22 years. Rigorous analysis of data has led to the development of a biological escapement goal (17,800 – 35,700) for Kenai River late-run king salmon.

DEPARTMENT COMMENTS: The department recommends **NO ACTION** on this proposal. The department, not the board, has the responsibility of establishing biological and sustainable escapement goals. The board, may establish an optimal escapement goal, if deemed appropriate, which considers biological and allocative factors and may differ from the BEG or SEG.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 273 - 5 AAC 21.359. Kenai River Late-Run King Salmon Management Plan.

PROPOSED BY: John Higgins

WHAT WOULD THE PROPOSAL DO? This proposal would modify the Kenai River Late-Run King Salmon Management Plan by (1) deleting the priority of the late run king salmon for sport and guided sport uses; (2) change the management action point for closing sport and commercial fisheries from an in-river return of 17,800 to an escapement of 17,800 king salmon; (3) exclude the Kasilof Special Harvest Area from closure to conserve Kenai River king salmon; (4) delete all provisions to restrict or close sport and commercial fisheries when the projected inriver return is less than 40,000 fish; and (5) delete the provision that exempts the Kasilof River Salmon Management Plan from actions taken in this plan.

WHAT ARE THE CURRENT REGULATIONS? The Kenai River Late-Run King Salmon Management Plan states that the department shall manage the late-run of Kenai River king salmon primarily for sport and guided sport uses. If the projected inriver return is less than 17,800 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.

From July 20 to July 31, if the projected inriver return of late-run king salmon is less than 40,000 fish and the inriver sport fishery harvest is projected to result in an escapement below 17,800 king salmon, the department may restrict the inriver sport fishery; if the inriver sport fishery is closed, the commercial set gillnet fishery in the Upper Subdistrict shall be closed; Consistent with the purposes of this management plan and the Kenai River Late-run Sockeye Salmon Management Plan, 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. The provisions of the Kasilof River salmon Management Plan are exempt from the provisions of this section.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would remove prescribed management actions to be taken in both sport and commercial fisheries in order to meet the biological escapement goal. This may result in the sport fishery being closed while the commercial fishery remains open to fishing for sockeye salmon.

BACKGROUND: The Kenai River Late-run King Salmon Management Plan provides the department with several directives aimed to ensure sustained production of the stock including all users to share in the burden of conservation when warranted.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 274 - 5 AAC 21.359. Kenai River Late-Run King Salmon Management Plan.

PROPOSED BY: Central Peninsula Advisory Committee

WHAT WOULD THE PROPOSAL DO? This proposal would allow an expansion of Cook Inlet waters open to commercial fishing near the mouth of the Kenai River regardless of the projected inriver return of late-run king salmon.

WHAT ARE THE CURRENT REGULATIONS? If the projected in river return of late-run king salmon is less than 40,000 fish, the department may not reduce the closed waters at the mouth of the Kenai River for commercial fishing described in 5 AAC 21.350(b).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Commercial exploitation of late-run king and sockeye salmon would likely increase. In years of low king salmon abundance and large sockeye salmon runs, this may result in the king salmon sport fishery being closed while the commercial fishery remains open to fishing for sockeye salmon.

BACKGROUND: The Kenai River Late-run King Salmon Management Plan provides the department with several directives aimed to ensure sustained production of the stock including all users to share in the burden of conservation when warranted. The closed waters at the mouth of the Kenai River have not been used since 1988.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 275 - 5 AAC 57.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area.

PROPOSED BY: Ted Wellman

WHAT WOULD THE PROPOSAL DO? This proposal would limit the number of non-resident harvest permits or tags for king salmon on the Kenai River.

WHAT ARE THE CURRENT REGULATIONS? There are no regulations that restrict the number of non-resident king salmon tags on the Kenai River.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would reduce fishing opportunity by non-residents and the harvest of king salmon by an unknown amount.

BACKGROUND: The department does not project the total allowable harvest of king salmon, rather the department develops a pre-season forecast of the total return. In-season projections of the in-river return are made daily and the projected escapement is made on a weekly basis or as requested by managers throughout the season.

Data collected by the statewide harvest survey indicates that on average more nonresident than resident anglers fish the Kenai River each year, however resident anglers account for the majority of total fishing effort. For example, from 2001 – 2006 the average number of anglers fishing the Kenai River each year was 146,021 of which 70,909 were resident

and 75,112 were nonresident anglers. Total angler days fishing effort was 413,020 of which resident anglers accounted for 223,235 angler days in comparison to 189,785 angler days for nonresidents. Over the same years (2001-2006) the Kenai River king salmon harvest averaged 17,248 fish. Harvest by nonresident anglers averaged 11,234 king salmon per year, while resident king salmon harvest averaged 6,014 fish per year.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. Although the board has no authority over the sale of licenses or stamps and limitations for sale of king salmon stamps to non-residents, the board may take other actions to effect change to the number of fish harvested by nonresident anglers.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 276 - 5 AAC 57.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area.

PROPOSED BY: Ted Wellman

WHAT WOULD THE PROPOSAL DO? This proposal would establish annual limits of salmon for non-residents on the Kenai River. The annual limits would be 1 king salmon, 12 sockeye salmon, and 4 coho salmon per year.

WHAT ARE THE CURRENT REGULATIONS? The annual limit of king salmon on the Kenai River for both resident and non-resident anglers is 2 per year. There are no annual limits for sockeye and coho salmon for either resident or non-resident anglers.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Non-resident anglers would lose harvest opportunity of most salmon. The relative effort and harvest levels on the Kenai River for all salmon except pink salmon would likely decrease. Harvest opportunity for resident anglers would likely increase.

BACKGROUND: Data collected by the statewide harvest survey indicates that on average more nonresident than resident anglers fish the Kenai River each year, however resident anglers account for the majority of total fishing effort. For example, from 2001 – 2006 the average number of anglers fishing the Kenai River each year was 146,021 of which 70,909 were resident and 75,112 were nonresident anglers. Total angler days fishing effort was 413,020 of which resident anglers accounted for 223,235 angler days in comparison to 189,785 angler days for nonresidents. Over the same years (2001-2006) the Kenai River king salmon sport harvest averaged 17,248 fish. Harvest by nonresident anglers averaged 11,234 king salmon per year, while resident king salmon harvest averaged 6,014 fish per year. For the sport harvest of other salmon species from the Kenai River drainage, on average resident anglers account for 48% of the coho salmon sport harvest and 47% of the sockeye salmon sport harvest.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 277 - 5 AAC 57.124. Harvest record required; annual limits for the Kenai River Drainage Area.

PROPOSED BY: John McCombs

WHAT WOULD THE PROPOSAL DO? This proposal would establish an annual limit of 125 pounds of fish per nonresident angler that could be exported from the state of Alaska.

WHAT ARE THE CURRENT REGULATIONS? There are no regulations that limit the export of pounds of fish harvested in the Cook Inlet sport fisheries. Regulations require anglers to record the harvest of king salmon, rainbow trout, and sharks on the back on an angler's sport fishing license for sport fisheries that have established annual limits. These regulations do not differentiate between resident and nonresident anglers. Anglers are required to record date, species, and location of harvest.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, nonresident anglers would be limited to exporting a total of 125 pounds of sport caught fish harvested in Cook Inlet. Adoption of this regulation could significantly reduce the nonresident harvest component of fish retained from the sport fisheries that take place in the fresh and saltwater of Cook Inlet.

A mechanism for enforcing such a limit would have to be established. An elaborate means of inspecting nonresident angler harvest would have to be developed which could include establishing check stations on major roads, border crossing stations, airports, freight shipping agencies, etc., where sport caught fish could leave the state. A determination of which agency or group of agencies that would be responsible for enforcing this limit would have to be determined.

BACKGROUND: Data collected by the statewide harvest survey indicates that on average more nonresident than resident anglers fish the Kenai River each year, however resident anglers account for the majority of total fishing effort. For example, from 2001 – 2006 the average number of anglers fishing the Kenai River each year was 146,021 of which 70,909 were resident and 75,112 were nonresident anglers. Total angler days fishing effort was 413,020 of which resident anglers accounted for 223,235 angler days in comparison to 189,785 angler days for nonresidents. Over the same years (2001-2006) the Kenai River king salmon sport harvest averaged 17,248 fish. Harvest by nonresident anglers averaged 11,234 king salmon per year, while resident king salmon harvest

averaged 6,014 fish per year. For the sport harvest of other salmon species from the Kenai River drainage, on average resident anglers account for 48% of the coho salmon sport harvest and 47% of the sockeye salmon sport harvest.

For all freshwaters of Cook Inlet from 2001 – 2006 resident anglers accounted for an average of 64% of the total fishing effort. Harvest of king salmon by resident anglers averaged 48% of the total king salmon harvest per year, while resident sport harvest of other salmon species from all Cook Inlet freshwaters was on average 59% of the total coho salmon sport harvest and 47% of the total sockeye salmon sport harvest.

DEPARTMENT COMMENTS: The department and the Alaska Wildlife Troopers **OPPOSE** the biological aspects of this proposal and are **NEUTRAL** on its allocative nature. Based on the average harvests of various species of fish for non-resident anglers it is likely that this regulation is not likely to result in allocation of more of the fishery resources to resident anglers.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

KENAI RIVER SOCKEYE AND COHO SALMON SPORT FISHERIES

PROPOSAL 278 - 5 AAC 75.022. Freshwater sport fishing.

PROPOSED BY: Dwight Kramer

WHAT WOULD THE PROPOSAL DO? This proposal would allow anglers fishing in the Kenai, Kasilof and Russian rivers to retain sockeye salmon that are unintentionally snagged.

WHAT ARE THE CURRENT REGULATIONS? Statewide regulations state that it is unlawful to intentionally snag or attempt to snag any fish in freshwater. Fish unintentionally hooked elsewhere than in the mouth must be released immediately. "Snag" means to hook a fish elsewhere than in the mouth.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would increase the harvest of sockeye salmon by increasing angler efficiency. The increased harvest could alter present allocations among commercial, sport, and personal use fishermen and could also attract additional participants. It could cycle more people through the fishery if anglers left the river after they have retained their limit and did not sort through their catch. It may not relieve crowding if more anglers were drawn to the area or if anglers continued to catch and release fish. Catch and release mortality of non-target species may increase by an unknown amount. It could promote illegal fishing practices by making enforcement of the current snagging regulation that prohibits intentional snagging difficult.

BACKGROUND: In 1964, the Board of Fish and Game prohibited the use of treble hooks on the Russian River in an effort to reduce snagging sockeye salmon, as it roughly accounted for 50% of the effort. CPUE data revealed both fly/snag methods had similar rates of success. In 1965, 61% of harvested sockeye salmon were snagged, and in 1966, 41% harvested were snagged. In 1965, the Board of Fish and Game adopted a flies-only regulation for the Russian River. In 1966, the Board of Fish and Game adopted an anti-snagging regulation. The goal was to create a more acceptable method of harvest, as the public expressed dismay to the unethical aspects of snagging. Information collected about the same time through the marking and release of snagged sockeye indicated nearly all fish hooked, landed, marked and released that were hooked elsewhere than the mouth survived to pass through the Russian River weir. Snagging has been prohibited in the fresh waters of Alaska since 1975.

In 2005 the board adopted a regulation requiring use of a single hook with a gap between the shank and point of 3/8 inch or less year round in those waters within a 1/2 mile radius of the Kenai River inlet at Skilak Lake extending upstream, including the flowing waters of the Russian River, to the outlet of Kenai Lake. This regulation has a beneficial effect of reducing the types of hooking injuries caused to incidentally hooked sockeye salmon as well as to resident species.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. It is unclear whether or not this proposal is advocating intentional snagging, or just the allowance of keeping unintentionally snagged sockeye. "Intent" is difficult to enforce, therefore incidents of intentional snagging would likely increase. The department is **NEUTRAL** on the allocative aspects of this proposal. Increasing the sport harvest of sockeye salmon is an allocation issue since the fishery is considered as fully allocated among various user groups.

COST ANALYSIS: The department does not believe that approval of this proposal will result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 279 - 5AAC 57.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area.

PROPOSED BY: Kenai River Professional Guide Association

WHAT WOULD THE PROPOSAL DO? This proposal would increase the limit for coho salmon in freshwaters of the Kenai Peninsula from two per day and in possession to three per day and in possession.

WHAT ARE THE CURRENT REGULATIONS: In the Kenai River Drainage Area the bag and possession limit for coho salmon 16 inches or greater in length is two fish, except in the Russian River, which is one fish.

WHAT WOULD THE EFFECT BE IF THE PROPOSAL IS ADOPTED? This proposal would increase the harvest of coho salmon and may increase exploitation rates to unsustainable levels during years of below average returns.

BACKGROUND: The Kenai River Coho Salmon Management Plan was first adopted in 1996 in response to a decline in coho salmon smolt abundance and increased harvest of returning adults in the Kenai River. A special Board of Fisheries meeting was convened in 1997 through a petition submitted by the department based on high Kenai River coho salmon harvests beginning in 1993 and 1994, which were thought to be unsustainable and declining Moose River (Kenai River tributary) coho salmon smolt counts. As a result of that meeting, restrictions affecting all users were put into regulation to conserve Kenai River coho salmon. Additional restrictive regulations were added to the plan from 1997-99. These regulations were an attempt to reduce the total harvest of Kenai River coho salmon by 20% from combined sport and commercial users and originally had a sunset clause of December 2002 and included:

1. The Kenai River coho salmon sport fishing season was established from July 1 – September 30.
2. Guides could not sport fish when guiding clients.

In 2000, a special Board of Fisheries meeting was convened through a petition submitted by the Governor based on low abundance of coho salmon throughout Cook Inlet. As a result of this meeting, more restrictions were put in place to conserve both Kenai River and Northern District coho salmon. The restrictions placed on the Kenai River coho salmon sport fishery from the 2000 board meeting included:

1. The bag and possession limit was reduced from 3 fish to 2 fish Cook Inlet-wide (excepting West Side Cook Inlet and terminal fisheries targeting hatchery fish). Anglers in the Kenai River must stop fishing for all species below the outlet of Skilak Lake for the remainder of the day after retaining a daily bag limit of 2 coho salmon.
2. Closing the Kenai River downstream of Skilak Lake from August 1-3 for coho salmon fishing.
3. Bait was prohibited in the Kenai River from October 1 to June 30.

The net result of the management plan on the Kenai River sport fishery was the overall reduction of coho salmon harvest. Currently the department does not manage the Kenai River coho salmon sport fishery in season based upon abundance as no escapement goal has been established for the Kenai River. There are no coho salmon escapement goals for the other streams in the Northern Kenai Peninsula Management Area where the limit for coho salmon was reduced from 3 daily and in possession to 2 daily and in possession.

Coho salmon fishing regulations were liberalized for the Kenai River by the Board of Fisheries in 2005. Changes resulted in a net gain in fishing time and area and also incorporated less restrictive fishing methods. Coho salmon fishing regulations for other Northern Kenai Peninsula Management Area streams were not changed. Several liberalizations allowed for the Kenai River coho salmon sport fishery included:

1. A 31 day season extension for coho salmon fishing within the Kenai River drainage: from September 30 to October 31.
2. Bait was allowed from July 1 through October 31 downstream of the Upper Killey River and bait with multiple hooks from August 1 through October 31 was allowed.
3. The August 1-3 coho salmon fishing closure downstream of Skilak Lake was repealed allowing a continuous season from July 1 through October 31.
4. The regulation prohibiting fishing after a person takes a bag limit of two coho salmon below Upper Killey River was reduced to below the Soldotna bridge allowing a person to continue to fish upstream of the Soldotna bridge.
5. Fishing from a guide vessel was allowed on Mondays for other species upstream of the confluence of the Moose and Kenai rivers.

The department is confident that a two coho salmon daily bag limit will provide a sustainable fishery despite changes in adult returns and juvenile survival. This is based on information gathered from ongoing research programs on the Kenai River that indicate the coho salmon returns averaged about 140,000 fish from 1999 to 2004 with harvests averaging just over 62,000 fish. Overall exploitation rates for Kenai River coho salmon were high (84%) under the previous Kenai River Coho salmon management plan that allowed a 3 fish bag limit, while under a plan that allows a 2 fish bag limit, exploitation ranged from 35% to 47% from 2000 to 2004. The liberalizations in 2005 are thought to have likely increased exploitation into the high 40% to low 50% range from 2005-2007. Research findings from studies conducted in Southeast Alaska with trans-boundary coho salmon stocks have indicated that an exploitation rate of about 61% is sustainable.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal because an increase in the bag limit will likely raise exploitation rates to unsustainable levels during years of below average returns. The department is **NEUTRAL** on the allocative aspects of this proposal.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 280 - 5 AAC 56.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area; 5 AAC 57.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area; 5 AAC 59.122. Special provisions and localized additions and exceptions to the seasons, bag, possession and size limits, and methods and means for the Anchorage Bowl Drainages Area; and 5 AAC 60.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Knik Arm Drainages Area.

PROPOSED BY: David Richards

WHAT WOULD THE PROPOSAL DO? This proposal would increase the limit for coho salmon in rivers of Cook Inlet from two per day and in possession to three per day and in possession.

WHAT ARE THE CURRENT REGULATIONS: In the Kenai Peninsula Area the bag and possession limit for coho salmon 16 inches or longer is two fish, except in the Russian River, which is restricted to one fish, and Kenai Lake drainages where coho salmon fishing is closed. In the Anchorage Bowl Drainages Area the bag and possession limit is 2 coho salmon 16 inches or longer, except in locations targeting hatchery coho salmon where the bag and possession limit is 3 fish. Similarly for the Knik Arm Drainages Area the bag and possession limit for coho salmon 16 inches or longer is two fish, except in the Eklutna Tailrace which is 3 per day and in possession.

WHAT WOULD THE EFFECT BE IF THE PROPOSAL IS ADOPTED? This proposal would increase the harvest of coho salmon and may increase exploitation rates to unsustainable levels during years of below average returns.

BACKGROUND: The Kenai River Coho Salmon Management Plan was first adopted in 1996 in response to a decline in coho salmon smolt abundance and increased harvest of returning adults in the Kenai River. A special Board of Fisheries meeting was convened in 1997 through a petition submitted by the department based on high Kenai River coho salmon harvests beginning in 1993 and 1994, which were thought to be unsustainable and declining Moose River (Kenai River tributary) smolt counts. As a result of that meeting, restrictions affecting all users were put into regulation to conserve Kenai River coho salmon. Additional restrictive regulations were added to the plan from 1997-99. These regulations were an attempt to reduce the total harvest of Kenai River coho salmon by 20% from combined sport and commercial users and originally had a sunset clause of December 2002 and included:

1. The Kenai River coho salmon sport fishing season was established from July 1 – September 30.
2. Guides could not sport fish when guiding clients.

In 2000, a special Board of Fisheries meeting was convened through a petition submitted by the Governor based on low abundance of coho salmon throughout Cook Inlet, restrictive action was taken on a wide geographic range (i.e., Anchorage, Kenai, Susitna River, Knik Arm, and parts of West Cook Inlet). Coho salmon restrictions were placed on both sport and commercial fisheries throughout most of the Upper Cook Inlet area. In the sport fishery, coho salmon limits were reduced from 3 fish per day to 2 fish per day. Possession limits were reduced from 6 to 4 in some areas, while in other cases, such as the eastside Susitna and Talkeetna River and Knik Arm drainages, possession limits were equal to the bag limit. The restrictions placed on the Kenai River coho salmon sport fishery from the 2000 board meeting included:

1. The bag and possession limit was reduced from 3 fish to 2 fish Cook Inlet-wide (excepting West Side Cook Inlet and terminal fisheries targeting hatchery fish). Anglers in the Kenai River must stop fishing for all species below the outlet of

Skilak Lake for the remainder of the day after retaining a daily bag limit of 2 coho salmon.

2. Closing the Kenai River downstream of Skilak Lake from August 1-3 for coho salmon fishing.
3. Bait was prohibited in the Kenai River from October 1 to June 30.

The net result of the management plan on the Kenai River sport fishery was the overall reduction of coho harvest. Currently the department does not manage the Kenai River coho salmon sport fishery in season based upon abundance as no escapement goal has been established for the Kenai River. There is no coho salmon escapement goal for the other streams in the Northern Kenai Peninsula Management Area where the limit for coho salmon was reduced from 3 daily and in possession to 2 daily and in possession.

Coho salmon runs to NCI waters improved and the BOF took action in 2005 to return the daily bag and possession limit to the original 3 per day/6 in possession along westside Susitna River tributaries, excluding Alexander Creek. The bag limits were not increased for high use areas such as the eastside Susitna River tributaries, the Talkeetna River drainage streams, and Knik Arm Drainages because these tributaries support relatively small returns, are road accessible and receive high angler use, thus are not able to sustain an increase in harvest during years with average returns.

Coho salmon fishing regulations were liberalized for the Kenai River by the Board of Fisheries in 2005. Changes resulted in a net gain in fishing time and area and also incorporated less restrictive fishing methods. Coho salmon fishing regulations for other Northern Kenai Peninsula Management Area streams were not changed. Several liberalizations allowed for the Kenai River coho salmon sport fishery included:

1. A 31 day season extension for coho salmon fishing within the Kenai River drainage: from September 30 to October 31.
2. Bait was allowed from July 1 through October 31 downstream of the Upper Killey River and bait with multiple hooks from August 1 through October 31 was allowed.
3. The August 1-3 coho salmon fishing closure downstream of Skilak Lake was repealed allowing a continuous season from July 1 through October 31.
4. The regulation prohibiting fishing after a person takes a bag limit of two coho salmon below Upper Killey River was reduced to below the Soldotna bridge allowing a person to continue to fish upstream of the Soldotna bridge.
5. Fishing from a guide vessel was allowed on Mondays for other species upstream of the confluence of the Moose and Kenai rivers.

The department is confident that a two coho salmon daily bag limit will provide a sustainable fishery despite changes in adult returns and juvenile survival. This is based on information gathered from ongoing research programs on the Kenai River that indicate the coho salmon returns averaged about 140,000 fish from 1999 to 2004 with harvests averaging just over 62,000 fish. Overall exploitation rates for Kenai River coho salmon were high (84%) under the previous Kenai River Coho salmon management plan that

allowed a 3 fish bag limit, while under a plan that allows a 2 fish bag limit, exploitation ranged from 35% to 47% from 2000 to 2004. The liberalizations in 2005 are thought to have likely increased exploitation into the high 40% to low 50% range from 2005-2007. Research findings from studies conducted in Southeast Alaska with trans-boundary coho salmon stocks have indicated that an exploitation rate of about 61% is sustainable.

In northern Cook Inlet the westside tributaries support relatively large runs of coho salmon on good return years with relatively low associated harvest and use in comparison to the other stream with road access. Consequently the sustainability of coho salmon as a result of low returns to westside Susitna tributaries is less threatened by harvest than on eastside Susitna tributaries, Talkeetna River Tributaries and Knick Arm Drainages. The later areas are road accessible and receive high angler use, thus may not be able to sustain an increase in harvest during years with low or mediocre returns. Managers suspect a reduced return could occur in 2008, the result of a 100-year flood which occurred in August of 2006. Aside from angler reports, the department is limited in its ability to gauge inseason run strength on most tributaries. Therefore, making timely inseason management decisions, such as reducing the daily bag limit on a low return year to ensure adequate escapements are achieved, can be difficult.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal because an increase in the bag limit will likely raise exploitation rates to unsustainable levels during years of below average returns. The department is **NEUTRAL** on the allocative aspects of this proposal.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 281 - 5AAC 57.120. General provisions for seasons, bag, possession and size limits. and methods and means for the Kenai River Drainage Area.

PROPOSED BY: Melvin Forsyth Jr.

WHAT WOULD THE PROPOSAL DO? Increase the limit for coho salmon in freshwaters of the Kenai Peninsula from two per day and in possession to three per day and in possession.

WHAT ARE THE CURRENT REGULATIONS: In the Kenai River Drainage Area the bag and possession limit for coho salmon 16 inches or longer is two fish, except in the Russian River, which is restricted to one fish, and Kenai Lake drainages where coho salmon fishing is closed.

WHAT WOULD THE EFFECT BE IF THE PROPOSAL IS ADOPTED? This proposal would increase the harvest of coho salmon and may increase exploitation rates to unsustainable levels during years of below average returns.

BACKGROUND: The Kenai River Coho Salmon Management Plan was first adopted in 1996 in response to a decline in coho salmon smolt abundance and increased harvest of returning adults in the Kenai River. A special Board of Fisheries meeting was convened in 1997 through a petition submitted by the department based on high Kenai River coho salmon harvests beginning in 1993 and 1994, which were thought to be unsustainable and declining Moose River (Kenai River tributary) coho salmon smolt counts. As a result of that meeting, restrictions affecting all users were put into regulation to conserve Kenai River coho salmon. Additional restrictive regulations were added to the plan from 1997-99. These regulations were an attempt to reduce the total harvest of Kenai River coho salmon by 20% from combined sport and commercial users and originally had a sunset clause of December 2002 and included:

1. The Kenai River coho salmon sport fishing season was established from July 1 – September 30.
2. Guides could not sport fish when guiding clients.

In 2000, a special Board of Fisheries meeting was convened through a petition submitted by the Governor based on low abundance of coho salmon throughout Cook Inlet. As a result of this meeting, more restrictions were put in place to conserve both Kenai River and Northern District coho salmon. The restrictions placed on the Kenai River coho salmon sport fishery from the 2000 board meeting included:

1. The bag and possession limit was reduced from 3 fish to 2 fish Cook Inlet-wide (excepting West Side Cook Inlet and terminal fisheries targeting hatchery fish). Anglers in the Kenai River must stop fishing for all species below the outlet of Skilak Lake for the remainder of the day after retaining a daily bag limit of 2 coho salmon.
2. Closing the Kenai River downstream of Skilak Lake from August 1-3 for coho salmon fishing.
3. Bait was prohibited in the Kenai River from October 1 to June 30.

The net result of the management plan on the Kenai River sport fishery was the overall reduction of coho salmon harvest. Currently the department does not manage the Kenai River coho salmon sport fishery in season based upon abundance as no escapement goal has been established for the Kenai River. There are no coho salmon escapement goals for the other streams in the Northern Kenai Peninsula Management Area where the limit for coho salmon was reduced from 3 daily and in possession to 2 daily and in possession.

Coho salmon fishing regulations were liberalized for the Kenai River by the Board of Fisheries in 2005. Changes resulted in a net gain in fishing time and area and also incorporated less restrictive fishing methods. Coho salmon fishing regulations for other Northern Kenai Peninsula Management Area streams were not changed. Several liberalizations allowed for the Kenai River coho salmon sport fishery included:

1. A 31 day season extension for coho salmon fishing within the Kenai River drainage: from September 30 to October 31.

2. Bait was allowed from July 1 through October 31 downstream of the Upper Killey River and bait with multiple hooks from August 1 through October 31 was allowed.
3. The August 1-3 coho salmon fishing closure downstream of Skilak Lake was repealed allowing a continuous season from July 1 through October 31.
4. The regulation prohibiting fishing after a person takes a bag limit of two coho salmon below Upper Killey River was reduced to below the Soldotna bridge allowing a person to continue to fish upstream of the Soldotna bridge.
5. Fishing from a guide vessel was allowed on Mondays for other species upstream of the confluence of the Moose and Kenai rivers.

The department is confident that a two coho salmon daily bag limit will provide a sustainable fishery despite changes in adult returns and juvenile survival. This is based on information gathered from ongoing research programs on the Kenai River that indicate the coho salmon returns averaged about 140,000 fish from 1999 to 2004 with harvests averaging just over 62,000 fish. Overall exploitation rates for Kenai River coho salmon were high (84%) under the previous Kenai River Coho salmon management plan that allowed a 3 fish bag limit, while under a plan that allows a 2 fish bag limit, exploitation ranged from 35% to 47% from 2000 to 2004. The liberalizations in 2005 are thought to have likely increased exploitation into the high 40% to low 50% range from 2005-2007. Research findings from studies conducted in Southeast Alaska with trans-boundary coho salmon stocks have indicated that an exploitation rate of about 61% is sustainable.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal because an increase in the bag limit will likely raise exploitation rates to unsustainable levels during years of below average returns. The department is **NEUTRAL** on the allocative aspects of this proposal.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 282 - 5AAC 57.120. General provisions for seasons, bag, possession and size limits. and methods and means for the Kenai River Drainage Area; and 5AAC 57.170. Kenai River Coho Salmon Conservation Management Plan.

PROPOSED BY: Steve McClure

WHAT WOULD THE PROPOSAL DO? This proposal would extend the coho salmon sport fishing season in the Lower Kenai River and Skilak Lake for one month through November 30.

WHAT ARE THE CURRENT REGULATIONS: The sport fishing season for coho salmon in the Lower Kenai River and Skilak Lake is July 1 to October 31.

WHAT WOULD THE EFFECT BE IF THE PROPOSAL IS ADOPTED? Extending the coho season for an additional month would increase coho salmon fishing opportunity by approximately 25% and likely increase exploitation by less than 1%.

BACKGROUND: The department has very little information to determine the effect of extending the coho salmon season into November. Given limited daylight, cold temperatures, low water, unfavorable river conditions, very low numbers of fish entering the river and advancing sexual maturity of coho salmon present that entered the river during the previous 3 months, exploitation beyond October would likely be less than 1%.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. It would provide additional fishing opportunity for coho salmon with nearly immeasurable impacts to the coho salmon stock.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 92 - 5 AAC 57.170. Kenai River Coho Salmon Management Plan.

PROPOSED BY: John McCombs

WHAT WOULD THE PROPOSAL DO? This proposal would eliminate the Kenai River coho salmon management plan.

WHAT ARE THE CURRENT REGULATIONS: The purpose of the Kenai River coho salmon management plan is to ensure an adequate escapement of coho salmon into the Kenai River drainage and to provide management guidelines to the department. The department shall manage the Kenai River coho salmon stocks primarily to provide sport and guided sport fishermen with a reasonable opportunity to harvest these salmon resources over the entire run. In the Kenai River Drainage Area the bag and possession limit for coho salmon 16 inches or greater in length is two fish, coho salmon fishing is closed from November 1 through June 30. From July 31 or the end of king salmon season, whichever is later through October 31, sport fishing from a registered guide vessel is restricted as follows: a sport fishing guide may not sport fish while a client is present; downstream from the confluence of the Moose and Kenai Rivers, sport fishing on Mondays is prohibited; upstream from the confluence of the Moose and Kenai Rivers, sport fishing for coho salmon on Mondays is prohibited.

WHAT WOULD THE EFFECT BE IF THE PROPOSAL IS ADOPTED? This proposal would primarily liberalize guided sport fishing effort and increase exploitation of coho salmon by allowing guides to fish while clients are present and allowing guided sport fishing on Mondays below the confluence of the Moose and Kenai Rivers.

BACKGROUND: The Kenai River Coho Salmon Management Plan was first adopted in 1996 in response to a decline in coho salmon smolt abundance and increased harvest of

returning adults in the Kenai River. This management plan contained provisions for managing coho salmon harvests for both the commercial and sport fisheries and was placed under the commercial fishing regulations contained in Chapter 21 of the Alaska Administrative Code.

In 2000, a special Board of Fisheries meeting was convened through a petition submitted by the Governor based on low abundance of coho salmon throughout Cook Inlet. As a result of this meeting, more restrictions were put in place to conserve both Kenai River and Northern District coho salmon.

Coho salmon fishing regulations were liberalized for the Kenai River by the Board of Fisheries in 2005. The management plan was restructured and moved to the sport fishing regulations contained in Chapter 57 of the Alaska Administrative Code. Changes resulted in a net gain in fishing time and area and also incorporated less restrictive fishing methods.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. This proposal was originally seeking additional fishing time for the commercial harvest of Kenai River late-run sockeye salmon. Eliminating the Kenai River Coho Salmon Management Plan will not accomplish that goal. The author may be unaware of the changes made to this management plan during the 2005 BOF meeting which removed the commercial fishing provisions.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

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KENAI RIVER VESSEL RESTRICTIONS

PROPOSAL 283 - 5 AAC 57.121. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area.

PROPOSED BY: Warren Crawford

WHAT WOULD THE PROPOSAL DO? This proposal would add an additional drift boat only day on the Kenai River for both guided and non-guided anglers, possibly occurring on Thursday in May June and July.

WHAT ARE THE CURRENT REGULATIONS? Downstream from the outlet of Skilak Lake, no one may fish from an ADNR-Parks registered guide vessel on any Sunday or Monday during May, June and July (except Memorial Day).

Downstream from the outlet of Skilak Lake, no one may fish from any motorized vessel on Mondays (except Memorial Day) during May, June and July. For purposes of this regulation, a motorized vessel is one that has a motor on board.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Fishing opportunity for power boat anglers would be restricted by an additional day. This proposal would reduce the level of participation in Kenai River sport fisheries, especially the early and late-run king salmon fisheries. Conflict related to issues such as; congestion on the river, hydrocarbon emissions, bank erosion, and poor quality of the angling experience could be reduced at the expense of king salmon harvest opportunity for anglers that fish from power boats. King salmon fishing effort and harvest would be lower initially. Effort and harvest may increase in the future if more anglers adapt to the new drift boat regulations.

BACKGROUND: An impressive number of seasonal and river-reach-specific boat fishing restrictions have been implemented over the past 20 years that address many of the issues described in this proposals. Prior to the 2002 season, fishing on Mondays in May and June was prohibited from any vessel. In February 2002, the board allowed fishing on Mondays from unguided non-motorized vessels. This proposal is asking for additional relief from erosion caused by boat wakes and hydrocarbon pollution caused by outboard motor emissions.

The Department of Natural Resources (DNR) and the Army Corps of Engineers have completed studies to better understand the effect of boat wakes on Kenai River channel morphology and also between boat hull design, engine horsepower, weight loading and the size and speed of the wake generated by the configurations of these variables. Results of these studies concluded that the Kenai River was maintaining a natural channel and that boats of v-hull configuration with heavy loads generated the largest waves as well as wave energy, while boats of flat-bottomed configuration produced small waves with less wave energy. In addition, it was concluded that increasing engine horsepower may slightly reduce wave size from boats of v-hull configuration.

A DNR regulation allowing the use motors of up to and including 50 horsepower in the Kenai River Special Management Area (KRSMA) where outboard motors are allowed is anticipated to become effective beginning in 2008. In addition, in 2008 and 2009 all power boats operating in the KRSMA during July would be required to use either four-stroke or direct fuel injection two-stroke motors. Beginning January 1, 2010 the DNR regulation would require all power boats operating in the KRSMA to use either four-stroke or DFI two-stroke motors the entire year. These new outboard motor type restrictions aim to reduce hydrocarbon concentrations in the Kenai River that have been in excess of the Department of Environmental Conservation standard of 10 parts per billion during peak use in July.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. The board has viewed drift boat only days as an allocative issue.

COST ANALYSIS: The department believes that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 284 - 5 AAC 57. 140. Kenai River guiding and guided fishing requirements in the Kenai River Drainage Area.

PROPOSED BY: Todd Moore

WHAT WOULD THE PROPOSAL DO? Add an additional drift boat only day on the Kenai River for non-guided anglers only on Thursdays in May June and July.

WHAT ARE THE CURRENT REGULATIONS? Downstream from the outlet of Skilak Lake, no one may fish from an ADNR-Parks registered guide vessel on any Sunday or Monday during May, June and July (except Memorial Day).

Downstream from the outlet of Skilak Lake, no one may fish from any motorized vessel on Mondays (except Memorial Day) during May, June and July. For purposes of this regulation, a motorized vessel is one that has a motor on board.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Fishing opportunity for power boat anglers would be restricted by an additional day. It would also reduce the number of days allowed for guided sport fishing downstream of Skilak Lake from 5 days to 4 days each week. This proposal would reduce the level of participation in Kenai River sport fisheries, especially the early and late-run king salmon fisheries. Conflict related to issues such as; congestion on the river, hydrocarbon emissions, bank erosion, and poor quality of the angling experience could be reduced at the expense of king salmon harvest opportunity for anglers that fish from power boats. King salmon fishing effort and harvest would be lower initially. Effort and harvest may increase in the future if more anglers adapt to the new drift boat regulations.

BACKGROUND: An impressive number of seasonal and river-reach-specific boat fishing restrictions have been implemented over the past 20 years that address many of the issues described in this proposals. Prior to the 2002 season, fishing on Mondays in May and June was prohibited from any vessel. In February 2002, the board allowed fishing on Mondays from unguided non-motorized vessels. This proposal is asking for additional relief from erosion caused by boat wakes and hydrocarbon pollution caused by outboard motor emissions.

The Department of Natural Resources (DNR) and the Army Corps of Engineers have completed studies to better understand the effect of boat wakes on Kenai River channel morphology and also between boat hull design, engine horsepower, weight loading and the size and speed of the wake generated by the configurations of these variables. Results of these studies concluded that the Kenai River was maintaining a natural channel and that boats of v-hull configuration with heavy loads generated the largest waves as well as wave energy, while boats of flat-bottomed configuration produced small waves with less wave energy. In addition, it was concluded that increasing engine horsepower may slightly reduce wave size from boats of v-hull configuration.

A DNR regulation allowing the use motors of up to and including 50 horsepower in the Kenai River Special Management Area (KRSMA) where outboard motors are allowed is anticipated to become effective beginning in 2008. In addition, in 2008 and 2009 all power boats operating in the KRSMA during July would be required to use either four-stroke or direct fuel injection two-stroke motors. Beginning January 1, 2010 the DNR regulation would require all power boats operating in the KRSMA to use either four-stroke or DFI two-stroke motors the entire year. These new outboard motor type restrictions aim to reduce hydrocarbon concentrations in the Kenai River that have been in excess of the Department of Environmental Conservation standard of 10 parts per billion during peak use in July.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: The department believes that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 285 - 5 AAC 57.121. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area.; 5 AAC 57. 140. Kenai River guiding and guided fishing requirements in the Kenai River Drainage Area.

PROPOSED BY: Kenai Area Fishermen's Coalition

WHAT WOULD THE PROPOSAL DO? This proposal would add an additional drift boat only day on the Kenai River for both guided and non-guided anglers on Thursdays in May June and July. Guide boats on Thursday would be allowed to fish the entire 24 hours, with no time restrictions.

WHAT ARE THE CURRENT REGULATIONS? Downstream from the outlet of Skilak Lake, no one may fish from an ADNR-Parks registered guide vessel on any Sunday or Monday during May, June and July (except Memorial Day).

Downstream from the outlet of Skilak Lake, no one may fish from any motorized vessel on Mondays (except Memorial Day) during May, June and July. For purposes of this regulation, a motorized vessel is one that has a motor on board.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Fishing opportunity for power boat anglers would be restricted by an additional day. It would increase the allowable time guides can fish on the Kenai River by 12 hours. This proposal would reduce the level of participation in Kenai River sport fisheries, especially the early and late-run king salmon fisheries. Conflict related to issues such as; congestion on the river, hydrocarbon emissions, bank erosion, and poor quality of the angling experience could be reduced at the expense of king salmon harvest opportunity for anglers that fish from power boats. King salmon fishing effort and harvest would be lower initially. Effort and harvest may increase in the future if more anglers adapt to the new drift boat regulations.

BACKGROUND: An impressive number of seasonal and river-reach-specific boat fishing restrictions have been implemented over the past 20 years that address many of the issues described in this proposals. Prior to the 2002 season, fishing on Mondays in May and June was prohibited from any vessel. In February 2002, the board allowed fishing on Mondays from unguided non-motorized vessels. This proposal is asking for additional relief from erosion caused by boat wakes and hydrocarbon pollution caused by outboard motor emissions.

The Department of Natural Resources (DNR) and the Army Corps of Engineers have completed studies to better understand the effect of boat wakes on Kenai River channel morphology and also between boat hull design, engine horsepower, weight loading and the size and speed of the wake generated by the configurations of these variables. Results of these studies concluded that the Kenai River was maintaining a natural channel and that boats of v-hull configuration with heavy loads generated the largest waves as well as

wave energy, while boats of flat-bottomed configuration produced small waves with less wave energy. In addition, it was concluded that increasing engine horsepower may slightly reduce wave size from boats of v-hull configuration.

A DNR regulation allowing the use motors of up to and including 50 horsepower in the Kenai River Special Management Area (KRSMA) where outboard motors are allowed is anticipated to become effective beginning in 2008. In addition, in 2008 and 2009 all power boats operating in the KRSMA during July would be required to use either four-stroke or direct fuel injection two-stroke motors. Beginning January 1, 2010 the DNR regulation would require all power boats operating in the KRSMA to use either four-stroke or DFI two-stroke motors the entire year. These new outboard motor type restrictions aim to reduce hydrocarbon concentrations in the Kenai River that have been in excess of the Department of Environmental Conservation standard of 10 parts per billion during peak use in July.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: The department believes that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 286 - 5 AAC 21.359. Kenai River Late-Run King Salmon Management Plan.

PROPOSED BY: Jim Richardson

WHAT WOULD THE PROPOSAL DO? This proposal would add an additional drift boat only day on the Kenai River for non-guided anglers on Fridays in May June and July.

WHAT ARE THE CURRENT REGULATIONS? Downstream from the outlet of Skilak Lake, no one may fish from an ADNR-Parks registered guide vessel on any Sunday or Monday during May, June and July (except Memorial Day).

Downstream from the outlet of Skilak Lake, no one may fish from any motorized vessel on Mondays (except Memorial Day) during May, June and July. For purposes of this regulation, a motorized vessel is one that has a motor on board.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Fishing opportunity for power boat anglers would be restricted by an additional day. It would also reduce the number of days allowed for guided sport fishing downstream of Skilak Lake would be reduced from 5 days to 4 days each week. This proposal would reduce the level of participation in Kenai River sport fisheries, especially the early and late-run king salmon fisheries. Conflict related to issues such as; congestion on the river, hydrocarbon emissions, bank erosion, and poor quality of the angling experience could be

reduced at the expense of king salmon harvest opportunity for anglers that fish from power boats. King salmon fishing effort and harvest would be lower initially. Effort and harvest may increase in the future if more anglers adapt to the new drift boat regulations.

BACKGROUND: An impressive number of seasonal and river-reach-specific boat fishing restrictions have been implemented over the past 20 years that address many of the issues described in this proposals. Prior to the 2002 season, fishing on Mondays in May and June was prohibited from any vessel. In February 2002, the board allowed fishing on Mondays from unguided non-motorized vessels. This proposal is asking for additional relief from erosion caused by boat wakes and hydrocarbon pollution caused by outboard motor emissions.

The Department of Natural Resources (DNR) and the Army Corps of Engineers have completed studies to better understand the effect of boat wakes on Kenai River channel morphology and also between boat hull design, engine horsepower, weight loading and the size and speed of the wake generated by the configurations of these variables. Results of these studies concluded that the Kenai River was maintaining a natural channel and that boats of v-hull configuration with heavy loads generated the largest waves as well as wave energy, while boats of flat-bottomed configuration produced small waves with less wave energy. In addition, it was concluded that increasing engine horsepower may slightly reduce wave size from boats of v-hull configuration.

A DNR regulation allowing the use motors of up to and including 50 horsepower in the Kenai River Special Management Area (KRSMA) where outboard motors are allowed is anticipated to become effective beginning in 2008. In addition, in 2008 and 2009 all power boats operating in the KRSMA during July would be required to use either four-stroke or direct fuel injection two-stroke motors. Beginning January 1, 2010 the DNR regulation would require all power boats operating in the KRSMA to use either four-stroke or DFI two-stroke motors the entire year. These new outboard motor type restrictions aim to reduce hydrocarbon concentrations in the Kenai River that have been in excess of the Department of Environmental Conservation standard of 10 parts per billion during peak use in July.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: The department believes that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 287 - 5 AAC 57.121. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area.

PROPOSED BY: Roland Maw

WHAT WOULD THE PROPOSAL DO? This proposal would add an additional drift boat only day on the Kenai River for both guided and non-guided anglers on Tuesdays from Skilak Lake downstream to the Soldotna Bridge in May June and July.

WHAT ARE THE CURRENT REGULATIONS? Downstream from the outlet of Skilak Lake, no one may fish from an ADNR-Parks registered guide vessel on any Sunday or Monday during May, June and July (except Memorial Day).

Downstream from the outlet of Skilak Lake, no one may fish from any motorized vessel on Mondays (except Memorial Day) during May, June and July. For purposes of this regulation, a motorized vessel is one that has a motor on board.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Fishing opportunity for power boat anglers would be restricted by an additional day. This proposal would reduce the level of participation in Kenai River sport fisheries, especially the early and late-run king salmon fisheries. Conflict related to issues such as; congestion on the river, hydrocarbon emissions, bank erosion, and poor quality of the angling experience could be reduced at the expense of king salmon harvest opportunity for anglers that fish from power boats. King salmon fishing effort and harvest would be lower initially. Effort and harvest may increase in the future if more anglers adapt to the new drift boat regulations.

BACKGROUND: An impressive number of seasonal and river-reach-specific boat fishing restrictions have been implemented over the past 20 years that address many of the issues described in this proposals. Prior to the 2002 season, fishing on Mondays in May and June was prohibited from any vessel. In February 2002, the board allowed fishing on Mondays from unguided non-motorized vessels. This proposal is asking for additional relief from erosion caused by boat wakes and hydrocarbon pollution caused by outboard motor emissions.

The Department of Natural Resources (DNR) and the Army Corps of Engineers have completed studies to better understand the effect of boat wakes on Kenai River channel morphology and also between boat hull design, engine horsepower, weight loading and the size and speed of the wake generated by the configurations of these variables. Results of these studies concluded that the Kenai River was maintaining a natural channel and that boats of v-hull configuration with heavy loads generated the largest waves as well as wave energy, while boats of flat-bottomed configuration produced small waves with less wave energy. In addition, it was concluded that increasing engine horsepower may slightly reduce wave size from boats of v-hull configuration.

A DNR regulation allowing the use motors of up to and including 50 horsepower in the Kenai River Special Management Area (KRSMA) where outboard motors are allowed is anticipated to become effective beginning in 2008. In addition, in 2008 and 2009 all power boats operating in the KRSMA during July would be required to use either four-stroke or direct fuel injection two-stroke motors. Beginning January 1, 2010 the DNR regulation would require all power boats operating in the KRSMA to use either four-

stroke or DFI two-stroke motors the entire year. These new outboard motor type restrictions aim to reduce hydrocarbon concentrations in the Kenai River that have been in excess of the Department of Environmental Conservation standard of 10 parts per billion during peak use in July.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: The department believes that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 288 - 5 AAC 57.121. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area.

PROPOSED BY: John Sanderson

WHAT WOULD THE PROPOSAL DO? This proposal would institute drift boat only days on the Kenai River for both guided and non-guided anglers on Sundays, Wednesdays, and Fridays from Skilak Lake downstream to the Soldotna Bridge in May June and July. It is unclear if the existing unguided, drift boat only day would be changed.

WHAT ARE THE CURRENT REGULATIONS? Downstream from the outlet of Skilak Lake, no one may fish from an ADNR-Parks registered guide vessel on any Sunday or Monday during May, June and July (except Memorial Day).

Downstream from the outlet of Skilak Lake, no one may fish from any motorized vessel on Mondays (except Memorial Day) during May, June and July. For purposes of this regulation, a motorized vessel is one that has a motor on board.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Fishing opportunity for power boat anglers from Skilak Lake downstream to the Soldotna Bridge would be restricted by two additional days. This proposal would reduce the level of participation in Kenai River sport fisheries, especially the early and late-run king salmon fisheries. Conflict related to issues such as; congestion on the river, hydrocarbon emissions, bank erosion, and poor quality of the angling experience could be reduced at the expense of king salmon harvest opportunity for anglers that fish from power boats. King salmon fishing effort and harvest would be lower initially. Effort and harvest may increase in the future if more anglers adapt to the new drift boat regulations.

BACKGROUND: An impressive number of seasonal and river-reach-specific boat fishing restrictions have been implemented over the past 20 years that address many of the issues described in this proposals. Prior to the 2002 season, fishing on Mondays in May and June was prohibited from any vessel. In February 2002, the board allowed

fishing on Mondays from unguided non-motorized vessels. This proposal is asking for additional relief from erosion caused by boat wakes and hydrocarbon pollution caused by outboard motor emissions.

The Department of Natural Resources (DNR) and the Army Corps of Engineers have completed studies to better understand the effect of boat wakes on Kenai River channel morphology and also between boat hull design, engine horsepower, weight loading and the size and speed of the wake generated by the configurations of these variables. Results of these studies concluded that the Kenai River was maintaining a natural channel and that boats of v-hull configuration with heavy loads generated the largest waves as well as wave energy, while boats of flat-bottomed configuration produced small waves with less wave energy. In addition, it was concluded that increasing engine horsepower may slightly reduce wave size from boats of v-hull configuration.

A DNR regulation allowing the use motors of up to and including 50 horsepower in the Kenai River Special Management Area (KRSMA) where outboard motors are allowed is anticipated to become effective beginning in 2008. In addition, in 2008 and 2009 all power boats operating in the KRSMA during July would be required to use either four-stroke or direct fuel injection two-stroke motors. Beginning January 1, 2010 the DNR regulation would require all power boats operating in the KRSMA to use either four-stroke or DFI two-stroke motors the entire year. These new outboard motor type restrictions aim to reduce hydrocarbon concentrations in the Kenai River that have been in excess of the Department of Environmental Conservation standard of 10 parts per billion during peak use in July.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: The department believes that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 289 - 5 AAC 57.121. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area.

PROPOSED BY: Richard Hahn

WHAT WOULD THE PROPOSAL DO? This proposal would phase in, over a six year period, drift boat only fishing on the Kenai River for the month of July by 2013, as well as phasing in elimination of two stroke outboard motors by 2010.

WHAT ARE THE CURRENT REGULATIONS? Downstream from the outlet of Skilak Lake, no one may fish from an ADNR-Parks registered guide vessel on any Sunday or Monday during May, June and July (except Memorial Day).

Downstream from the outlet of Skilak Lake, no one may fish from any motorized vessel on Mondays (except Memorial Day) during May, June and July. For purposes of this regulation, a motorized vessel is one that has a motor on board.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Fishing opportunity for power boat anglers on the Kenai River would be restricted by an additional day every year until no anglers would be allowed to fish from power boats during July starting in 2013. This proposal would reduce the level of participation in the Kenai River late-run king salmon fishery. Conflict related to issues such as; congestion on the river, hydrocarbon emissions, bank erosion, and poor quality of the angling experience could be reduced at the expense of king salmon harvest opportunity for anglers that fish from power boats. King salmon fishing effort and harvest would be lower initially. Effort and harvest may increase in the future if more anglers adapt to the new drift boat regulations.

BACKGROUND: An impressive number of seasonal and river-reach-specific boat fishing restrictions have been implemented over the past 20 years that address many of the issues described in this proposals. Prior to the 2002 season, fishing on Mondays in May and June was prohibited from any vessel. In February 2002, the board allowed fishing on Mondays from unguided non-motorized vessels. This proposal is asking for additional relief from erosion caused by boat wakes and hydrocarbon pollution caused by outboard motor emissions.

The Department of Natural Resources (DNR) and the Army Corps of Engineers have completed studies to better understand the effect of boat wakes on Kenai River channel morphology and also between boat hull design, engine horsepower, weight loading and the size and speed of the wake generated by the configurations of these variables. Results of these studies concluded that the Kenai River was maintaining a natural channel and that boats of v-hull configuration with heavy loads generated the largest waves as well as wave energy, while boats of flat-bottomed configuration produced small waves with less wave energy. In addition, it was concluded that increasing engine horsepower may slightly reduce wave size from boats of v-hull configuration.

A DNR regulation allowing the use motors of up to and including 50 horsepower in the Kenai River Special Management Area (KRSMA) where outboard motors are allowed is anticipated to become effective beginning in 2008. In addition, in 2008 and 2009 all power boats operating in the KRSMA during July would be required to use either four-stroke or direct fuel injection two-stroke motors. Beginning January 1, 2010 the DNR regulation would require all power boats operating in the KRSMA to use either four-stroke or DFI two-stroke motors the entire year. These new outboard motor type restrictions aim to reduce hydrocarbon concentrations in the Kenai River that have been in excess of the Department of Environmental Conservation standard of 10 parts per billion during peak use in July.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: The department believes that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 290 - 5 AAC 57.121. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area.

PROPOSED BY: John McCombs

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit fishing from motorized vessels on the Kenai River for three years until pollution levels subside and the boat wake study is completed.

WHAT ARE THE CURRENT REGULATIONS? Downstream from the outlet of Skilak Lake, no one may fish from an ADNR-Parks registered guide vessel on any Sunday or Monday during May, June and July (except Memorial Day).

Downstream from the outlet of Skilak Lake, no one may fish from any motorized vessel on Mondays (except Memorial Day) during May, June and July. For purposes of this regulation, a motorized vessel is one that has a motor on board.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Fishing opportunity for power boat anglers on the Kenai River would be restricted completely. This proposal would reduce the level of participation in all Kenai River sport fisheries for all species by a substantial amount. Conflicts related to river user crowding, hydrocarbon emissions, angler competition, and quality of the angling experience would be reduced at the expense of angling opportunity for a large portion of the Kenai River angling public.

BACKGROUND: An impressive number of seasonal and river-reach-specific boat fishing restrictions have been implemented over the past 20 years that address many of the issues described in this proposals. Prior to the 2002 season, fishing on Mondays in May and June was prohibited from any vessel. In February 2002, the board allowed fishing on Mondays from unguided non-motorized vessels. This proposal is asking for additional relief from erosion caused by boat wakes and hydrocarbon pollution caused by outboard motor emissions.

The Department of Natural Resources (DNR) and the Army Corps of Engineers have completed studies to better understand the effect of boat wakes on Kenai River channel morphology and also between boat hull design, engine horsepower, weight loading and the size and speed of the wake generated by the configurations of these variables. Results of these studies concluded that the Kenai River was maintaining a natural channel and that boats of v-hull configuration with heavy loads generated the largest waves as well as wave energy, while boats of flat-bottomed configuration produced small waves with less

wave energy. In addition, it was concluded that increasing engine horsepower may slightly reduce wave size from boats of v-hull configuration.

A DNR regulation allowing the use motors of up to and including 50 horsepower in the Kenai River Special Management Area (KRSMA) where outboard motors are allowed is anticipated to become effective beginning in 2008. In addition, in 2008 and 2009 all power boats operating in the KRSMA during July would be required to use either four-stroke or direct fuel injection two-stroke motors. Beginning January 1, 2010 the DNR regulation would require all power boats operating in the KRSMA to use either four-stroke or DFI two-stroke motors the entire year. These new outboard motor type restrictions aim to reduce hydrocarbon concentrations in the Kenai River that have been in excess of the Department of Environmental Conservation standard of 10 parts per billion during peak use in July.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: The department believes that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 291 - 5 AAC 57.121. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area.

PROPOSED BY: Richard Hahn

WHAT WOULD THE PROPOSAL DO? This proposal would phase in, over a three year period, the elimination of two stroke outboard motors by 2010. Two stroke outboard motors would be restricted during July in 2008 and 2009. By 2010, two stroke outboard motors would be banned on the Kenai River.

WHAT ARE THE CURRENT REGULATIONS? There are no regulations prohibiting the use of two stroke motors on the Kenai River.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? A major source of hydrocarbon pollution in the lower Kenai River would be eliminated by 2010 resulting in an undetermined decline in hydrocarbon levels in the lower Kenai River. It would provide a phase-out period for two-stroke motors and allow two-stroke outboard owners a two year period to participate fully in the fishery without restriction before compliance would become mandatory. This proposal may prevent or limit some individuals from participating in the sport fishery if they do not have a vessel equipped with a four-stroke or DFI two-stroke motor.

BACKGROUND: In 1984, legislation created the Kenai River Special Management Area (KRSMA) with management assigned to the Department of Natural Resources, Division

of Parks and Outdoor Recreation (DPOR). The KRSMA includes Kenai and Skilak Lakes and the entire river system downstream to river mile 4, near the Warren Ames Bridge.

Data collected from 2000-2006 indicates that the State Water Quality Standards of 10 parts per billion total aqueous hydrocarbons were consistently exceeded each summer with a direct correlation between the levels of hydrocarbons and the number of motorized vessels, especially when two-stroke motors constitute a large percentage of the vessels. In 2006, the Alaska Department of Environmental Conservation (DEC) listed the lower 19 miles of the Kenai River as a Category 5 impaired waterbody for petroleum hydrocarbon pollution exceeding state water quality standards.

ADF&G, DEC, & DNR have been working together to put controls in place that will bring the waterbody back into compliance with state water quality standards. DNR has proposed to adopt regulation changes in Title 11 of the Alaska Administrative Code dealing with boat and motor restrictions in the KRSMA. The proposed regulations are planned to take effect beginning in 2008, requiring all power boats operating in the KRSMA during July to use either four-stroke or DFI two-stroke motors. Also proposed is beginning January 1, 2010 all power boats operating in the KRSMA must have either four-stroke or DFI two-stroke motors year round.

DEPARTMENT COMMENTS: The department recommends **NO ACTION** on this proposal. It is anticipated that the two stroke outboard motor use on the Kenai River will be restricted beginning in 2008.

COST ANALYSIS: The department believes that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 292 - 5 AAC 57.121. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area; and 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.

PROPOSED BY: Andy Szczensy

WHAT WOULD THE PROPOSAL DO? This proposal would require the use of four stroke or direct fuel injected outboard motors on vessels operated in the sport and personal use fishery on the Kenai River.

WHAT ARE THE CURRENT REGULATIONS? There are no regulations prohibiting the use of two stroke motors on the Kenai River.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? A major source of hydrocarbon pollution in the lower Kenai River would be eliminated by 2010 resulting in an undetermined decline in hydrocarbon levels in the lower Kenai River. It would provide a phase-out period for two-stroke motors and allow two-stroke outboard

owners a two year period to participate fully in the fishery without restriction before compliance would become mandatory. This proposal may prevent or limit some individuals from participating in the sport fishery if they do not have a vessel equipped with a four-stroke or DFI two-stroke motor.

BACKGROUND: In 1984, legislation created the Kenai River Special Management Area (KRSMA) with management assigned to the Department of Natural Resources, Division of Parks and Outdoor Recreation (DPOR). The KRSMA includes Kenai and Skilak Lakes and the entire river system downstream to river mile 4, near the Warren Ames Bridge.

Data collected from 2000-2006 indicates that the State Water Quality Standards of 10 parts per billion total aqueous hydrocarbons were consistently exceeded each summer with a direct correlation between the levels of hydrocarbons and the number of motorized vessels, especially when two-stroke motors constitute a large percentage of the vessels. In 2006, the Alaska Department of Environmental Conservation (DEC) listed the lower 19 miles of the Kenai River as a Category 5 impaired waterbody for petroleum hydrocarbon pollution exceeding state water quality standards.

ADF&G, DEC, & DNR have been working together to put controls in place that will bring the waterbody back into compliance with state water quality standards. DNR has proposed to adopt regulation changes in Title 11 of the Alaska Administrative Code dealing with boat and motor restrictions in the KRSMA. The proposed regulations are planned to take effect beginning in 2008, requiring all power boats operating in the KRSMA during July to use either four-stroke or DFI two-stroke motors. Also proposed is beginning January 1, 2010 all power boats operating in the KRSMA must have either four-stroke or DFI two-stroke motors year round.

DEPARTMENT COMMENTS: The department recommends **NO ACTION** on this proposal. It is anticipated that the two stroke outboard motor use on the Kenai River will be restricted beginning in 2008. In addition, Proposals 221 – 223 seek changes specific to the personal use fishery.

COST ANALYSIS: The department believes that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 293 - 5 AAC 57.121. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area

PROPOSED BY: Mel Erickson

WHAT WOULD THE PROPOSAL DO? This proposal would require the use of four stroke or direct fuel injected outboard motors on vessels operated in the sport fishery on the Kenai River.

WHAT ARE THE CURRENT REGULATIONS? There are no regulations prohibiting the use of two stroke motors on the Kenai River.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? A major source of hydrocarbon pollution in the lower Kenai River would be eliminated by 2010 resulting in an undetermined decline in hydrocarbon levels in the lower Kenai River. It would provide a phase-out period for two-stroke motors and allow two-stroke outboard owners a two year period to participate fully in the fishery without restriction before compliance would become mandatory. This proposal may prevent or limit some individuals from participating in the sport fishery if they do not have a vessel equipped with a four-stroke or DFI two-stroke motor.

BACKGROUND: In 1984, legislation created the Kenai River Special Management Area (KRSMA) with management assigned to the Department of Natural Resources, Division of Parks and Outdoor Recreation (DPOR). The KRSMA includes Kenai and Skilak Lakes and the entire river system downstream to river mile 4, near the Warren Ames Bridge.

Data collected from 2000-2006 indicates that the State Water Quality Standards of 10 parts per billion total aqueous hydrocarbons were consistently exceeded each summer with a direct correlation between the levels of hydrocarbons and the number of motorized vessels, especially when two-stroke motors constitute a large percentage of the vessels. In 2006, the Alaska Department of Environmental Conservation (DEC) listed the lower 19 miles of the Kenai River as a Category 5 impaired waterbody for petroleum hydrocarbon pollution exceeding state water quality standards.

ADF&G, DEC, & DNR have been working together to put controls in place that will bring the waterbody back into compliance with state water quality standards. DNR has proposed to adopt regulation changes in Title 11 of the Alaska Administrative Code dealing with boat and motor restrictions in the KRSMA. The proposed regulations are planned to take effect beginning in 2008, requiring all power boats operating in the KRSMA during July to use either four-stroke or DFI two-stroke motors. Also proposed is beginning January 1, 2010 all power boats operating in the KRSMA must have either four-stroke or DFI two-stroke motors year round.

DEPARTMENT COMMENTS: The department recommends **NO ACTION** on this proposal. It is anticipated that the two stroke outboard motor use on the Kenai River will be restricted beginning in 2008 and that will bring the waterbody back into compliance with state water quality standards hydrocarbon levels.

COST ANALYSIS: The department believes that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 294 - 5 AAC 57.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area; and 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.

PROPOSED BY: City of Kenai, Kenai Peninsula Borough, City of Soldotna

WHAT WOULD THE PROPOSAL DO? This proposal would regulate motorized use for both the king salmon sport fishery and the sockeye salmon personal use fishery during the month of July on the Kenai River that is fair and equal to all user groups. Solutions include, but are not limited to:

1. Changes in means and methods that limits motorized running time.
2. Limit the total number of motorized boats operating at any one time on the river with a complete phase out of non-direct fuel injected (DFI) 2-strokes.
3. Increase use of electric motors or drift boats.

WHAT ARE THE CURRENT REGULATIONS? Downstream from the outlet of Skilak Lake, no one may fish from an ADNR-Parks registered guide vessel on any Sunday or Monday during May, June and July (except Memorial Day).

Downstream from the outlet of Skilak Lake, no one may fish from any motorized vessel on Mondays (except Memorial Day) during May, June and July. For purposes of this regulation, a motorized vessel is one that has a motor on board.

Alaska State Parks Boating Regulation - No one may operate a boat on the Kenai River with an outboard motor or combination of outboard motors having a total prop shaft rating greater than 35 HP.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal primarily seeks to reduce hydrocarbon pollution in the lower Kenai River. It is presumed that action by the board would result in an undetermined decline in hydrocarbon levels in the lower Kenai River. Because the proposal presents a broad array of options, the department is unable to speculate on all the possible effects.

BACKGROUND: In 1984, legislation created the Kenai River Special Management Area (KRSMA) with management assigned to the Department of Natural Resources, Division of Parks and Outdoor Recreation (DPOR). The KRSMA includes Kenai and Skilak Lakes and the entire river system downstream to river mile 4, near the Warren Ames Bridge.

Data collected from 2000-2006 indicates that the State Water Quality Standards of 10 parts per billion total aqueous hydrocarbons were consistently exceeded each summer with a direct correlation between the levels of hydrocarbons and the number of motorized vessels, especially when two-stroke motors constitute a large percentage of the vessels. In 2006, the Alaska Department of Environmental Conservation (DEC) listed the lower 19 miles of the Kenai River as a Category 5 impaired waterbody for petroleum hydrocarbon pollution exceeding state water quality standards.

ADF&G, DEC, & DNR have been working together to put controls in place that will bring the waterbody back into compliance with state water quality standards. DNR has

proposed to adopt regulation changes in Title 11 of the Alaska Administrative Code dealing with boat and motor restrictions in the KRSMA. The proposed regulations are planned to take effect beginning in 2008, requiring all power boats operating in the KRSMA during July to use either four-stroke or DFI two-stroke motors. Also proposed is beginning January 1, 2010 all power boats operating in the KRSMA must have either four-stroke or DFI two-stroke motors year round.

DEPARTMENT COMMENTS: The department recommends **NO ACTION** on this proposal. It is anticipated that the two stroke outboard motor use on the Kenai River will be restricted beginning in 2008 and that will bring the waterbody back into compliance with state water quality standards hydrocarbon levels.

COST ANALYSIS: The department believes that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 295 - 5 AAC 57.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai River Drainage Area;

PROPOSED BY: Jeff Stephans

WHAT WOULD THE PROPOSAL DO? This proposal would regulate motorized use for fishing on the Kenai River to reduce hydrocarbon discharge. Solutions include, but are not limited to:

1. Less hours of fishing for guides each day.
2. More drift fishing only days.
3. No fishing from a boat while the engine is running.

WHAT ARE THE CURRENT REGULATIONS? Downstream from the outlet of Skilak Lake, no one may fish from an ADNR-Parks registered guide vessel on any Sunday or Monday during May, June and July (except Memorial Day).

Downstream from the outlet of Skilak Lake, no one may fish from any motorized vessel on Mondays (except Memorial Day) during May, June and July. For purposes of this regulation, a motorized vessel is one that has a motor on board.

Alaska State Parks Boating Regulation - No one may operate a boat on the Kenai River with an outboard motor or combination of outboard motors having a total prop shaft rating greater than 35 HP.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal primarily seeks to reduce hydrocarbon pollution in the lower Kenai River. It is presumed that action by the board would result in an undetermined decline in hydrocarbon levels in the lower Kenai River. Because the proposal presents a broad array of options, the department is unable to speculate on all the possible effects.

BACKGROUND: In 1984, legislation created the Kenai River Special Management Area (KRSMA) with management assigned to the Department of Natural Resources, Division of Parks and Outdoor Recreation (DPOR). The KRSMA includes Kenai and Skilak Lakes and the entire river system downstream to river mile 4, near the Warren Ames Bridge.

Data collected from 2000-2006 indicates that the State Water Quality Standards of 10 parts per billion total aqueous hydrocarbons were consistently exceeded each summer with a direct correlation between the levels of hydrocarbons and the number of motorized vessels, especially when two-stroke motors constitute a large percentage of the vessels. In 2006, the Alaska Department of Environmental Conservation (DEC) listed the lower 19 miles of the Kenai River as a Category 5 impaired waterbody for petroleum hydrocarbon pollution exceeding state water quality standards.

ADF&G, DEC, & DNR have been working together to put controls in place that will bring the waterbody back into compliance with state water quality standards. DNR has proposed to adopt regulation changes in Title 11 of the Alaska Administrative Code dealing with boat and motor restrictions in the KRSMA. The proposed regulations are planned to take effect beginning in 2008, requiring all power boats operating in the KRSMA during July to use either four-stroke or DFI two-stroke motors. Also proposed is beginning January 1, 2010 all power boats operating in the KRSMA must have either four-stroke or DFI two-stroke motors year round.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. It is anticipated that the two stroke outboard motor use on the Kenai River will be restricted beginning in 2008 and that will bring the waterbody back into compliance with state water quality standards hydrocarbon levels.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 296 - 5 AAC 57.121. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area.

PROPOSED BY: Matthew Hall

WHAT WOULD THE PROPOSAL DO? This proposal would maintain the current restriction of outboard motors to a maximum of 35 horsepower rating on the Kenai River, reduce days on the river open to guided fishing, and replace motorized days with drift boat only days.

WHAT ARE THE CURRENT REGULATIONS? Downstream from the outlet of Skilak Lake, no one may fish from an ADNRParks registered guide vessel on any Sunday or Monday during May, June and July (except Memorial Day).

Downstream from the outlet of Skilak Lake, no one may fish from any motorized vessel on Mondays (except Memorial Day) during May, June and July. For purposes of this regulation, a motorized vessel is one that has a motor on board.

Alaska State Parks Boating Regulation - No one may operate a boat on the Kenai River with an outboard motor or combination of outboard motors having a total prop shaft rating greater than 35 HP.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Fishing opportunity for power boat anglers on the Kenai River would be restricted completely. It would also reduce the number of days allowed for guided sport fishing downstream of Skilak Lake each week. This proposal would reduce the level of participation in all Kenai River sport fisheries for all species by a substantial amount. Conflicts related to river user crowding, hydrocarbon emissions, angler competition, and quality of the angling experience would be reduced – at the expense of angling opportunity for a large portion of the Kenai River angling public.

This proposal would have no effect on the horsepower limitation regulation in Title 11 of the Alaska Administrative Code (11 AAC 20.860. Boat Motor Use).

BACKGROUND: The Kenai River Comprehensive Management Plan was developed by the Department of Natural Resources (DNR) in 1986 forming the basis for the management actions and management of state lands and waters within the Kenai River Special Management Area and other state land within the planning boundaries of this management plan. The management plan restricted the total horsepower rating for outboard motors used on the Kenai River to 50 horsepower in 1986. DNR regulations were passed prior to the summer of 1987 further reducing the maximum horsepower rating for outboard motors on the Kenai River to 35 horsepower. Establishing the 35 horsepower outboard motor limit was in response to the growth of the sport fishery on the Kenai River and issues involving safety, crowding, and bank erosion due to vessel wakes. The DNR regulation restricting the use of outboards to 35 horsepower or less on the Kenai River remains in effect for that portion of the river from the Warren Ames Bridge upstream to just above river mile 47.

A DNR regulation allowing the use motors of up to and including 50 horsepower in the Kenai River Special Management Area (KRSMA) where outboard motors are allowed is anticipated to become effective beginning in 2008. In addition, in 2008 and 2009 all power boats operating in the KRSMA during July would be required to use either four-stroke or direct fuel injection two-stroke motors. Beginning January 1, 2010 the DNR regulation would require all power boats operating in the KRSMA to use either four-stroke or DFI two-stroke motors the entire year. These new outboard motor type restrictions aim to reduce hydrocarbon concentrations in the Kenai River that have been in excess of the Department of Environmental Conservation standard of 10 parts per billion during peak use in July.

DEPARTMENT COMMENTS: The department recommends **NO ACTION** on modifying the horsepower portion of this proposal and is **NEUTRAL** on the allocative aspects of limiting guides and powerboats. Changes to the horsepower regulation would need to go before the Department of Natural Resources.

COST ANALYSIS: The department believes that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 297 - 5 AAC 57.121. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area.

PROPOSED BY: John Egan

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit king salmon fishing from boats for a 48 hour period each week from 6:00 am on Wednesdays to 6:00 am on Fridays from June 25 to July 31. The intent of the proposal is to allow more king salmon to migrate upstream for middle river anglers to fish.

WHAT ARE THE CURRENT REGULATIONS? Sport fishing in the Kenai River is allowed 24-hours a day for unguided anglers, and Tuesday through Saturday from 6am to 6pm for guided anglers.

Downstream from the outlet of Skilak Lake, no one may fish from an ADNR-Parks registered guide vessel on any Sunday or Monday during May, June and July (except Memorial Day).

Downstream from the outlet of Skilak Lake, no one may fish from any motorized vessel on Mondays (except Memorial Day) during May, June and July. For purposes of this regulation, a motorized vessel is one that has a motor on board.

During May, June and July, sport fishing from a registered guide vessel downstream of Skilak Lake is permitted only from 6:00 a.m. to 6:00 p.m.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would likely reduce angling effort, harvest and catch by some unknown amount. Weekly angling opportunity would be reduced by 40% for guided anglers and 29% for unguided anglers. The reduced opportunity would likely increase effort and congestion on days when fishing is allowed. This proposal may move more fish and anglers into the middle portion of the Kenai River.

BACKGROUND: Over the past two decades the Board of Fisheries has continually addressed regulations intended to restrict angling harvest of king salmon by reducing guided angling effort, provide non-guided anglers with hours free of competition with

guided anglers and control angler congestion on the Kenai River. In 1985 the board adopted the regulation restricting guided sport fishing from 6:00 am to 6:00 pm.

The numbers of king salmon available to inriver anglers and the harvest rates have remained relatively stable through time. Currently, in areas of the Kenai River drainage open to king salmon fishing there are no hourly restrictions for non-guided anglers hence non-guided anglers may fish throughout the area open to king salmon fishing

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. This proposal is a social and allocative issue between different users of the river.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 298 - 5 AAC 57.140. Kenai River guiding and guided fishing requirements in the Kenai River drainage area.

PROPOSED BY: Rod and Randy Berg

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit non-resident anglers from fishing from a vessel between 6:00 pm and 6:00 am on the Kenai River from June 1 to July 31 unless accompanied by a relative with second degree of kindred who is a resident Alaskan.

WHAT ARE THE CURRENT REGULATIONS? During May, June and July, sport fishing from a registered guide vessel downstream of Skilak Lake is permitted only from 6:00 a.m. to 6:00 p.m. In addition, downstream of the outlet of Skilak Lake, a person may not sport fish from a registered guide vessel on any Sunday from May 1 through July 31

On any Monday in May through July, except for Memorial Day, a person may not fish from a boat in the portion of the Kenai River from the outlet of Skilak Lake to the mouth of the river, except that unguided sport fishing from a non-motorized vessel is allowed on Mondays in May through July.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would decrease an unguided, nonresident angler's opportunity to fish from a boat for king salmon during June and July by an unknown amount. Catch and harvest of king salmon and resident species by nonresident anglers who do not fish with a relative that is an Alaskan resident would likely decrease by an undetermined amount as a result of this decreased opportunity. It is unknown if this proposal would be effective at discouraging illegal guide activities.

BACKGROUND: In 2003, the BOF adopted a regulation that prohibited nonresident anglers from fishing from a boat in the Kenai River during May and June between the hours of 6:00 p.m. and 6:00 a.m. This regulation was adopted to: 1) effectively allocate

more opportunity to resident anglers targeting early-run king salmon and 2) discourage illegal guiding activities in the Kenai River. The board rescinded this regulation in 2005. There is a level of illegal guiding on the Kenai River, but the extent is not known.

The second degree of kindred requirement works well in big game hunting by nonresidents because the wildlife Troopers only come across it once in a while. Therefore the volume of checking to see if two people are related is low and manageable for hunting.

On the Kenai River there would potentially be quite a few nonresidents on the river in the evenings and mornings claiming that their partner is related and the workload for rangers and troopers would increase dramatically if they wanted to verify very many of the claims. Also, if passed as written, it appears that guides could take nonresident family members fishing while friends of nonresidents could not.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. The sheer numbers involved for enforcement may make this proposal very difficult for enforcement officers and thus have little effect on compliance.

COST ANALYSIS:

The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 299 - 5 AAC 57.121. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area.

PROPOSED BY: James Karl Johnson

WHAT WOULD THE PROPOSAL DO? This proposal would open waters currently closed to fishing from a boat in the Kenai River below the Soldotna Bridge during the king salmon season.

WHAT ARE THE CURRENT REGULATIONS? Slikok Creek Closure: The Kenai River, from ADF&G markers about 300 yards downstream of the mouth of Slikok Creek, upstream to ADF&G markers about 100 yards upstream from the mouth of Slikok Creek, is a fly-fishing-only water and is closed to king salmon fishing and fishing from boats January 1 through July 14.

Centennial Campground Closure: From May 15 to the end of the king salmon season (or July 31, whichever is later), the Kenai River from ADF&G markers 250 yd downstream from the upper breakwater at the Centennial Campground boat launch upstream to the Sterling Highway bridge in Soldotna is closed to fishing from boats.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would increase the area open to anglers fishing from a boat by an addition river mile. The Slikok Creek stock of king salmon would have no sanctuary for staging before their migration upstream, and would be in jeopardy of overexploitation, as that particular stock is small. Social problems may develop due to boat traffic congestion and conflict between shore-based and boat anglers in the area around Centennial Campground.

BACKGROUND: The Board of Fisheries adopted the seasonal closed-water regulations which restrict fishing in the confluence areas of Slikok Creek, Funny River and the Killey River at the request of the department during the November 1996 meeting. Information gathered during several tagging and radio-telemetry studies conducted by the department and other resource agencies indicate that some early-run king salmon may hold in confluence areas or the mainstem until mid-July before ascending tributaries to spawn.

The riverbank area along the City of Soldotna's Centennial Park Campground is one of the few areas on the Kenai River where shore-based anglers consistently fish for king salmon from shore. It is also a relatively intensive boat launch area with several hundred boats utilizing the launch facility daily during the peak weeks of the fishing season.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The Slikok Creek stock of king salmon would have no sanctuary area for staging before their migration upstream and would be in jeopardy of overexploitation.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 300 - 5 AAC 57.xxx. New regulation.

PROPOSED BY: James Karl Johnson

WHAT WOULD THE PROPOSAL DO? This proposal would require all powerboat operators to pass an Alaska powerboat operators course before operating a powerboat on the Kenai River.

WHAT ARE THE CURRENT REGULATIONS? No course for powerboat operation is required for non-commercial boat operators for any water body in the state of Alaska.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would reduced fishing opportunity for powerboat anglers that have not passed a proposed powerboat operators class specific for the Kenai River. It is unknown whether or not boating safety would be improved.

BACKGROUND: Department of Natural Resources State Parks Division is the regulating agency that would submit the proposal to require a boating safety course for all river users, not just anglers fishing from a vessel. Questions arise as to who would offer

the class, when the classes would be offered, and where the classes would be conducted. The Alaska Department of Fish and Game working with the Department of Natural Resources Office of Boating Safety has inserted the Alaska State Parks boating regulations on the mainstem Kenai River as well as other boat safety reminders into the Southcentral Alaska sport fishing regulations summary booklet over the past several years.

DEPARTMENT COMMENTS: The department recommends **NO ACTION** on this proposal. Board action to require a boater safety course to operate a boat on the Kenai River for all boaters is not within the authority of the board.

COST ANALYSIS: The department believes that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 301 - 5 AAC 57.123. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Upper Section of the Kenai River Drainage Area.

PROPOSED BY: Cooper Landing Fish and Game Advisory Council

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit the use of outboard motors from a marker ¼ mile above the Sterling Highway Bridge near Kenai Lake and the "drift only" marker just upstream of the Princess Rapids.

WHAT ARE THE CURRENT REGULATIONS? The drift only area of the Upper Kenai River occurs at the inlet of the Upper Kenai River into Skilak Lake upstream to river mile 80.7 of the Upper Kenai River. Upstream of RM 80.7 to RM 82.0 there is a unrestricted horsepower, 5 miles per hour maximum, no wake area.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would prevent drift boats from using a motor to make multiple trips back upstream to fish a certain stretch of river. This would also reduce fishing opportunity of powerboat anglers in a two mile stretch of the Upper Kenai River.

BACKGROUND: Under a drift only regulation fishing from a vessel with a motor on board is allowed however the motor may not be operated in drift only waters. The drift boat only regulation prohibits fishing from a vessel with a motor on board. The area upstream of RM 80.7 contains a boat launch from where powerboat anglers access Kenai Lake. In addition, float planes (private and commercial) use this area for taxi, take-off and landing. Drift boats with motors on board launch to fish the upstream area adjacent to the Sterling Highway Bridge as well as float downstream to Skilak Lake where motors may be used. This area was established in the DNR Division of Parks and Outdoor Recreation in the Kenai River Comprehensive Management Plan in 1997 to focus the motor boat fishery to the developed Cooper Landing section (RM 80.7-RM 82.0) of the Upper Kenai River.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. The department does not have information on the number of boats drifting downstream and motoring upstream to repeatedly fish the 1.3 miles of river identified by the proposal.

COST ANALYSIS:

The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

GUIDES – KENAI & KASILOF RIVERS

PROPOSAL 302 - 5 AAC 57.140. Kenai River guiding and guided fishing requirements in the Kenai River Drainage Area.

PROPOSED BY: Ted Wellman

WHAT WOULD THE PROPOSAL DO? This proposal would institute a limited entry program for sport fishing guides on the Kenai and Kasilof Rivers.

WHAT ARE THE CURRENT REGULATIONS? There are no regulations that provide for limited entry of sport fishing guides.

All sport fishing guide business owners and sport fishing guides are required to be licensed through the department. All guided fishing trips on both salt and fresh waters are required to be reported in a logbook and submitted to the department.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Sport fishing opportunity for guided anglers may be reduced by an unknown amount. Initially and depending on the number of guides allowed, it could lessen congestion on the Kenai River at times when both guided and non-guided anglers are allowed to fish. Thereafter, congestion on the Kenai River could return when non-guide anglers adapt to the new regulations. The cost of guided fishing may increase if the number of guides is limited or reduced.

BACKGROUND: In 1991 the Department of Natural Resources, Division of Parks and Outdoor Recreation, developed a proposal to limit the number of guides on the Kenai River. Under this proposal the long-term number of guides allowed to operate on the Kenai River was set at 250. The proposal was determined to be unconstitutional by the Attorney General of the State of Alaska and therefore was rescinded. The number of guides registered with the DNR operating on the Kenai River has grown from 301 registered guides in 1991 to 396 registered guides in 2007.

The sport fish guide industry provides residents and visitors opportunities to participate in Alaskan sport fisheries. These opportunities result in anglers being able to feed their families as well as contribute to the economies of Alaska's many coastal communities.

They also result in numerous job opportunities, both directly as owners of guide businesses and their employed guides and deckhands and indirectly as hotel owners tackle stores, and packaging services.

Allocation conflicts between unguided and guided fisheries and between commercial and guided fisheries are occurring. Examples include: Southeast Alaska king salmon, halibut, and Cook Inlet salmon. To address these conflicts various regulatory agencies are trying to "restrict" guide operations.

The BOF is doing this through a variety of means including, but not limited to, limiting days guided anglers can fish to limiting the number of guided anglers on a vessel. Other regulatory agencies, including the National Marine Fisheries Service and various federal and state land management agencies including the Alaska State Parks, are also limiting guide operations through federally-authorized limited entry programs or concessionaire permits, respectively. None of these programs however comprehensively address the root issue.

As a result these attempts cause instability in the sport fishing guide industry. For example, over a seven year period about 45% of the participants in the halibut charter fishery changed. These attempts also differentially impact anglers who rely on guide operations to access Alaska's fishery resources, many of whom are Alaskans.

DEPARTMENT COMMENTS: The department recommends **NO ACTION** on this proposal. A limited entry program likely requires legislative action to implement and the board does not have the statutory authority to institute a limited entry program on the Kenai River.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 303 - 5 AAC 57.140. Kenai River guiding and guided fishing requirements in the Kenai River Drainage Area.

PROPOSED BY: Warren Crawford

WHAT WOULD THE PROPOSAL DO? This proposal would modify existing Kenai River guide hours from 6:00 a.m. – 6:00 p.m., to 7:00 a.m. – 7:00pm.

WHAT ARE THE CURRENT REGULATIONS? During May, June and July, sport fishing from a registered guide vessel downstream of Skilak Lake is permitted only from 6:00 a.m. to 6:00 p.m. In addition, downstream of the outlet of Skilak Lake, a person may not sport fish from a registered guide vessel on any Sunday from May 1 through July 31

On any Monday in May through July, except for Memorial Day, a person may not fish from a boat in the portion of the Kenai River from the outlet of Skilak Lake to the mouth

of the river, except that unguided sport fishing from a non-motorized vessel is allowed on Mondays in May through July.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Guided anglers would start and stop fishing one hour later. It is unlikely that there would be any measurable affect on effort, catch, and harvest of king salmon.

BACKGROUND: Since 1985, during June and July, sport fishing from registered guide vessels has been permitted only from 6:00 a.m. to 6:00 p.m. (except for the years 1986 – 1988 when during July the time was 7:00 a.m. to 7:00 p.m.). In 2000, the daily time restrictions were extended to include the month of May. Guided anglers are also restricted from fishing on the Kenai River, downstream of Skilak Lake, from a registered guide vessel on Sundays or Mondays in May through July (except Memorial Day). These regulations are intended to restrict angling harvest of king salmon by reducing guided angling effort, provide non-guided anglers with hours free of competition with guided anglers, and control angler congestion on the Kenai River.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. This proposal addresses a social issue between guided and unguided anglers for fishing opportunity.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 304 - 5 AAC 57.140. Kenai River guiding and guided fishing requirements in the Kenai River Drainage Area.

PROPOSED BY: Kenai Area Fishermen's Coalition

WHAT WOULD THE PROPOSAL DO? This proposal would modify existing Kenai River guide hours from 6:00 a.m. – 6:00 p.m., to 7:00 a.m. – 7:00p.m.

WHAT ARE THE CURRENT REGULATIONS? During May, June and July, sport fishing from a registered guide vessel downstream of Skilak Lake is permitted only from 6:00 a.m. to 6:00 p.m. In addition, downstream of the outlet of Skilak Lake, a person may not sport fish from a registered guide vessel on any Sunday from May 1 through July 31

On any Monday in May through July, except for Memorial Day, a person may not fish from a boat in the portion of the Kenai River from the outlet of Skilak Lake to the mouth of the river, except that unguided sport fishing from a non-motorized vessel is allowed on Mondays in May through July.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Guided anglers would start and stop fishing one hour later. It is unlikely that there would be any measurable affect on effort, catch, and harvest of king salmon.

BACKGROUND: Since 1985, during June and July, sport fishing from registered guide vessels has been permitted only from 6:00 a.m. to 6:00 p.m. (except for the years 1986 – 1988 when during July the time was 7:00 a.m. to 7:00 p.m.). In 2000, the daily time restrictions were extended to include the month of May. Guided anglers are also restricted from fishing on the Kenai River, downstream of Skilak Lake, from a registered guide vessel on Sundays or Mondays in May through July (except Memorial Day). These regulations are intended to restrict angling harvest of king salmon by reducing guided angling effort, provide non-guided anglers with hours free of competition with guided anglers, and control angler congestion on the Kenai River.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. This proposal addresses a social issue between guided and unguided anglers for fishing opportunity.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 305 - 5 AAC 57.140. Kenai River guiding and guided fishing requirements in the Kenai River Drainage Area.

PROPOSED BY: L.R. Anderson

WHAT WOULD THE PROPOSAL DO? Modify existing Kenai River guide hours from 6:00 a.m. – 6:00 p.m., to 8:00 a.m. – 8:00 p.m. during June and July.

WHAT ARE THE CURRENT REGULATIONS? During May, June and July, sport fishing from a registered guide vessel downstream of Skilak Lake is permitted only from 6:00 a.m. to 6:00 p.m. In addition, downstream of the outlet of Skilak Lake, a person may not sport fish from a registered guide vessel on any Sunday from May 1 through July 31

On any Monday in May through July, except for Memorial Day, a person may not fish from a boat in the portion of the Kenai River from the outlet of Skilak Lake to the mouth of the river, except that unguided sport fishing from a non-motorized vessel is allowed on Mondays in May through July.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Guided anglers would start and stop fishing two hours later. It is unlikely that there would be any measurable affect on effort, catch, and harvest of king salmon.

BACKGROUND: Since 1985, during June and July, sport fishing from registered guide vessels has been permitted only from 6:00 a.m. to 6:00 p.m. (except for the years 1986 – 1988 when during July the time was 7:00 a.m. to 7:00 p.m.). In 2000, the daily time restrictions were extended to include the month of May. Guided anglers are also restricted from fishing on the Kenai River, downstream of Skilak Lake, from a registered

guide vessel on Sundays or Mondays in May through July (except Memorial Day). These regulations are intended to restrict angling harvest of king salmon by reducing guided angling effort, provide non-guided anglers with hours free of competition with guided anglers, and control angler congestion on the Kenai River.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. This proposal addresses a social issue between guided and unguided anglers for fishing opportunity.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 306 - 5 AAC 57.140. Kenai River guiding and guided fishing requirements in the Kenai River Drainage Area.

PROPOSED BY: Warren Crawford

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit registered guide boats with clients on board from being on the Kenai River in a fishing hole until 5:50 a.m.

WHAT ARE THE CURRENT REGULATIONS? During May, June and July, sport fishing from a registered guide vessel downstream of Skilak Lake is permitted only from 6:00 a.m. to 6:00 p.m. In addition, downstream of the outlet of Skilak Lake, a person may not sport fish from a registered guide vessel on any Sunday from May 1 through July 31

There is a DNR regulation for the Kenai River Special Management Area (11 AAC 20.862 (b)) which states: "A person may not anchor a boat in the Kenai River Special Management Area in a manner obstructing a primary traffic channel or drift fishing channel of any section of the river between May 15 and July 31." There is no DNR regulation prohibiting a registered guide vessel from being on the water prior to 6:00 a.m.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Preventing guide boats from staging in fishing areas prior to the start of fishing until ten minutes before the start of guided fishing may provide a small amount of additional time unguided anglers and guided anglers are separated. The amount of staging in fishing holes by sport fishing guides is unknown.

BACKGROUND: Since 1985, during June and July, sport fishing from registered guide vessels has been permitted only from 6:00 a.m. to 6:00 p.m. (except for the years 1986 – 1988 when during July the time was 7:00 a.m. to 7:00 p.m.). In 2000, the daily time restrictions were extended to include the month of May. Guided anglers are also restricted from fishing on the Kenai River, downstream of Skilak Lake, from a registered guide vessel on Sundays or Mondays in May through July (except Memorial Day). These regulations are intended to restrict angling harvest of king salmon by reducing guided

angling effort, provide non-guided anglers with hours free of competition with guided anglers, and control angler congestion on the Kenai River.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. This proposal addresses a social issue between guided and unguided anglers for fishing opportunity.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 307 - 5 AAC 57.140. Kenai River guiding and guided fishing requirements in the Kenai River Drainage Area.

PROPOSED BY: Kenai River Fishermen's Coalition

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit registered guide boats with clients on board from being on the Kenai River until 5:30 a.m.

WHAT ARE THE CURRENT REGULATIONS? During May, June and July, sport fishing from a registered guide vessel downstream of Skilak Lake is permitted only from 6:00 a.m. to 6:00 p.m. In addition, downstream of the outlet of Skilak Lake, a person may not sport fish from a registered guide vessel on any Sunday from May 1 through July 31

There is a DNR regulation for the Kenai River Special Management Area (11 AAC 20.862 (b)) which states: "A person may not anchor a boat in the Kenai River Special Management Area in a manner obstructing a primary traffic channel or drift fishing channel of any section of the river between May 15 and July 31." There is no DNR regulation prohibiting a registered guide vessel from being on the water prior to 6:00 a.m.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted, it would be reasonable to expect a reduction in time fished by guided boat anglers and a reduction in total guided angler catch and harvest by a small amount. Some guided vessels travel over 30 minutes from boat launches, lodges, etc. to transport anglers to and from the fishing grounds.

BACKGROUND: Since 1985, during June and July, sport fishing from registered guide vessels has been permitted only from 6:00 a.m. to 6:00 p.m. (except for the years 1986 – 1988 when during July the time was 7:00 a.m. to 7:00 p.m.). In 2000, the daily time restrictions were extended to include the month of May. Guided anglers are also restricted from fishing on the Kenai River, downstream of Skilak Lake, from a registered guide vessel on Sundays or Mondays in May through July (except Memorial Day). These regulations are intended to restrict angling harvest of king salmon by reducing guided angling effort, provide non-guided anglers with hours free of competition with guided anglers, and control angler congestion on the Kenai River.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. This proposal addresses the allocative issues of angler crowding, fishing aesthetics, and competition between guided and unguided anglers for fishing opportunity.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 308 - 5 AAC 57.121. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area; and 5 AAC 57.140. Kenai River guiding and guided fishing requirements in the Kenai River Drainage Area.

PROPOSED BY: Dwight Kramer

WHAT WOULD THE PROPOSAL DO? This proposal would separate guided and non-guided users on the Kenai River by time and day during the month of July as follows:

Monday – unguided anglers only, no power boats(drift only). 24 hrs.

Tuesday – guided anglers only, no power boats(drift only). 24 hrs.

All other days, for fishing from a boat –

- Odd numbered days, guided anglers from 1:00 a.m. to 11:00 a.m., unguided anglers from 1:00 p.m. to 11:00 p.m.
- Even numbered days, unguided anglers from 1:00 a.m. to 11:00 a.m., guided anglers from 1:00 p.m. to 11:00 p.m.

WHAT ARE THE CURRENT REGULATIONS? During May, June and July, sport fishing from a registered guide vessel downstream of Skilak Lake is permitted only from 6:00 a.m. to 6:00 p.m. In addition, downstream of the outlet of Skilak Lake, a person may not sport fish from a registered guide vessel on any Sunday from May 1 through July 31

On any Monday in May through July, except for Memorial Day, a person may not fish from a boat in the portion of the Kenai River from the outlet of Skilak Lake to the mouth of the river, except that unguided sport fishing from a non-motorized vessel is allowed on Mondays in May through July.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Guided and non-guided anglers would not occupy the Kenai River concurrently while fishing, as both users would have specific times in which they could fish. Using July of 2007 as an example, guided anglers would have had a net gain of 78 hours of fishing opportunity. Conversely, unguided anglers would have had a net loss of 424 hours of fishing opportunity. The end result however, would be that both user groups have equal fishing opportunity on the Kenai River. It would create regulatory complexity and require all anglers to schedule fishing within dates and hours of the days allowed only by regulation. There are likely numerous unintended consequences that are immeasurable in this large-scale reconfiguration of the Kenai River fishery.

BACKGROUND: Since 1985, during June and July, sport fishing from registered guide vessels has been permitted only from 6:00 a.m. to 6:00 p.m. (except for the years 1986 – 1988 when during July the time was 7:00 a.m. to 7:00 p.m.). In 2000, the daily time restrictions were extended to include the month of May. Guided anglers are also restricted from fishing on the Kenai River, downstream of Skilak Lake, from a registered guide vessel on Sundays or Mondays in May through July (except Memorial Day). These regulations are intended to restrict angling harvest of king salmon by reducing guided angling effort, provide non-guided anglers with hours free of competition with guided anglers, and control angler congestion on the Kenai River.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. This proposal addresses the allocative issues of angler crowding, fishing aesthetics, and competition between guided and unguided anglers for fishing opportunity.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 309 - 5 AAC 57.140. Kenai River guiding and guided fishing requirements in the Kenai River Drainage Area.

PROPOSED BY: L.R. Anderson

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit fishing from registered guide vessels on Thursdays in June and July.

WHAT ARE THE CURRENT REGULATIONS? During May, June and July, sport fishing from a registered guide vessel downstream of Skilak Lake is permitted only from 6:00 a.m. to 6:00 p.m. In addition, downstream of the outlet of Skilak Lake, a person may not sport fish from a registered guide vessel on any Sunday from May 1 through July 31

On any Monday in May through July, except for Memorial Day, a person may not fish from a boat in the portion of the Kenai River from the outlet of Skilak Lake to the mouth of the river, except that unguided sport fishing from a non-motorized vessel is allowed on Mondays in May through July.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted, this proposal would add another day to the two existing days sport fishing from a registered vessel is prohibited during June, and July. Restricting fishing from a registered guide vessel on Thursdays would reduce guided boat angler fishing opportunity by 20% on the Kenai River. This reduction would likely reduce the overall guided boat angler salmon catch and harvest by some undetermined amount. Initially it would provide non-guided anglers additional fishing opportunity with less congestion, thereafter it would be likely that more non-guided fishing activity would occur once the public adapted to the new regulation.

BACKGROUND: Exploitation rates in the recreational harvest during the early-run average about 32% and the average total exploitation rate, including commercial harvest, for the late-run is approximately 48%. As a result, the board has adopted management plans structured to constrain the harvest of these king salmon stocks to sustainable levels while still providing for fishing opportunity. The management guidelines that the board has adopted through the years have closed specific areas of the river to all fishing, restricted certain areas of the river to shore fishing only, and imposed time and date closures for all guided anglers. In addition, the board has continued to address the harvest disparity that exists between guided and unguided anglers and resident and nonresident anglers within the Kenai River king salmon sport fishery.

To create more parity between guided and unguided harvest and effort, the board placed daily time restrictions on guided anglers. Beginning in 1985, during June and July, sport fishing from registered guide vessels has been permitted only from 6:00 a.m. to 6:00 p.m. (except for the years 1986 – 1988 when during July the time was 7:00 a.m. to 7:00 p.m.). Since the early 1980's, guides have been prohibited from sport fishing while clients were present. Subsequent meetings have resulted in further restrictions placed upon guides and the guided angler.

In 2000, the daily time restrictions were extended to include the month of May. Guided anglers are also restricted from fishing on the Kenai River, downstream of Skilak Lake, from a registered guide vessel on Sundays or Mondays in May through July (except Memorial Day). These regulations are intended to restrict sport harvest of king salmon by reducing guided angling effort, provide non-guided anglers with hours free of competition with guided anglers and control angler congestion on the Kenai River.

Preliminary estimates from the 2007 season reveal that guided anglers accounted for 73% (1,934) of the early-run king salmon harvested from the Kenai River below the Soldotna Bridge, while expending 64% of the total fishing effort. Guided anglers harvested 6,405 (69%) of the total estimated late-run harvest of the preliminary estimated late-run harvest of 9,258 king salmon harvested below the Soldotna Bridge. In the late-run guided anglers accounted for about 49% of the total king salmon fishing effort below the Soldotna Bridge. Over the past few years, from 2004 - 2007, guided anglers have accounted for an average of 73% of the total early-run harvest and 61% of the total late-run harvest while comprising 61% and 47% of the total early-and late-run fishing effort, respectively.

From 2004 – 2006 the average time to catch an early run king salmon was 14 hours for guided anglers and 24 hours for unguided anglers. During the late run guided anglers averaged a king salmon every 9 hours while the average for unguided anglers was a king salmon every 14 hours. During the 2007 early run, the average time to catch a king salmon for guided anglers was 15 hours compared to 27 hours for unguided anglers. For the late run on average guided anglers caught a king salmon every 16 hours, while the average for unguided anglers was 23 hours per king salmon.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 310 - 5 AAC 57.140. Kenai River guiding and guided fishing requirements in the Kenai River Drainage Area.

PROPOSED BY: L.R. Anderson

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit licensed Kenai River sport fishing guides from being in a vessel on the Kenai River that is anchored, drifting, moving, or under power with fishing lines in the water on Sundays in July.

WHAT ARE THE CURRENT REGULATIONS? During May, June and July, sport fishing from a registered guide vessel downstream of Skilak Lake is permitted only from 6:00 a.m. to 6:00 p.m. In addition, downstream of the outlet of Skilak Lake, a person may not sport fish from a registered guide vessel on any Sunday from May 1 through July 31

On any Monday in May through July, except for Memorial Day, a person may not fish from a boat in the portion of the Kenai River from the outlet of Skilak Lake to the mouth of the river, except that unguided sport fishing from a non-motorized vessel is allowed on Mondays in May through July.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? A licensed Kenai River sport fishing guide's opportunity to fish recreationally would be reduced by 50% in July. For example in July of 2007 fishing from a registered guide vessel was prohibited for a total of ten days. If adopted, this regulation may be difficult to enforce. It is unknown if this proposal would be effective at preventing illegal guide activities.

BACKGROUND: Since 1985, during June and July, sport fishing from registered guide vessels has been permitted only from 6:00 a.m. to 6:00 p.m. (except for the years 1986 – 1988 when during July the time was 7:00 a.m. to 7:00 p.m.). In 2000, the daily time restrictions were extended to include the month of May. Guided anglers are also restricted from fishing on the Kenai River, downstream of Skilak Lake, from a registered guide vessel on Sundays or Mondays in May through July (except Memorial Day). These regulations are intended to restrict angling harvest of king salmon by reducing guided angling effort, provide non-guided anglers with hours free of competition with guided anglers and control angler congestion on the Kenai River. There is some amount of illegal guiding on the Kenai River, but the extent is not known.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. Although the intent of this proposal is to stop or discourage guided fishing,

which is already prohibited on Sunday, no violations have been issued for guiding on a Sunday by The Alaska Wildlife Troopers or Department of Natural Resources.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 311 - 5 AAC 57.140. Kenai River guiding and guided fishing requirements in the Kenai River Drainage Area.

PROPOSED BY: Todd Moore

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit licensed Kenai River sport fishing guides from fishing on the Kenai River on Sundays.

WHAT ARE THE CURRENT REGULATIONS? During May, June and July, sport fishing from a registered guide vessel downstream of Skilak Lake is permitted only from 6:00 a.m. to 6:00 p.m. In addition, downstream of the outlet of Skilak Lake, a person may not sport fish from a registered guide vessel on any Sunday from May 1 through July 31

On any Monday in May through July, except for Memorial Day, a person may not fish from a boat in the portion of the Kenai River from the outlet of Skilak Lake to the mouth of the river, except that unguided sport fishing from a non-motorized vessel is allowed on Mondays in May through July.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? A licensed Kenai River sport fishing guide's opportunity to fish recreationally would be reduced by 50% in July. For example in July of 2007 fishing from a registered guide vessel was prohibited for a total of ten days. If adopted, this regulation may be difficult to enforce. It is unknown if this proposal would be effective at preventing illegal guide activities.

BACKGROUND: Since 1985, during June and July, sport fishing from registered guide vessels has been permitted only from 6:00 a.m. to 6:00 p.m. (except for the years 1986 – 1988 when during July the time was 7:00 a.m. to 7:00 p.m.). In 2000, the daily time restrictions were extended to include the month of May. Guided anglers are also restricted from fishing on the Kenai River, downstream of Skilak Lake, from a registered guide vessel on Sundays or Mondays in May through July (except Memorial Day). These regulations are intended to restrict angling harvest of king salmon by reducing guided angling effort, provide non-guided anglers with hours free of competition with guided anglers and control angler congestion on the Kenai River. There is some amount of illegal guiding on the Kenai River, but the extent is not known.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. Although the intent of this proposal is to stop or discourage guided fishing, which is already prohibited on Sunday, no violations have been issued for guiding on a Sunday by The Alaska Wildlife Troopers or Department of Natural Resources.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 312 - 5 AAC 57.140. Kenai River guiding and guided fishing requirements in the Kenai River Drainage Area.

PROPOSED BY: Kenai Area Fishermen's Coalition

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit licensed sport fishing guides from fishing from a boat on the Kenai River downstream of Skilak Lake during June and July during non-guide hours except with relatives who are within the second degree of kindred.

WHAT ARE THE CURRENT REGULATIONS? During May, June and July, sport fishing from a registered guide vessel downstream of Skilak Lake is permitted only from 6:00 a.m. to 6:00 p.m. In addition, downstream of the outlet of Skilak Lake, a person may not sport fish from a registered guide vessel on any Sunday from May 1 through July 31

On any Monday in May through July, except for Memorial Day, a person may not fish from a boat in the portion of the Kenai River from the outlet of Skilak Lake to the mouth of the river, except that unguided sport fishing from a non-motorized vessel is allowed on Mondays in May through July.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? A licensed sport fishing guide would not be able to fish, or be in a boat on the water with other people who are fishing on the Kenai River on Sundays, Mondays, and from Tuesday through Saturday from 6:00pm to 6:00am, unless the other people in the boat were of second degree of kindred. If adopted this regulation may be difficult to enforce. It is unknown if this proposal would be effective at preventing illegal guide activities.

BACKGROUND: Since 1985, during June and July, sport fishing from registered guide vessels has been permitted only from 6:00 a.m. to 6:00 p.m. (except for the years 1986 – 1988 when during July the time was 7:00 a.m. to 7:00 p.m.). In 2000, the daily time restrictions were extended to include the month of May. Guided anglers are also restricted from fishing on the Kenai River, downstream of Skilak Lake, from a registered guide vessel on Sundays or Mondays in May through July (except Memorial Day). These regulations are intended to restrict angling harvest of king salmon by reducing guided angling effort, provide non-guided anglers with hours free of competition with guided anglers, and control angler congestion on the Kenai River. There is some amount of illegal guiding on the Kenai River, but the extent is not known.

The second degree of kindred requirement works well in big game hunting by nonresidents because the wildlife Troopers only come across it once in a while.

Therefore the volume of checking to see if two people are related is low and manageable for hunting.

On the Kenai River there would potentially be almost 400 licensed guides on the river in the evenings and Sundays claiming that their partner is related and the workload of the rangers and the troopers would increase dramatically if they wanted to verify very many of the claims.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. The sheer numbers involved for enforcement may make this proposal very difficult for enforcement officers and thus have little effect on compliance.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 313 - 5 AAC 57.140. Kenai River guiding and guided fishing requirements in the Kenai River Drainage Area.

PROPOSED BY: Dwight Kramer

WHAT WOULD THE PROPOSAL DO? This proposal would limit Kenai River sport fishing guides to only one client or group of clients per day during July.

WHAT ARE THE CURRENT REGULATIONS? During May, June and July, sport fishing from a registered guide vessel downstream of Skilak Lake is permitted only from 6:00 a.m. to 6:00 p.m. In addition, downstream of the outlet of Skilak Lake, a person may not sport fish from a registered guide vessel on any Sunday or Monday from May 1 through July 31

During July, a vessel used for guided sport fishing on the Kenai River may not carry more than five persons, including the sport fishing guide, clients, and other passengers.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would essentially cap the maximum number of clients for a licensed guide per day at four. The catch, effort and harvest of king salmon by guided anglers may decline by an undetermined amount, initially. It could result in an increase in guide numbers as some operators may hire more guides to meet the demand.

BACKGROUND: Since 1985, during June and July, sport fishing from registered guide vessels has been permitted only from 6:00 a.m. to 6:00 p.m. (except for the years 1986 – 1988 when during July the time was 7:00 a.m. to 7:00 p.m.). In 2000, the daily time restrictions were extended to include the month of May. Guided anglers are also restricted from fishing on the Kenai River, downstream of Skilak Lake, from a registered guide vessel on Sundays or Mondays in May through July (except Memorial Day). These regulations are intended to restrict angling harvest of king salmon by reducing guided

angling effort, provide non-guided anglers with hours free of competition with guided anglers and control angler congestion on the Kenai River.

Sport fish guide logbook regulations require guides to complete a separate logbook data sheet for each unique trip. The number of Kenai River sport fishing guides who recorded 2 unique trips per day during the month of July was about 15% in both 2006 and 2007.

Beginning in 2002, guides operating on the Kasilof River were restricted to one group of clients per day and sport fishing from a registered guide vessel was prohibited during July downstream of the Sterling Highway Bridge.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 314 - 5 AAC 57.140. Kenai River guiding and guided fishing requirements in the Kenai River Drainage Area.

PROPOSED BY: L.R. Anderson

WHAT WOULD THE PROPOSAL DO? This proposal would limit Kenai River sport fishing guides to only one trip per day during June and July.

WHAT ARE THE CURRENT REGULATIONS? During May, June and July, sport fishing from a registered guide vessel downstream of Skilak Lake is permitted only from 6:00 a.m. to 6:00 p.m. In addition, downstream of the outlet of Skilak Lake, a person may not sport fish from a registered guide vessel on any Sunday or Monday from May 1 through July 31

During July, a vessel used for guided sport fishing on the Kenai River may not carry more than five persons, including the sport fishing guide, clients, and other passengers.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would essentially cap the maximum number of clients for a licensed guide per day at four. The catch, effort and harvest of king salmon by guided anglers may decline by an undetermined amount, initially. Thereafter it could result in an increase in guide numbers as some operators may hire more guides to meet the demand.

BACKGROUND: Since 1985, during June and July, sport fishing from registered guide vessels has been permitted only from 6:00 a.m. to 6:00 p.m. (except for the years 1986 – 1988 when during July the time was 7:00 a.m. to 7:00 p.m.). In 2000, the daily time restrictions were extended to include the month of May. Guided anglers are also restricted from fishing on the Kenai River, downstream of Skilak Lake, from a registered

guide vessel on Sundays or Mondays in May through July (except Memorial Day). These regulations are intended to restrict angling harvest of king salmon by reducing guided angling effort, provide non-guided anglers with hours free of competition with guided anglers and control angler congestion on the Kenai River.

Sport fish guide logbook regulations require guides to complete a separate logbook data sheet for each unique trip. The number of Kenai River sport fishing guides who recorded 2 unique trips per day was 164 guides. A unique trip is the number of guides that completed 2 logbook sheets in a day between which a majority or 3 of 4 clients (75%) were different from morning to afternoon.

Beginning in 2002, guides operating on the Kasilof River were restricted to one group of clients per day. Sport fishing from a registered guide vessel is prohibited during July on the Kasilof River downstream of the Sterling Highway Bridge.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 315 - 5 AAC 57.140. Kenai River guiding and guided fishing requirements in the Kenai River Drainage Area.

PROPOSED BY: Robert L. Ball Jr.

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit sport fishing guides from operating on both the Kenai River and Kasilof River on the same day.

WHAT ARE THE CURRENT REGULATIONS? During May, June and July, sport fishing from a registered guide vessel downstream of Skilak Lake is permitted only from 6:00 a.m. to 6:00 p.m. In addition, downstream of the outlet of Skilak Lake, a person may not sport fish from a registered guide vessel on any Sunday or Monday from May 1 through July 31

On the Kasilof River downstream of the Sterling Highway Bridge, a person may not sport fish from a registered guide vessel on any Sunday in July. In addition, during any one day from January 1 through July 31, a fishing guide may guide only that client group or group of clients initially guided by the fishing guide that day; different or additional clients may not be guided.

Sport fishing guides are required to register with the Department of Natural Resources and become licensed with the Department of Fish and Game before guiding anglers. All guided sport fishing trips on both salt and fresh waters are required to be reported in a logbook and submitted to the department.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The catch, effort and harvest of king and coho salmon by guided anglers may decline by an undetermined amount, initially. Thereafter it could result in an increase in guide numbers as some operators may hire more guides to meet the demand.

BACKGROUND: Since 1985, during June and July, sport fishing from registered guide vessels has been permitted only from 6:00 a.m. to 6:00 p.m. (except for the years 1986 – 1988 when during July the time was 7:00 a.m. to 7:00 p.m.). In 2000, the daily time restrictions were extended to include the month of May. Guided anglers are also restricted from fishing on the Kenai River, downstream of Skilak Lake, from a registered guide vessel on Sundays or Mondays in May through July (except Memorial Day). These regulations are intended to restrict angling harvest of king salmon by reducing guided angling effort, provide non-guided anglers with hours free of competition with guided anglers and control angler congestion on the Kenai River.

The number of guides that reported fishing on both the Kenai and Kasilof Rivers in the same year was 133 in 2006 and 128 in 2007. The number of guides that reported fishing on both the Kenai and Kasilof Rivers on the same day was 61 in 2006 and 47 in 2007. Beginning in 2002, guides operating on the Kasilof River were restricted to one group of clients per day and fishing from a registered guide vessel downstream of the Sterling Highway Bridge in July was prohibited.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 316 - 5 AAC 57.140. Kenai River guiding and guided fishing requirements in the Kenai River Drainage Area; 5 AAC 60.140. Freshwater guiding requirements for the Knik Arm Drainages Area; 5 AAC 61.140. Freshwater guiding requirements for the Susitna River Drainage Area; and 5 AAC 62.140. Freshwater guiding requirements for the West Cook Inlet Area.

PROPOSED BY: Dwight Kramer

WHAT WOULD THE PROPOSAL DO? This proposal would limit licensed sport fishing guides to only one client or group of clients per day in all Upper Cook Inlet freshwaters.

WHAT ARE THE CURRENT REGULATIONS? During May, June and July, sport fishing from a registered guide vessel downstream of Skilak Lake is permitted only from 6:00 a.m. to 6:00 p.m. In addition, downstream of the outlet of Skilak Lake, a person may

not sport fish from a registered guide vessel on any Sunday or Monday from May 1 through July 31

During July, a vessel used for guided sport fishing on the Kenai River may not carry more than five persons, including the sport fishing guide, clients, and other passengers.

On the Kasilof River during any one day from January 1 through July 31, a fishing guide may guide only that client group or group of clients initially guided by the fishing guide that day; different or additional clients may not be guided.

Elsewhere in Cook Inlet in all freshwaters of the West Cook Inlet area, Susitna River drainage Knik Arm area, Anchorage Bowl area as well as in saltwaters of the Early Run King Salmon Special Harvest Area there is no limit on the number of clients or groups of clients a fishing guide may guide each day.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would essentially cap the maximum number of clients for a licensed guide per day. The catch, effort and harvest by guided anglers may decline by an undetermined amount, initially. It could result in an increase in guide numbers as some operators may hire more guides to meet the demand.

BACKGROUND: Since 1985, during June and July, sport fishing from registered guide vessels has been permitted only from 6:00 a.m. to 6:00 p.m. (except for the years 1986 – 1988 when during July the time was 7:00 a.m. to 7:00 p.m.). In 2000, the daily time restrictions were extended to include the month of May. Guided anglers are also restricted from fishing on the Kenai River, downstream of Skilak Lake, from a registered guide vessel on Sundays or Mondays in May through July (except Memorial Day). These regulations are intended to restrict angling harvest of king salmon by reducing guided angling effort, provide non-guided anglers with hours free of competition with guided anglers and control angler congestion on the Kenai River.

Sport fish guide logbook regulations require guides to complete a separate logbook data sheet for each unique trip. The number of Kenai River sport fishing guides who recorded 2 unique trips per day during the month of July was about 15% in both 2006 and 2007.

Beginning in 2002, guides operating on the Kasilof River were restricted to one group of clients per day and sport fishing from a registered guide vessel was prohibited during July downstream of the Sterling Highway Bridge.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 317 - 5 AAC 57.140. Kenai River guiding and guided fishing requirements in the Kenai River Drainage Area.

PROPOSED BY: Robert L. Ball Jr.

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit sport fishing guides from operating on both the Kenai and Kasilof rivers from May through July. Each year guides would have to decide which river they would conduct operations on.

WHAT ARE THE CURRENT REGULATIONS? There are no regulations prohibiting sport fishing guides from operating on both the Kenai and Kasilof rivers.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Currently, guides may fish both rivers. During king salmon season a guide may take clients on a Kenai River power boat trip in the morning and a drift boat trip at the Kasilof River later that same day. On Monday's fishing from a registered guide vessel on the Kenai River is prohibited however it is allowed on the Kasilof River. Consequently, guides who typically fish the Kenai River may guide on the Kasilof River on Mondays. Moreover, some guides may fish the Kasilof River exclusively during the early-run king salmon fishery through June 30 and move to the Kenai River to fish the late-run king salmon during July. Under this proposal the guide industry would no longer have these various options. The catch, effort and harvest of king salmon by guided anglers may decline by an undetermined amount, initially. Thereafter it could result in an increase in guide numbers as some operators may hire more guides to meet the demand. This proposal may result in a loss of income to a sport fishing guide.

BACKGROUND: The number of guides that reported fishing on both the Kenai and Kasilof Rivers in the same year was 133 in 2006 and 128 in 2007.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 318 - 5 AAC 57.140. Kenai River guiding and guided fishing requirements in the Kenai River Drainage Area.

PROPOSED BY: Kasilof River Land Owners Association

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit sport fishing guides from operating on both the Kenai and Kasilof rivers on the same day.

WHAT ARE THE CURRENT REGULATIONS? There are no regulations prohibiting sport fishing guides from operating on both the Kenai and Kasilof rivers during the same day.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Currently, guides may fish both rivers and provide a diversity of fishing opportunities to clients. For example, during king salmon season a guide may take clients on a Kenai River power boat trip in the morning and a drift boat trip at the Kasilof River later that same day or vice versa. The catch, effort and harvest by guided anglers may decline by an undetermined amount, initially. Thereafter it could result in an increase in guide numbers as some operators may hire more guides to meet the demand.

BACKGROUND: The number of guides that reported fishing on both the Kenai and Kasilof Rivers on the same day was 61 in 2006 and 47 in 2007.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 319 - 5 AAC 57.140. Kenai River guiding and guided fishing requirements in the Kenai River Drainage Area.

PROPOSED BY: Robert L. Ball Jr.

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit a sport fishing guide that is registered with DNR to operate on the Kenai River from guiding on the Kasilof River when fishing from guided vessel on the Kenai River is closed or restricted in any way.

WHAT ARE THE CURRENT REGULATIONS? During May, June and July, sport fishing from a registered guide vessel downstream of Skilak Lake is permitted only from 6:00 a.m. to 6:00 p.m. In addition, downstream of the outlet of Skilak Lake, a person may not sport fish from a registered guide vessel on any Sunday from May 1 through July 31

On any Monday in May through July, except for Memorial Day, a person may not fish from a boat in the portion of the Kenai River from the outlet of Skilak Lake to the mouth of the river, except that unguided sport fishing from a non-motorized vessel is allowed on Mondays in May through July.

On the Kasilof River downstream of the Sterling Highway Bridge, a person may not sport fish from a registered guide vessel on any Sunday in July. In addition, during any one day from January 1 through July 31, a fishing guide may guide only that client group or group

of clients initially guided by the fishing guide that day; different or additional clients may not be guided.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The catch, effort and harvest of king salmon by guided anglers may decline by an undetermined amount. The Kasilof River would likely have fewer guides operating on days that the Kenai River is closed to guided fishing.

BACKGROUND: The number of guides that reported fishing on both the Kenai and Kasilof Rivers in the same year was 133 in 2006 and 128 in 2007. The number of guides that reported fishing on both the Kenai and Kasilof Rivers on the same day was 61 in 2006 and 47 in 2007.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 320 - 5 AAC 56.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area.

PROPOSED BY: Kasilof River Land Owners Association

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit fishing on the Kasilof River from a registered guide vessel on Mondays, from January 1 through July 31.

WHAT ARE THE CURRENT REGULATIONS? On the Kasilof River there is no prohibition to sport fishing from a registered guide vessel on Mondays. Sport fishing from a registered guide vessel is prohibited downstream of the Sterling Highway Bridge on Sundays in July.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would decrease guided angling opportunity during the king salmon season. The catch, effort and harvest of king salmon by guided anglers may decline by an undetermined amount. It would align closed guided fishing periods between the Kasilof and Kenai rivers during the king salmon season from July 1 through July 31.

BACKGROUND: The number of guides that reported fishing on both the Kenai and Kasilof Rivers in the same year was 133 in 2006 and 128 in 2007. The number of guides that reported fishing on both the Kenai and Kasilof Rivers on the same day was 61 in 2006 and 47 in 2007.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 327 - 5 AAC 56.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area.

PROPOSED BY: David Richards

WHAT WOULD THE PROPOSAL DO? This proposal would allow licensed sport fishing guides to operate on the Kasilof River on Sundays.

WHAT ARE THE CURRENT REGULATIONS? In the Kasilof River, downstream of the Sterling Highway Bridge, a person may not sport fish from a registered guide vessel on any Sunday in July.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The catch, effort and harvest of king salmon by guided anglers may increase by an undetermined amount. The Kasilof River would likely have more guides operating on a day that the Kenai River is closed to guided fishing.

BACKGROUND: Beginning in 2000 sport fishing from a registered guide vessel on Sundays was prohibited during July downstream of the Sterling Highway Bridge. Further restrictions were implemented in 2002 when guides operating on the Kasilof River were restricted to one group of clients per day.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 321 - 5 AAC 57.140(b)(c). Kenai River guiding and guided fishing requirements in the Kenai River Drainage Area.

PROPOSED BY: Brian Waters

WHAT WOULD THE PROPOSAL DO? This proposal would allow sport fishing guides on the Kenai River to operate on Sundays in May and June, and eliminate guide hour restrictions in May.

WHAT ARE THE CURRENT REGULATIONS? During May, June and July, sport fishing from a registered guide vessel downstream of Skilak Lake is permitted only from 6:00 a.m. to 6:00 p.m. In addition, downstream of the outlet of Skilak Lake, a person may not sport fish from a registered guide vessel on any Sunday from May 1 through July 31

On any Monday in May through July, except for Memorial Day, a person may not fish from a boat in the portion of the Kenai River from the outlet of Skilak Lake to the mouth of the river, except that unguided sport fishing from a non-motorized vessel is allowed on Mondays in May through July.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would likely increase the amount of guided fishing participation and increase the guided catch and harvest of early-run Kenai River king salmon stocks and other fish species by an unknown number. This proposal may increase the harvest disparity between guided and unguided anglers in the Kenai River king salmon sport fishery.

BACKGROUND: Exploitation rates in the recreational harvest during the early-run average about 32% and the average total exploitation rate, including commercial harvest, for the late-run is approximately 48%. As a result, the board has adopted management plans structured to constrain the harvest of these king salmon stocks to sustainable levels while still providing for fishing opportunity. The management guidelines that the board has adopted through the years have closed specific areas of the river to all fishing, restricted certain areas of the river to shore fishing only, and imposed time and date closures for all guided and unguided boat anglers. In addition, the board has continued to address the harvest disparity that exists between guided and unguided anglers within the Kenai River king salmon sport fishery.

To create more parity between guided and unguided harvest and effort, the board placed daily time restrictions on guided anglers. Beginning in 1985, during June and July, sport fishing from registered guide vessels has been permitted only from 6:00 a.m. to 6:00 p.m. (except for the years 1986 – 1988 when during July the time was 7:00 a.m. to 7:00 p.m.). Since the early 1980's, guides have been prohibited from sport fishing while clients were present. Subsequent meetings have resulted in further restrictions placed upon guides and guided anglers.

In 2000, the daily time restrictions were extended to include the month of May. Guided anglers are also restricted from fishing on the Kenai River, downstream of Skilak Lake, from a registered guide vessel on Sundays or Mondays in May through July (except Memorial Day). These regulations are intended to restrict sport harvest of king salmon by reducing guided angling effort, provide non-guided anglers with hours free of competition with guided anglers and control angler congestion on the Kenai River.

Preliminary estimates from the 2007 season reveal that guided anglers accounted for 73% (1,934) of the early-run king salmon harvested from the Kenai River below the Soldotna Bridge, while expending 64% of the total fishing effort. Guided anglers harvested 6,405 (69%) of the total estimated late-run harvest of the preliminary estimated late-run harvest

of 9,258 king salmon harvested below the Soldotna Bridge. In the late-run guided anglers accounted for about 49% of the total king salmon fishing effort below the Soldotna Bridge. Over the past few years, from 2004 - 2007, guided anglers have accounted for an average of 73% of the total early-run harvest and 61% of the total late-run harvest while comprising 61% and 47% of the total early-and late-run fishing effort, respectively.

From 2004 – 2006 the average time to catch an early run king salmon was 14 hours for guided anglers and 24 hours for unguided anglers. During the late run guided anglers averaged a king salmon every 9 hours while the average for unguided anglers was a king salmon every 14 hours. During the 2007 early run, the average time to catch a king salmon for guided anglers was 15 hours compared to 27 hours for unguided anglers. For the late run on average guided anglers caught a king salmon every 16 hours, while the average for unguided anglers was 23 hours per king salmon.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 322 - 5 AAC 57.170. Kenai River Coho Salmon Management Plan.

PROPOSED BY: David Richards

WHAT WOULD THE PROPOSAL DO? This proposal would allow sport fishing guides on the Kenai River to operate on Mondays during coho salmon season (August 1 – October 31).

WHAT ARE THE CURRENT REGULATIONS? From July 31 or the end of the king salmon season, whichever is later, through October 31, sport fishing from a vessel that is registered with the Alaska Department of Natural Resources, division of parks as a sport fishing guide vessel is restricted as follows: downstream from the confluence of the Moose and Kenai Rivers, sport fishing on Mondays is prohibited; upstream from the confluence of the Moose and Kenai Rivers, sport fishing for coho salmon on Mondays is prohibited; any coho salmon caught must be released immediately without further harm.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would likely increase the amount of guided fishing participation and increase the guided catch and harvest of Kenai River coho salmon stocks and other fish species by an unknown, but sustainable number.

BACKGROUND: The Kenai River Coho Salmon Management Plan was first adopted in 1996 in response to a decline in coho salmon smolt abundance and increased harvest of returning adult coho salmon. A special Board of Fisheries meeting was convened in

1997 through a petition submitted by the department based on high Kenai River coho salmon harvests beginning in 1993 and 1994, which were thought to be unsustainable and declining Moose River (Kenai River tributary) coho salmon smolt counts. As a result of that meeting, restrictions affecting all users were put into regulation to conserve Kenai River coho salmon. Additional restrictive regulations were added to the plan from 1997-99. These regulations were an attempt to reduce the total harvest of Kenai River coho salmon by 20% from combined sport and commercial users and originally had a sunset clause of December 2002 and included:

1. The Kenai River coho salmon sport fishing season was established from July 1 – September 30.
2. Guides could not sport fish when guiding clients.

In 2000, a special Board of Fisheries meeting was convened through a petition submitted by the Governor based on low abundance of coho salmon throughout Cook Inlet. As a result of this meeting, more restrictions were put in place to conserve both Kenai River and Northern District coho salmon. The restrictions placed on the Kenai River coho salmon sport fishery included:

1. The bag and possession limit was reduced from 3 fish to 2 fish Cook Inlet-wide (excepting West Side Cook Inlet and terminal fisheries targeting hatchery fish). Anglers in the Kenai River must stop fishing for all species below the outlet of Skilak Lake for the remainder of the day after retaining a daily bag limit of 2 coho salmon.
2. Closing the Kenai River downstream of Skilak Lake from August 1-3 for coho salmon fishing.
3. Bait was prohibited in the Kenai River from October 1 to June 30.

The net result of the management plan on the Kenai River sport fishery was the overall reduction of coho salmon harvest. Currently the department does not manage the Kenai River coho salmon sport fishery in season based upon abundance as no escapement goal has been established for the Kenai River. There are no coho salmon escapement goals for the other streams in the Northern Kenai Peninsula Management Area where the limit for coho salmon was reduced from 3 daily and in possession to 2 daily and in possession.

Coho salmon fishing regulations were liberalized for the Kenai River by the Board of Fisheries in 2005. Changes resulted in a net gain in fishing time and area and also incorporated less restrictive fishing methods. Coho salmon fishing regulations for other Northern Kenai Peninsula Management Area streams were not changed. Several liberalizations allowed for the Kenai River coho salmon sport fishery included:

1. A 31 day season extension for coho salmon fishing within the Kenai River drainage: from September 30 to October 31.
2. Bait was allowed from July 1 through October 31 downstream of the Upper Killey River and bait with multiple hooks from August 1 through October 31 was allowed.

3. The August 1-3 coho salmon fishing closure downstream of Skilak Lake was repealed allowing a continuous season from July 1 through October 31.
4. The regulation prohibiting fishing after a person takes a bag limit of two coho salmon below Upper Killey River was reduced to below the Soldotna bridge allowing a person to continue to fish upstream of the Soldotna bridge.
5. Fishing from a guide vessel was allowed on Mondays for other species upstream of the confluence of the Moose and Kenai rivers.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 323 - 5 AAC 57.121. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Lower Section of the Kenai River Drainage Area; and 5 AAC 57.140. Kenai River guiding and guided fishing requirements in the Kenai River Drainage Area.

PROPOSED BY: David Richards

WHAT WOULD THE PROPOSAL DO? This proposal would allow sport fishing guides on the Kenai River guides to operate from drift boats on Mondays during July.

WHAT ARE THE CURRENT REGULATIONS? During May, June and July, sport fishing from a registered guide vessel downstream of Skilak Lake is permitted only from 6:00 a.m. to 6:00 p.m. In addition, downstream of the outlet of Skilak Lake, a person may not sport fish from a registered guide vessel on any Sunday from May 1 through July 31.

On any Monday in May through July, except for Memorial Day, a person may not fish from a boat in the portion of the Kenai River from the outlet of Skilak Lake to the mouth of the river, except that unguided sport fishing from a non-motorized vessel is allowed on Mondays in May through July.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would likely increase the amount of guided fishing participation and increase the guided harvest of Kenai River king salmon stocks and other fish species by an unknown number.

BACKGROUND: Since 1985, during June and July, sport fishing from registered guide vessels has been permitted only from 6:00 a.m. to 6:00 p.m. (except for the years 1986 – 1988 when during July the time was 7:00 a.m. to 7:00 p.m.). In 2000, the daily time restrictions were extended to include the month of May. Guided anglers are also restricted from fishing on the Kenai River, downstream of Skilak Lake, from a registered guide vessel on Sundays or Mondays in May through July (except Memorial Day).

These regulations are intended to restrict angling harvest of king salmon by reducing guided angling effort, provide non-guided anglers with hours free of competition with guided anglers and control angler congestion on the Kenai River.

Beginning in 1984, fishing from a vessel in the Kenai River downstream of Skilak Lake was prohibited on Mondays after July 5. In 1987 the prohibition from fishing from a vessel downstream of Skilak Lake on Mondays after July 5 was expanded to include Mondays during the months of May, June and July. In February 2002, the board allowed fishing on Mondays from unguided non-motorized vessels. Prior to 2002 the Monday closure in May and June was to provide relief from the effects of fishing effort such as over harvest of king salmon, angler and river user crowding, and habitat degradation caused by motorized vessels. In lieu of the stock status of early-run king salmon, the Monday closure was considered to occur at the expense of fishing effort because it unnecessarily reduced participation in the Kenai River sport fishery. Consequently, the board adopted the unguided non-motorized vessel drift boat only regulation to allow anglers the opportunity to fish on Monday while minimizing the concerns related to river user crowding, angler competition, and habitat degradation caused by motorized vessels.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 324 - 5 AAC 57.140. Kenai River guiding and guided fishing requirements in the Kenai River Drainage Area.

PROPOSED BY: David Richards

WHAT WOULD THE PROPOSAL DO? This proposal would allowed registered guide vessels to carry six persons, including the sport fishing guide, clients, and other passengers during July on the Kenai River.

WHAT ARE THE CURRENT REGULATIONS? During July, a vessel used for guided sport fishing on the Kenai River may not carry more than five persons, including the fishing guide, clients, and other passengers.

Department of Natural Resources regulations prohibit a person from operating a motor powered boat on waters of the Kenai River Special Management Area, except for Kenai and Skilak Lakes, with more than six persons on board, including the operator, unless authorized by the director under a permit issued under 11 AAC 18. This regulation is not specific to sport fishing guides.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Should the additional person be a paying client, engaged in fishing for king salmon, the total guided fishing effort for king salmon in July could potentially increase by approximately 20%.

Such an increase in effort would also likely increase the total guided harvest of late-run Kenai River king salmon during July by some unknown number.

BACKGROUND: Since 1985, during June and July, sport fishing from registered guide vessels has been permitted only from 6:00 a.m. to 6:00 p.m. (except for the years 1986 – 1988 when during July the time was 7:00 a.m. to 7:00 p.m.). In 2000, the daily time restrictions were extended to include the month of May. Guided anglers are also restricted from fishing on the Kenai River, downstream of Skilak Lake, from a registered guide vessel on Sundays or Mondays in May through July (except Memorial Day). Regulations were adopted by the Board of Fisheries in 2000 limiting the total number occupants in guide vessel registered with ADNR Parks to no more than 5 persons, including the guide, clients and other passengers during the month of July. These regulations created more parity between guided and unguided anglers. They restricted guided effort and guided harvest of king salmon and provided non-guided anglers with hours free of competition with guided anglers and controlled angler congestion on the Kenai River.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. If this proposal were to result in substantial increases in the exploitation of Kenai River king salmon it may result in more frequent inseason management actions restricting the recreational fishery.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 325 - 5 AAC 57.140. Kenai River guiding and guided fishing requirements in the Kenai River Drainage Area.

PROPOSED BY: Mel Erickson

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit unguided angling for king salmon one day a week during July on the Kenai River.

WHAT ARE THE CURRENT REGULATIONS? During May, June and July, sport fishing from a registered guide vessel downstream of Skilak Lake is permitted only from 6:00 a.m. to 6:00 p.m. In addition, downstream of the outlet of Skilak Lake, a person may not sport fish from a registered guide vessel on any Sunday from May 1 through July 31

On any Monday in May through July, except for Memorial Day, a person may not fish from a boat in the portion of the Kenai River from the outlet of Skilak Lake to the mouth of the river, except that unguided sport fishing from a non-motorized vessel is allowed on Mondays in May through July.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Unguided angler harvest and effort would be eliminated during one day per week and guided angler

harvest and effort may increase an unknown amount due to the decreased competition with unguided anglers fishing on the "guided anglers only" day. The proposal did not specify if guided angling would continue to be restricted to the current 6:00 a.m. to 6:00 p.m. operating hours.

BACKGROUND: The average total exploitation rate, including commercial harvest, for Kenai River late-run king salmon is approximately 48%. As a result, the board has adopted a management plan structured to constrain the harvest of these king salmon stocks to sustainable levels while still providing for fishing opportunity. The management guidelines that the board has adopted through the years have closed specific areas of the river to all fishing, restricted certain areas of the river to shore fishing only and imposed time and date closures for all guided and unguided boat anglers. In addition, the board has continued to address the harvest disparity that exists between guided and unguided anglers within the Kenai River king salmon sport fishery.

To create more parity between guided and unguided harvest and effort, the board placed daily time restrictions on guided anglers. Beginning in 1985, during June and July, sport fishing from registered guide vessels has been permitted only from 6:00 a.m. to 6:00 p.m. (except for the years 1986 – 1988 when during July the time was 7:00 a.m. to 7:00 p.m.).

In 2000, the daily time restrictions were extended to include the month of May. Guided anglers are also restricted from fishing on the Kenai River, downstream of Skilak Lake, from a registered guide vessel on Sundays or Mondays in May through July (except Memorial Day). These regulations are intended to restrict sport harvest of king salmon by reducing guided angling effort, provide non-guided anglers with hours free of competition with guided anglers and control angler congestion on the Kenai River. Prior to the 2002 season, fishing on Mondays in May and June was prohibited from any vessel. In February 2002, the board allowed fishing on Mondays from unguided non-motorized vessels.

Preliminary estimates from the 2007 season show that guided anglers harvested 6,405 (69%) of the total estimated late-run harvest of the late-run harvest of 9,258 king salmon harvested below the Soldotna Bridge. In the late-run guided anglers accounted for about 49% of the total king salmon fishing effort below the Soldotna Bridge. Over the past few years, from 2004 - 2007, guided anglers have accounted for an average of 61% of the total late-run king salmon harvest while comprising 47% of the total late-run fishing effort, respectively.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 326 - 5 AAC 57.140. Kenai River guiding and guided fishing requirements in the Kenai River Drainage Area.

PROPOSED BY: Mel Erickson

WHAT WOULD THE PROPOSAL DO? This proposal would allow sport fishing from a registered guide vessel seven days per week, although any individual sport fishing guide would only be able to operate five days per week.

WHAT ARE THE CURRENT REGULATIONS? During May, June and July, sport fishing from a registered guide vessel downstream of Skilak Lake is permitted only from 6:00 a.m. to 6:00 p.m. In addition, downstream of the outlet of Skilak Lake, a person may not sport fish from a registered guide vessel on any Sunday from May 1 through July 31

On any Monday in May through July, except for Memorial Day, a person may not fish from a boat in the portion of the Kenai River from the outlet of Skilak Lake to the mouth of the river, except that unguided sport fishing from a non-motorized vessel is allowed on Mondays in May through July.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal could distribute the total available guided fishing opportunity within each week during which they could provide sport fishing guide services to anglers on the Kenai River. This proposal would not increase the total guided boat angler effort during May, June and July because guides are currently limited to guiding clients for five days per week, but it would eliminate the two days each week that are available to anglers to fish without the presence of sport fishing guide activities.

BACKGROUND: The Kenai River king salmon recreational fisheries are heavily exploited. The average exploitation rate is 32% during the early-run and the average total exploitation rate, including commercial harvest, for the late-run is approximately 48%. As a result, the board has adopted management plans structured to constrain the harvest of these king salmon stocks to sustainable levels while still providing for fishing opportunity. The management guidelines that the board has adopted through the years have closed specific areas of the river to all fishing, restricted certain areas of the river to shore fishing only and imposed time and date closures for all guided and unguided boat anglers. In addition, the board has continued to address the harvest disparity that exists between guided and unguided anglers within the Kenai River king salmon sport fishery.

To create more parity between guided and unguided harvest and effort, the board placed daily time restrictions on guided anglers. Beginning in 1985, during June and July, sport fishing from registered guide vessels has been permitted only from 6:00 a.m. to 6:00 p.m. (except for the years 1986 – 1988 when during July the time was 7:00 a.m. to 7:00 p.m.). For the 1989-1999 seasons, the board established operating hours for guides of 6:00 a.m. to 6:00 p.m. consistently for June and July. Since the early 1980's, guides have been prohibited from sport fishing while clients were present. Subsequent meetings have resulted in further restrictions placed upon guides and the guided angler.

In 2000, the daily time restrictions were extended to include the month of May. Guided anglers are also restricted from fishing on the Kenai River, downstream of Skilak Lake, from a registered guide vessel on Sundays or Mondays in May through July (except Memorial Day). These regulations are intended to restrict sport harvest of king salmon by reducing guided angling effort, provide non-guided anglers with hours free of competition with guided anglers and control angler congestion on the Kenai River.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. This regulation would be unenforceable because it would require an extensive record and tracking system to implement, and every guide would have to be checked each day.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 328 - 5 AAC 57.140. Kenai River guiding and guided fishing requirements in the Kenai River Drainage Area.

PROPOSED BY: Alaska Department of Fish and Game

WHAT WOULD THE PROPOSAL DO? This proposal would align ADF&G regulations with Dept. of Natural Resources regulations which prohibit fishing by sport fishing guides when clients are present, on the Kenai River below the Warren Ames Bridge in Kenai River from May through July.

WHAT ARE THE CURRENT REGULATIONS? From July 31 or the end of the king salmon season, whichever is later, through October 31, a person who is a sport fishing guide may not sport fish while a client is present or is within the guide's control or responsibility, except when guiding a client with a disability.

Within DNR regulations (11 AAC 18.030 Noncompetitive Park Use Permits for Commercial Activities) the permittee or the permittee's agents or employees may not fish or allow the permittee's support staff or employees to fish from a vehicle being used for activities authorized by this section in the Kenai River Special Management Area, 1 mile below the Warren Ames Bridge (river mile 4), up to and including Kenai Lake, during the months of May, June, and July while clients are present.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would place an existing DNR regulation into Fish and Game regulations and extend the restriction an additional 4 miles to the mouth of the Kenai River.

BACKGROUND: This proposal is housekeeping in nature but does extend the regulation into the area of the Kenai River from Warren Ames Bridge downstream to the mouth of the river.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal, however, the department recommends that this proposal be modified to apply only to sport fishing from a registered guide vessel. The department believes that moving this regulation within Fish and Game codifieds simplifies the law for enforcement agents and extends the regulation into waters outside of the DNR designated Kenai River Special Management Area and makes regulations consistent between departments and throughout the entire river.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 329 - 5 AAC 57.140. Kenai River guiding and guided fishing requirements in the Kenai River Drainage Area.

PROPOSED BY: Alaska Department of Fish and Game

WHAT WOULD THE PROPOSAL DO? This proposal would align ADF&G regulations to those found in Dept. of Natural Resources which allow for deregistering of guide vessels before the end of the calendar year in which they are registered.

WHAT ARE THE CURRENT REGULATIONS? The current ADF&G regulations do not allow a guide vessel to be deregistered before the end of the calendar year in which it was registered as a commercial operator.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would allow guide vessel owners to sport fish from commercially registered vessels in the same calendar year.

BACKGROUND: This proposal is housekeeping in nature because it allows a buyer or the guide to deregister a guide vessel the same year it was registered so that it may be used for non-guided fishing activities.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

**COMMITTEE G – NORTHERN COOK INLET SPORT SALMON FISHERIES
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SUSITNA RIVER SALMON SPORT FISHERIES

PROPOSAL 330 - 5 AAC 61.112(5)(A). Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for Unit 1 of the Susitna River Drainage Area.

PROPOSED BY: Alaska Department of Fish and Game

WHAT WOULD THE PROPOSAL DO? This proposal would restrict the number of days open to king salmon fishing on Alexander Creek by creating a weekend only fishery.

WHAT ARE THE CURRENT REGULATIONS? King salmon may be taken in Alexander Creek from its mouth upstream to ADF&G regulatory markers located 400 feet upstream of its confluence with Trail Creek from January 1-June 30; bag and possession limit is one king salmon 20 inches or greater in length; after taking and retaining a king salmon 20 inches or greater in length, a person may not sport fish for king salmon on that same day.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would reduce the harvest and effort for king salmon on Alexander Creek by an unknown amount. It is unknown if this action will be sufficient to meet the escapement goal and assure the sustainability of king salmon in Alexander Creek.

BACKGROUND: The sport harvest of king salmon in Alexander Creek is no longer sustainable at current levels. It is likely that Alexander Creek lost much of its productive king salmon rearing areas as a result of northern pike infestation and predation on juvenile king salmon. In the mid 80's to late 90's, between 1,500 and 4,000 king salmon were counted in the mainstem of Alexander Creek. In 2007 less than two hundred king salmon were observed in this section of river, most of which were holding below Sucker Creek and were likely Sucker Creek fish. Alexander Creek is a slow meandering weedy stream with many back water sloughs, oxbows channels and shallow interconnecting lakes and ponds providing ideal spawning and rearing habit for northern pike.

The department has conducted aerial surveys to index the number of spawning king salmon on Alexander Creek since 1978. The escapement goal range established by the department

for king salmon escapements into Alexander Creek is between 2,100 and 6,000 fish. In four of the past six years (2002-2007), Alexander Creek has failed to achieve the escapement goal, and for two of those years escapements were only slightly above the lower end of the goal. During 2006 and 2007, the escapement of king salmon into Alexander Creek were the lowest on record with only 885 and 460 spawning fish respectively.

DEPARTMENT COMMENTS: The department submitted and now **OPPOSES** this proposal. The 2007 escapement count for king salmon on Alexander Creek was only half that of the previous years count (885) which at the time was the lowest count on record for this system and well below the lower end of the escapement goal range of 2,100 to 6,000 fish. Given the poor escapements to this system in recent years it is warranted to implement more restrictive regulations than what the department has proposed.

COST ANALYSIS: The Department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 331 - 5 AAC 61.112(5)(A). Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for Unit 1 of the Susitna River Drainage Area.

PROPOSED BY: Francis Buckwalter

WHAT WOULD THE PROPOSAL DO? This proposal would close king salmon sport fishing on Alexander Creek for four years.

WHAT ARE THE CURRENT REGULATIONS? King salmon may be taken in Alexander Creek from its mouth upstream to ADF&G regulatory markers located 400 feet upstream of its confluence with Trail Creek from January 1-June 30; bag and possession limit is one king salmon 20 inches or greater in length; after taking and retaining a king salmon 20 inches or greater in length, a person may not sport fish for king salmon on that same day.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would reduce the harvest and effort for king salmon on Alexander Creek by an unknown amount. It is unknown if this action will be sufficient to meet the escapement goal and assure the sustainability of king salmon in Alexander Creek.

BACKGROUND: The sport harvest of king salmon in Alexander Creek is no longer sustainable at current levels. It is likely that Alexander Creek lost much of its productive king salmon rearing areas as a result of northern pike infestation and predation on juvenile king salmon. In the mid 80's to late 90's, between 1,500 and 4,000 king salmon were counted in the mainstem of Alexander Creek. In 2007 less than two hundred king salmon were observed in this section of river, most of which were holding below Sucker Creek and were likely Sucker Creek fish. Alexander Creek is a slow meandering weedy

stream with many back water sloughs, oxbows channels and shallow interconnecting lakes and ponds providing ideal spawning and rearing habit for northern pike.

The department has conducted aerial surveys to index the number of spawning king salmon on Alexander Creek since 1978. The escapement goal range established by the department for king salmon escapements into Alexander Creek is between 2,100 and 6,000 fish. In four of the past six years (2002-2007), Alexander Creek has failed to achieve the escapement goal, and for two of those years escapements were only slightly above the lower end of the goal. During 2006 and 2007, the escapement of king salmon into Alexander Creek were the lowest on record with only 885 and 460 spawning fish respectively.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal with the modification that it not be reopened automatically in four years. The 2007 escapement count for king salmon on Alexander Creek was only half that of the previous years count (885) which at the time was the lowest count on record for this system and well below the lower end of the escapement goal range of 2,100 to 6,000 fish. The department recommends Alexander Creek be closed to king salmon fishing until this stock rebuilds

COST ANALYSIS: The Department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 332 - 5 AAC 61.112(5)(A). Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for Unit 1 of the Susitna River Drainage Area.

PROPOSED BY: Kris Draper

WHAT WOULD THE PROPOSAL DO? This proposal would close king salmon sport fishing on Alexander Creek for a period of three or four years.

WHAT ARE THE CURRENT REGULATIONS? King salmon in Alexander Creek from its mouth upstream to ADF&G regulatory markers located 400 feet upstream of its confluence with Trail Creek may be taken from January 1-June 30; bag and possession limit is one king salmon 20 inches or greater in length; after taking and retaining a king salmon 20 inches or greater in length, a person may not sport fish for king salmon on that same day.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would reduce the harvest and effort for king salmon on Alexander Creek by an unknown amount. It is unknown if this action will be sufficient to meet the escapement goal and protect the sustainability of king salmon in Alexander Creek.

BACKGROUND: The sport harvest of king salmon from Alexander Creek is no longer sustainable at current levels. It is likely that Alexander Creek lost much of its productive king salmon rearing areas as a result of northern pike infestation and predation on

juvenile king salmon. In the mid 80's to late 90's, between 1,500 and 4,000 fish were counted in the mainstem of Alexander Creek. In 2007 less than two hundred king salmon were observed in this section of river, most of which were holding below Sucker Creek and were likely Sucker Creek fish. Alexander Creek is a slow meandering weedy stream with many back water sloughs, oxbows channels and shallow interconnecting lakes and ponds providing ideal spawning and rearing habit for northern pike.

The department has conducted aerial surveys to index the number of spawning king salmon on Alexander Creek since 1978. The escapement goal range established by the department for king salmon escapements into Alexander Creek is between 2,100 and 6,000 fish. In the four of the past six years (2002-2007), Alexander Creek has failed to achieve the escapement goal, and for two of those years escapements were only slightly above the lower end of the goal. During 2006 and 2007, the escapement of king salmon into Alexander Creek were the lowest on record with only 885 and 460 spawning fish respectively.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal. The 2007 escapement count for king salmon on Alexander Creek was only half that of the previous years count (885) which at the time was the lowest count on record for this system and well below the lower end of the escapement goal range of 2,100 to 6,000 fish. The department recommends Alexander Creek be closed to king salmon fishing for at least one Cook Inlet Board cycle when more escapement information will become available.

COST ANALYSIS: The Department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 333 - 5 AAC 61.112(5)(A). Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for Unit 1 of the Susitna River Drainage Area.

PROPOSED BY: Ron Stark

WHAT WOULD THE PROPOSAL DO? This proposal would close king salmon sport fishing on Alexander Creek for a few years.

WHAT ARE THE CURRENT REGULATIONS? King salmon in Alexander Creek from its mouth upstream to ADF&G regulatory markers located 400 feet upstream of its confluence with Trail Creek may be taken from January 1-June 30; bag and possession limit is one king salmon 20 inches or greater in length; after taking and retaining a king salmon 20 inches or greater in length, a person may not sport fish for king salmon on that same day.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would reduce the harvest and effort for king salmon on Alexander Creek by an unknown amount. It is unknown if this action will be sufficient to meet the escapement goal and protect the sustainability of king salmon in Alexander Creek.

BACKGROUND: The sport harvest of king salmon from Alexander Creek is no longer sustainable at current levels. It is likely that Alexander Creek lost much of its productive king salmon rearing areas as a result of northern pike infestation and predation on juvenile king salmon. In the mid 80's to late 90's, between 1,500 and 4,000 fish were counted in the mainstem of Alexander Creek. In 2007 less than two hundred king salmon were observed in this section of river, most of which were holding below Sucker Creek and were likely Sucker Creek fish. Alexander Creek is a slow meandering weedy stream with many back water sloughs, oxbows channels and shallow interconnecting lakes and ponds providing ideal spawning and rearing habit for northern pike.

The department has conducted aerial surveys to index the number of spawning king salmon on Alexander Creek since 1978. The escapement goal range established by the department for king salmon escapements into Alexander Creek is between 2,100 and 6,000 fish. In the four of the past six years (2002-2007), Alexander Creek has failed to achieve the escapement goal, and for two of those years escapements were only slightly above the lower end of the goal. During 2006 and 2007, the escapement of king salmon into Alexander Creek were the lowest on record with only 885 and 460 spawning fish respectively.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal. The 2007 escapement count for king salmon on Alexander Creek was only half that of the previous years count (885) which at the time was the lowest count on record for this system and well below the lower end of the escapement goal range of 2,100 to 6,000 fish. The department recommends Alexander Creek be closed to king salmon fishing for at least one Cook Inlet Board cycle when more escapement information will become available.

COST ANALYSIS: The Department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 334 - 5 AAC 61.112(5)(A). Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for Unit 1 of the Susitna River Drainage Area.

PROPOSED BY: Gary Bell

WHAT WOULD THE PROPOSAL DO? This proposal would close king salmon sport fishing on Alexander Creek for an unknown number of years until the fish are able to withstand a harvest.

WHAT ARE THE CURRENT REGULATIONS? King salmon in Alexander Creek from its mouth upstream to ADF&G regulatory markers located 400 feet upstream of its confluence with Trail Creek may be taken from January 1-June 30; bag and possession limit is one king salmon 20 inches or greater in length; after taking and retaining a king salmon 20 inches or greater in length, a person may not sport fish for king salmon on that same day.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would reduce the harvest and effort for king salmon on Alexander Creek by an unknown amount. It is unknown if this action will be sufficient to meet the escapement goal and protect the sustainability of king salmon in Alexander Creek.

BACKGROUND: The sport harvest of king salmon from Alexander Creek is no longer sustainable at current levels. It is likely that Alexander Creek lost much of its productive king salmon rearing areas as a result of northern pike infestation and predation on juvenile king salmon. In the mid 80's to late 90's, between 1,500 and 4,000 fish were counted in the mainstem of Alexander Creek. In 2007 less than two hundred king salmon were observed in this section of river, most of which were holding below Sucker Creek and were likely Sucker Creek fish. Alexander Creek is a slow meandering weedy stream with many back water sloughs, oxbows channels and shallow interconnecting lakes and ponds providing ideal spawning and rearing habit for northern pike.

The department has conducted aerial surveys to index the number of spawning king salmon on Alexander Creek since 1978. The escapement goal range established by the department for king salmon escapements into Alexander Creek is between 2,100 and 6,000 fish. In the four of the past six years (2002-2007), Alexander Creek has failed to achieve the escapement goal, and for two of those years escapements were only slightly above the lower end of the goal. During 2006 and 2007, the escapement of king salmon into Alexander Creek were the lowest on record with only 885 and 460 spawning fish respectively.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal. The 2007 escapement count for king salmon on Alexander Creek was only half that of the previous years count (885) which at the time was the lowest count on record for this system and well below the lower end of the escapement goal range of 2,100 to 6,000 fish. The department recommends Alexander Creek be closed to king salmon fishing for at least one Cook Inlet Board cycle when more escapement information will become available.

COST ANALYSIS: The Department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 335 - 5 AAC 61.112. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for Unit 1 of the Susitna River Drainage Area.

PROPOSED BY: Matanuska Valley Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would eliminate the night-time fishing closure and allow fishing 24 hours per day in Unit 1 of the Susitna River drainage.

WHAT ARE THE CURRENT REGULATIONS? In waters open to king salmon fishing, including the Deshka River, fishing is not allowed between 11:00 p.m. and 6:00 a.m. May 15 – July 13.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would increase the harvest of king salmon ascending Unit 1 tributaries as well as those passing through Unit 1 fisheries to ascend tributaries in management units further upstream (mixed stock fisheries at the mouths of Alexander and Deshka Rivers and tributaries along west and east side Susitna River within Unit 1).

BACKGROUND: The department has historically monitored escapement in Unit 1 by aerial index on both Alexander Creek and the Deshka River on an annual basis. A weir has been used to count the actual escapement on the Deshka River since 1995. The Deshka River supports the largest runs of king salmon in Northern and West Cook Inlet Management Area (N&WCIMA). Alexander Creek has historically supported a modest run of king salmon. Poor king salmon returns to N&WCIMA waters in the early 1990s prompted the board to enact area-wide restrictions in 1995, most of which are still in effect today. King salmon sport fishing restrictions in 1995 included elimination of bait, guide restrictions, time and area restrictions, catch and release restrictions and complete closures. King salmon returns across the N&WCIMA rebounded beginning in 1997. Escapement goals have been met or exceeded on the Deshka River since 1997. The department began liberalizing the Deshka River king salmon fishery as returns grew through emergency orders which allowed use of bait, eliminated the time restriction, and increased the bag and possession limit. Beginning in 2005 the use of bait beginning May 15 was allowed by regulation. At the present time an area-wide time restriction, allowing anglers to fish only between 6 a.m. and 11 p.m., is the only restriction in effect dating to restrictions imposed in 1995.

The 2007 Deshka River king salmon escapement was near the midpoint of the biological escapement goal of 13,000-28,000 fish. The outlook for the 2008 king salmon run is far below average, with a projected total run of 20,300 fish. If realized, it would rank 27th out of 30 years and be well below the 1979-2007 average run of 38,700 fish. The harvest projection for 2008 is 7,500 fish, and if realized, would result in a 2008 escapement of about 12,800 fish, just below the lower end of the escapement goal range of 13,000 to 28,000 fish.

Aside from Alexander Creek and the Deshka River, king salmon enter the mouths of many small tributaries within Unit 1 of the Susitna River while enroute to spawning tributaries further upstream (Units 2 – 6). Run strength and stock composition of king salmon in many of the smaller systems are largely unknown while many of the eastside tributaries are already at or above maximum harvest levels. Historically, 200-300 king salmon had spawned in Fish Creek (Kroto Slough). The current status of this stock is presently unknown, but is believed to be greatly diminished due to northern pike invasion and predation.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Current management practices within Unit 1 have demonstrated achievement of sustainable yields through years of stock recovery, from the poor returns experienced in the early 1990s to present. The department already has emergency order authority to liberalize or restrict sport fishing regulations if salmon returns are expected to fall short of or exceed escapement goal ranges.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 336 - 5 AAC 61.112. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for Unit 1 of the Susitna River Drainage Area.

PROPOSED BY: Matanuska Valley Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would eliminate bait restrictions on king salmon fisheries within Unit 1 of the Susitna River.

WHAT ARE THE CURRENT REGULATIONS? From September 1 through July 13, only unbaited, artificial lures are allowed on the Susitna River from its mouth to the confluence with the Deshka River (Unit 1).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would increase the harvest of king salmon ascending Unit 1 tributaries as well as those passing through Unit 1 fisheries to ascend tributaries in management units further upstream (mixed stock mouth fisheries of Alexander and Deshka Rivers and tributaries along west and east side Susitna River within Unit 1).

BACKGROUND: The department has historically monitored escapement in Unit 1 by aerial index on both Alexander Creek and the Deshka River on an annual basis. A weir has been used to count the actual escapement on the Deshka River since 1995. The Deshka River supports the largest runs of king salmon in Northern and West Cook Inlet Management Area (N&WCIMA). Alexander Creek has historically supported a modest run of king salmon. Poor king salmon returns to N&WCIMA waters in the early 1990s prompted the board to enact severe area-wide restrictions in 1995, most of which are still in effect today. King salmon sport fishing restrictions in 1995 included elimination of bait, guide restriction, time and area restriction, catch and release restriction and complete closures. King salmon returns across the N&WCIMA rebounded beginning in 1997. Escapement goals have been met or exceeded on the Deshka River since 1997. The department began liberalizing the Deshka River king salmon fishery as returns grew through emergency orders which allowed use of bait, eliminated the time restriction, and increased the bag and possession limit. Beginning in 2005 the use of bait beginning May 15 was allowed by regulation. At the present time an area-wide time restriction, allowing

anglers to fish only between 6 a.m. and 11 p.m., is the only restriction in effect dating to restrictions imposed in 1995.

The 2007 Deshka River king salmon escapement was near the midpoint of the biological escapement goal of 13,000-28,000 fish. The outlook for the 2008 king salmon run is far below average, with a projected total run of 20,300 fish. If realized, it would rank 27th out of 30 years and be well below the 1979-2007 average run of 38,700 fish. The harvest projection for 2008 is 7,500 fish, and if realized, would result in a 2008 escapement of about 12,800 fish, just below the lower end of the escapement goal range of 13,000 to 28,000 fish.

Aside from Alexander Creek and the Deshka River, king salmon enter the mouths of many small tributaries within Unit 1 of the Susitna River while enroute to spawning tributaries further upstream (Units 2 – 6). Run strength and stock composition of king salmon in many of the smaller systems are largely unknown while many of the eastside tributaries are already at or above maximum harvest levels. Historically, 200-300 king salmon had spawned in Fish Creek (Kroto Slough). The current status of this stock is presently unknown, but is believed to be greatly diminished due to northern pike invasion and predation.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Current management practices within Unit 1 have demonstrated achievement of sustainable yields through years of stock recovery, from the poor returns experienced in the early 1990s to present. The department already has emergency order authority to liberalize or restrict sport fishing regulations if salmon returns are expected to fall short of or exceed escapement goal ranges.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 337 - 5 AAC 61.112. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for Unit 1 of the Susitna River Drainage Area.

PROPOSED BY: Andy Couch

WHAT WOULD THE PROPOSAL DO? This proposal would increase the bag limit of king salmon on the Deshka River from 1 fish to two fish.

WHAT ARE THE CURRENT REGULATIONS? On the Deshka River, the bag and possession limit for king salmon 20 inches or greater in length is 1 per day and 2 in possession.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would increase the harvest and effort of king salmon by an unknown amount. It's

possible in years of below average returns that the fishery would be restricted or closed to achieve the escapement goal.

BACKGROUND: The department historically monitored escapement in the Deshka River by aerial index on an annual basis. A weir has been used to count the actual escapement on the Deshka River since 1995. The Deshka River supports the largest runs of king salmon in Northern and West Cook Inlet Management Area (N&WCIMA). Poor king salmon returns to N&WCIMA waters in the early 1990s prompted the board to enact severe area-wide restrictions in 1995, most of which are still in effect today. King salmon sport fishing restrictions in 1995 included elimination of bait, guide restriction, time and area restriction, catch and release restriction and complete closures. King salmon returns across the N&WCIMA rebounded beginning in 1997. Escapement goals have been met or exceeded on the Deshka River since 1997. The department began liberalizing the Deshka River king salmon fishery as returns grew through emergency orders which allowed use of bait, eliminated the time restriction, and increased the bag and possession limit. Beginning in 2005 the use of bait beginning May 15 was allowed by regulation. At the present time an area-wide time restriction, allowing anglers to fish only between 6 a.m. and 11 p.m., is the only restriction in effect dating to restrictions imposed in 1995.

The 2007 Deshka River king salmon escapement was near the midpoint of the biological escapement goal of 13,000-28,000 fish. The outlook for the 2008 king salmon run is far below average, with a projected total run of 20,300 fish. If realized, it would rank 27th out of 30 years and be well below the 1979-2007 average run of 38,700 fish. The harvest projection for 2008 is 7,500 fish, and if realized, would result in a 2008 escapement of about 12,800 fish, just below the lower end of the escapement goal range of 13,000 to 28,000 fish.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Current management practices have demonstrated achievement of sustainable yields and the flexibility to increase harvest opportunity inseason when warranted. The department already has emergency order authority to liberalize or restrict sport fishing regulations if salmon returns are expected to fall short of or exceed escapement goal ranges.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery

PROPOSAL 338 - 5 AAC 61.112. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for Unit 1 of the Susitna River Drainage Area.

PROPOSED BY: Andy Couch

WHAT WOULD THE PROPOSAL DO? This proposal would eliminate the night-time fishing closure on the Deshka River and allow fishing 24 hours per day.

WHAT ARE THE CURRENT REGULATIONS? The Deshka River is open to king salmon fishing January 1 through July 13 only between the hours of 6:00 a.m. and 11:00 p.m.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would increase the harvest and fishing opportunity of king salmon.

BACKGROUND: The department historically monitored escapement in the Deshka River by aerial index on an annual basis. A weir has been used to count the actual escapement on the Deshka River since 1995. The Deshka River supports the largest runs of king salmon in Northern and West Cook Inlet Management Area (N&WCIMA). Poor king salmon returns to N&WCIMA waters in the early 1990s prompted the board to enact severe area-wide restrictions in 1995, most of which are still in effect today. King salmon sport fishing restrictions in 1995 included elimination of bait, guide restriction, time and area restriction, catch and release restriction and complete closures. King salmon returns across the N&WCIMA rebounded beginning in 1997. Escapement goals have been met or exceeded on the Deshka River since 1997. The department began liberalizing the Deshka River king salmon fishery as returns grew through emergency orders which allowed use of bait, eliminated the time restriction, and increased the bag and possession limit. Beginning in 2005 the use of bait beginning May 15 was allowed by regulation. At the present time an area-wide time restriction, allowing anglers to fish only between 6 a.m. and 11 p.m., is the only restriction in effect dating to restrictions imposed in 1995.

The 2007 Deshka River king salmon escapement was near the midpoint of the biological escapement goal of 13,000-28,000 fish. The outlook for the 2008 king salmon run is far below average, with a projected total run of 20,300 fish. If realized, it would rank 27th out of 30 years and be well below the 1979-2007 average run of 38,700 fish. The harvest projection for 2008 is 7,500 fish, and if realized, would result in a 2008 escapement of about 12,800 fish, just below the lower end of the escapement goal range of 13,000 to 28,000 fish.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Current management practices within Unit 1 have demonstrated achievement of sustainable yields through years of stock recovery, from the poor returns experienced in the early 1990s to present. The department already has emergency order authority to liberalize or restrict sport fishing regulations if salmon returns are expected to fall short of or exceed escapement goal ranges.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery

PROPOSAL 339 - 5 AAC 61.112. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for Unit 1 of the Susitna River Drainage Area.

PROPOSED BY: Fishtale River Guides.

WHAT WOULD THE PROPOSAL DO? This proposal would establish a trigger point for extending the king salmon season beyond the current season closing date for the Deshka River. Management of the sport fishery would be tied to Deshka River weir fish counts. If the weir count surpassed the midpoint of the escapement goal range (20,500 king salmon) by July 10, then the king salmon season would be extended on the lower seven miles of river below the weir until July 31.

WHAT ARE THE CURRENT REGULATIONS? The Deshka River is open to king salmon fishing January 1 through July 13 from the mouth upstream 17 miles and all waters within a ½ mile radius of its confluence with the Susitna River. The remainder of the drainage is closed to king salmon fishing.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would increase harvest of king salmon by an unknown amount. It would allow harvesting king salmon when they are actively spawning in the lower 7 miles of the Deshka River.

BACKGROUND: The department historically monitored escapement in the Deshka River by aerial index on an annual basis. A weir has been used to count the actual escapement on the Deshka River since 1995. The Deshka River supports the largest runs of king salmon in Northern and West Cook Inlet Management Area (N&WCIMA). Poor king salmon returns to N&WCIMA waters in the early 1990s prompted the board to enact severe area-wide restrictions in 1995, most of which are still in effect today. King salmon sport fishing restrictions in 1995 included elimination of bait, guide restriction, time and area restriction, catch and release restriction and complete closures. King salmon returns across the N&WCIMA rebounded beginning in 1997. Escapement goals have been met or exceeded on the Deshka River since 1997. The department began liberalizing the Deshka River king salmon fishery as returns grew through emergency orders which allowed use of bait, eliminated the time restriction, and increased the bag and possession limit. Beginning in 2005 the use of bait beginning May 15 was allowed by regulation. At the present time an area-wide time restriction, allowing anglers to fish only between 6 a.m. and 11 p.m., is the only restriction in effect dating to restrictions imposed in 1995.

The 2007 Deshka River king salmon escapement was near the midpoint of the biological escapement goal of 13,000-28,000 fish. The outlook for the 2008 king salmon run is far below average, with a projected total run of 20,300 fish. If realized, it would rank 27th out of 30 years and be well below the 1979-2007 average run of 38,700 fish. The harvest projection for 2008 is 7,500 fish, and if realized, would result in a 2008 escapement of about 12,800 fish, just below the lower end of the escapement goal range of 13,000 to 28,000 fish.

Run timing of king salmon on the Deshka River is consistent with 98% of the annual run past the weir, located at river mile 7, by July 16. The vast majority of king salmon are in a late state of maturation and are actively spawning during mid to late July. While the majority of spawning occurs upstream of the weir, some king salmon utilize the approximate 5 miles of river below the weir for spawning. During 2005, the projection of king salmon passage through the Deshka River weir indicated that the upper limit of the escapement goal was going to be exceeded; this prompted the department to issue an emergency order to extend the king salmon season on the Deshka River through July 31. Due to concerns about fishing on spawning king salmon populations coupled with resident fish concerns, only the lower two miles of the river were liberalized by the emergency order.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. A trigger point based plan stipulating inseason management actions would add unnecessary complexity to regulations that already provide the department with the tools necessary to manage the fishery. The department already has emergency order authority to liberalize or restrict sport fishing regulations if salmon returns are expected to fall short of or exceed escapement goal ranges. The season ending date of July 13 serves as the primary function to protect spawning king salmon in the lower Deshka River.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery

PROPOSAL 340 - 5 AAC 61.114. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for Unit 2 of the Susitna River Drainage Area.

PROPOSED BY: Matanuska Valley Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would add two additional fishing days on Unit 2 streams along the Parks Highway every fifth calendar year. Specifically, the streams that would be affected by this change would be Birch, Caswell, Goose, Grey's, Little Willow, Montana, Rabideux, Sheep, Sunshine, and Trapper creeks, and Kashwitna River.

WHAT ARE THE CURRENT REGULATIONS? From January 1 through the third Monday in June and on Saturday, Sunday and Monday for three consecutive weeks starting on the fourth Saturday in June, the Susitna River from its confluence with the Deshka River to its confluence with the Talkeetna River (Unit 2) is open to sport fishing for king salmon 20 inches or greater in length.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would increase the harvest of king salmon by an unknown amount. For some of the eastside tributaries this would likely not be sustainable.

BACKGROUND: The king salmon season was extended by emergency order for several eastside Susitna River streams (Unit 2 and Unit 6 of the Susitna River drainage) for 12 of 14 years beginning in 1990. This prompted the department to submit a proposal to the BOF to extend the season by regulation for one additional three day weekend which went into effect in 2005. Over the past 5 years, Willow Creek fell below lower end of its escapement goal 1 time, Goose Creek, 2 times, and Sheep Creek, 3 times. .

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Most of the tributaries flowing into the eastside of the Susitna River are already at maximum harvest levels and additional liberalization of regulations could jeopardize the sustainability of future king salmon returns.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 341 - 5 AAC 61.114. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for Unit 2 of the Susitna River Drainage Area.

WHAT WOULD THE PROPOSAL DO? This proposal would allow the use of treble hooks on the Parks highway streams on May 15, 2 weeks earlier than the current date of June 1.

PROPOSED BY: Matanuska Valley Advisory Committee.

WHAT ARE THE CURRENT REGULATIONS? Only unbaited, single hook, artificial lures are allowed from September 1 through June 1.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would increase the harvest of king salmon by some amount. Nearly all the sport fishing effort at this time of the year is directed at fishing for pre-spawning aggregates of rainbow trout, therefore it is likely that the catch and release related mortality for rainbow trout would increase.

BACKGROUND: The regulation that restricted the Parks highway streams (Unit 2) to unbaited, single hook, artificial lures from September 1 through May 31 was adopted by the board during the 1996 meeting. The board adopted this proposal to aid in the release of fish and to reduce the catch and release related mortality that is associated with hooking injuries on rainbow trout. Parks Highway streams are recognized not only for the number of trout they produce but also for producing an abundance of trout over 20 inches. Several of these streams, Montana and Willow creeks and the North Fork of the Kashwitna River, were further recognized for their unique characteristics and were given special status by the board as a special Management Area for Rainbow Trout 5 AAC 61.025.

Very few king salmon are present and/or caught in the Parks Highway streams prior to June 1. However, use of treble hooks would increase harvest of available king salmon. Most of the tributaries flowing into the eastside of the Susitna River are already at or slightly above maximum harvest levels and any additional harvest may jeopardize the sustainability of future king salmon returns to these systems.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The department supports the use of single hooks to facilitate fish release in fisheries that are primarily catch and release. Large numbers of rainbow trout migrating from overwintering areas on the Susitna River to ascend spawning tributaries in Unit 2 share the same waters with early arriving king salmon during the majority of May. Allowing anglers to use treble hooks 15 days earlier on the Parks Highway streams would do little to increase the harvest of king salmon as very few king salmon are available in Unit 2 at that particular time of the year.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 342 - 5 AAC 61.114. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for Unit 2 of the Susitna River Drainage Area; and 5 AAC 61.120. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for Unit 5 of the Susitna River Drainage Area.

PROPOSED BY: Matanuska Valley Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would increase the coho salmon bag and possession limit for Alaskan residents from 2 fish to 3 fish for the eastside Susitna and Talkeetna River drainages.

WHAT ARE THE CURRENT REGULATIONS? The bag and possession limit is 2 coho salmon in the eastside Susitna and Talkeetna River drainages for all anglers.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would increase harvest of coho salmon in 12 sport fisheries including Willow, Little Willow, Sheep, Goose, Greys, Caswell, Montana, Birch, Sunshine, Rabideux, and Clear creeks and the Kashwitna River. Harvest of coho salmon in small clear water sloughs within Units 2 and 5 would be increased as well. The increased harvest may be unsustainable on years of low returns.

BACKGROUND: Poor returns of coho salmon to Upper Cook Inlet in 1997 and 1999, coupled with not meeting escapement goals prompted the Board to reduce the coho salmon sport fisheries on select Knik Arm and Susitna River streams. In 2000, the Board conducted a special out-of-cycle session to address Cook Inlet coho salmon. Because of

the wide decline in coho salmon abundance, restrictive action was taken on a wide geographic range (i.e., Anchorage, Kenai, Susitna River, Knik Arm, and parts of West Cook Inlet). Coho salmon restrictions were placed on both sport and commercial fisheries throughout most of the Upper Cook Inlet area. In the sport fishery, coho salmon limits were reduced from 3 fish per day to 2 fish per day. Possession limits were reduced from 6 to 4 in some areas, while in other cases, such as the eastside Susitna and Talkeetna River, possession limits were equal to the bag limit.

Coho salmon runs to NCI waters have increased beginning in 2000. The Board took action in 2005 to return the daily bag and possession limit to the original 3 per day/6 in possession along westside Susitna River tributaries, excluding Alexander Creek. Westside tributaries support relatively large runs of coho salmon on good return years with relatively low associated harvest and use. Consequently the sustainability of coho salmon as a result of low returns to westside Susitna tributaries is less threatened by harvest than on eastside Susitna tributaries. Eastside Susitna and Talkeetna River tributaries, which are road accessible and receive high angler use, may not be able to sustain an increase in harvest during years with low or average returns.

DEPARTMENT COMMENTS: The department is **OPPOSED** to the biological aspects of this proposal and is **NEUTRAL** on the allocative aspects which would set different bag limits based upon residency. Increasing the coho bag limit in streams that are road-accessible, within close proximity to major population centers, and which receive relatively high angler use, may increase the harvest above a sustainable level on years with low returns.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 343 - 5 AAC 61.120 (1). Special provisions and localized additions and exceptions to the seasons, bag, possession and size limits, and methods and means for Unit 5 of the Susitna River Drainage Area.

PROPOSED BY: Wayne Coggins

WHAT WOULD THE PROPOSAL DO? This proposal would allow the use of bait in the Talkeetna River an additional two weeks until September 15.

WHAT ARE THE CURRENT REGULATIONS? From September 1 through July 13, in all flowing waters only unbaited, artificial lures may be used.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would likely increase the harvest of coho salmon by some amount. Harvest and incidental catch and release related mortality would increase on rainbow trout, Dolly Varden and arctic grayling.

BACKGROUND: The Susitna River which includes the Talkeetna River contains the majority of wild rainbow trout waters in the NCI management area. In the late 1980's Susitna drainage rainbow trout stocks began to show signs of decline. The Board began to take restrictive action through the next several Upper Cook Inlet board meetings in an attempt to restore the Susitna River rainbow trout population to historical levels.

In 1987, all drainages of the Susitna River from its junction with the Talkeetna River upstream to Devil's Canyon were designated trophy rainbow trout waters. In 1989 catch and release regulations were initiated in a portion of the Lake Creek drainage, the Deshka River upstream of the forks and the Fish Creek drainage (Clear Creek/Talkeetna River drainage). In 1993 the North Fork of the Kashwitna River was designated catch and release, and in 1997 Prairie, Alexander, Willow and Montana creeks were designated catch and release. In 1999 Canyon Creek (Skwentna River) was designated catch and release.

Area-wide regulations prohibiting the use of bait in flowing waters September 1 through December 31 were adopted in 1987 to provide protection to rainbow trout. This was amended in 1993 to include the period of January 1 to May 15. In 1995 all flowing waters of the Susitna River drainage were limited to unbaited, artificial lures from September 1 through July 13. In 1999 retention of rainbow trout in all flowing waters of the Susitna River drainage was prohibited from April 15 through June 14 to protect spawning fish.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. In early September rainbow trout begin to migrate from the clearwater drainages and concentrate in the mainstem Talkeetna River, a bait fishery during that time of the year could have serious consequences to pre-wintering aggregates of rainbow trout in this area.

COST ANALYSIS: The Department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

WEST COOK INLET SALMON SPORT FISHERIES

PROPOSAL 344 - AAC 62.122 (5). Special provisions and localized additions and exceptions to the seasons, bag, possession and size limits, and methods and means for the West Cook Inlet Area.

PROPOSED BY: Terry Jorgensen

WHAT WOULD THE PROPOSAL DO? This proposal would close the portion of Chuitna River upstream of the old cable crossing to all fishing.

WHAT ARE THE CURRENT REGULATIONS? In the Chuitna River drainage upstream of the cable crossing, king salmon may not be retained or possessed; king

salmon caught must be released immediately. Upstream of the cable crossing is open to harvest for other salmon and resident fish populations.

WHAT WOULD BE THE EFFECT IF THIS PROPOSAL IS ADOPTED? This proposal would reduce the area open to fishing for salmon other than king salmon and resident species. Harvest levels would decrease by some amount because nearly all of the resident fish populations on the Chuitna River are released and few coho salmon are harvested above the cable crossing.

BACKGROUND: Access to Chuitna River is limited to fly-in-only with the exception of the people that reside in the Beluga area. Most of the fishing on this system already occurs (>90%) in the area below the cable crossing which would remain open to fishing. The Chuitna River receives approximately 2,475 angler days of sport fishing effort annually of which more than 90% is directed at fishing for king salmon. Sport harvests and catch of king salmon from the Chuitna River average about 550 and 1800 fish respectively. Sport harvest for other salmon and resident fish species is fairly low. Escapements of king salmon into the Chuitna River have been well within the escapement goal range of 1,200 – 1,900 fish in twelve of the past thirteen years. Comparable catch information from the department's statewide harvest survey indicate that other fish populations are healthy.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Currently there are no biological concerns or problems with other salmon and resident fish populations for this system, therefore it is unnecessary to take restrictive action at this time.

COST ANALYSIS: The Department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

KNIK ARM SALMON SPORT FISHERIES

PROPOSAL 345 -5 AAC 60.170. Little Susitna River Coho Salmon Management Plan.

PROPOSED BY: Tom Olsen

WHAT WOULD THE PROPOSAL DO? This proposal would eliminate the use of bait when sport fishing on the Little Susitna River.

WHAT ARE THE CURRENT REGULATIONS? In the Little Susitna River only unbaited artificial lures may be used from July 14th through August 5th. A person, after taking a bag limit of salmon from the Little Susitna River downstream of river mile 32.5, may not sport fish that same day for any species of fish in water open to sport fishing for salmon. However an angler may continue to catch and release as long as they have not retained a bag limit.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would reduce harvest and catch and release related mortality of coho salmon by an unknown amount.

BACKGROUND: In 1993 the department conducted a coho salmon hook and release mortality study in the lower reaches of the Littler Susitna River. This study was prompted by anglers concerns over dead or dying coho salmon observed in the lower river. Results from this study showed a much higher mortality rate (69%) than initially thought for coho salmon that were released by sport fishers in the lower river. Under the current regulation, downstream of river mile 32.5, you must quit fishing once you have harvested your limit of salmon. However an angler may continue to catch and release as long as they have not retained a bag limit. This regulation was adopted by the board in 2000 to reduce the catch and release related mortality of coho salmon in the lower river.

The department operates a weir on the Little Susitna River to count coho salmon. This weir is located at river Mile (RM) 70 and is approximately one mile upstream of the Parks Highway Bridge. Escapements of coho salmon counted past the weir have been well within and above the department's escapement goal range of 10,100 to 17,700 for nine of the past 10 years. The average annual harvest of coho salmon from the Little Susitna River is about 15,000 fish, with an additional 8,000 fish being released. If half of the coho salmon that are released end up as mortalities as many as 2,000 - 4,000 additional coho salmon may not survive to spawn. On years where coho salmon returns are low this mortality could be significant in terms of achieving the escapement goal, however that has not been the case in the past decade.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. There is currently no biological reason to reduce the sport harvest of coho salmon on the Little Susitna River.

COST ANALYSIS: The Department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 346 - 5 AAC 60.122 Special provisions and localized additions and exceptions to the seasons, bag, possession and size limits, and methods and means for the Knik Arm Drainage Area.

PROPOSED BY: Matanuska Valley Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would allow the use of bait when sport fishing for king salmon on the Little Susitna River from July 1 through July 13.

WHAT ARE THE CURRENT REGULATIONS? In the Little Susitna River only unbaited artificial lures may be used from July 14th through August 5th.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would increase harvest of king salmon by some unknown, but likely unsustainable, amount.

BACKGROUND: In response to king salmon runs falling below escapement goals in the Northern Cook Inlet beginning in the early 1990's action was taken by emergency orders and regulatory changes to reduce harvest levels. Prior to the 1995 season, the department issued emergency orders for the Little Susitna River which prohibited bait during the king salmon season, reduced the bag and possession limit to one king salmon and allowed fishing only between the hours of 6:00 a.m. and 11:00 p.m.

The Little Susitna River is a glacial fed stream in which during some years it is impossible to do an escapement survey due to poor visibility. During the past twenty years there have been five years when conditions didn't allow escapement counts. These counts are the only means the department has of evaluating the return of king salmon besides angler reports of fishing success. During the previous five years 2003-2007, the harvest of king salmon has been between 2,100 and 3,300 fish with an average escapement count of approximately 1,400 fish. This indicates an exploitation rate of approximately 60-70%. The exploitation rate is probably higher due to catch and release related mortality. The average number of king salmon caught and released on this system are approximately 5,500. The overall escapement of king salmon into the Little Susitna River has been at about the mid point of the escapement goal range (9,100 – 18,600); any liberalization of regulations on this system may jeopardize the sustainability of this run.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The Little Susitna River is already at maximum harvest levels and any addition harvest may jeopardize the sustainability of future king salmon returns to this system.

COST ANALYSIS: The Department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 347 - AAC 60.122 (9). General provisions for seasons, bag, possession and size limits, and methods and means for the Knik Arm Drainage Area.

PROPOSED BY: Matthew Conley

WHAT WOULD THE PROPOSAL DO? This proposal would restrict the use of motor boats on the Little Susitna River from the Parks Highway Bridge at Houston to the Burma Road Access site, at the Little Susitna Public Use Facility (LSPUF).

WHAT ARE THE CURRENT REGULATIONS? There are no power boat restrictions on the Little Susitna.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would decrease the harvest, catch, and fishing effort of salmon by a significant amount.

BACKGROUND: The Little Susitna River is a fairly small windy river system located within the Matanuska Susitna Valley. There are two major locations for boat access to the Little Susitna River, one is located immediately downstream of the Parks Highway Bridge and the other is a department owned site located 40 miles downstream of the Parks Highway bridge. Every year this river system receives about 35,000 angler days of effort. The majority of this effort is expended by anglers using power boats. Power boats on the river range in size from 10 to 30 feet utilizing both outboard and inboard engines which range in horse power from 2 - 250 hp for outboard motors, with inboard engines as large as 454 cubic inches. Because this is such a small windy river, with a high volume of boat traffic, there are several boating accidents each year. Although no fatalities have been recorded as of yet, many serious accidents requiring hospitalization have taken place.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. Eliminating the use of outboard motors on the Little Susitna River is a social issue that does not affect the sustainability of salmon stocks. Although this proposal is seeking to ban outboard motors for all user groups, it may be difficult for the board to demonstrate the reasonable necessity of the measure for conservation or development purposes.

COST ANALYSIS: The Department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 348 - 5 AAC 60.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for Knik Arm Drainages Area.

PROPOSED BY: Andy Couch.

WHAT WOULD THE PROPOSAL DO? This proposal would increase the amount of area open to king salmon fishing at the Eklutna Tailrace, a terminal fishery. The boundaries would be extended to include all waters of the Knik River from the Knik Arm to ½ mile above the Tailrace, waters of the Tailrace, and all waters within ½ mile radius of the Knik River.

WHAT ARE THE CURRENT REGULATIONS? The Eklutna Tailrace is open to fishing for king salmon from its confluence with the Knik River upstream to an ADF&G regulatory marker located approximately 100 feet downstream of the Old Glenn Highway, and in the waters within a one-half mile radius of its confluence with the Knik River.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would likely increase the harvest of hatchery fish as well as non-target wild king salmon

stocks migrating upstream of the Tailrace in the Knik River and in the Matanuska River. Angler participation would likely increase while at the same time decreasing the congestion that is now beginning to occur at that site

BACKGROUND: The Knik River is a glacial river. The Knik and Matanuska Rivers intersect at Knik Arm forming a web of interconnected channels. The two rivers do not fully separate from one another for the first 4 miles above Knik Arm. The Eklutna Tailrace flows into the Knik River and is a result of the Eklutna Power Plant. The Tailrace is approximately 1/4 mile long and empties into a side channel of the Knik River at river mile (rm) 4. A non-profit hatchery was operated at this site from 1981 to 1998, however this hatchery is not longer in operation. The department began a terminal king salmon fishery at this site, stocking the first smolt in 2002. One of the main objectives of this program was to take pressure off wild king salmon stocks through supplemental hatchery fish returning to a terminal harvest area. Therefore, the harvest area was chosen to maximize the potential for harvest of stocked hatchery fish only. Three annual objectives are to 1) stock the Tailrace with 200,000 king salmon smolt, 2) produce a run of 4,000 fish, and 3) result in an expenditure of 10,000 angler days. This is a relatively new fishery, having only received its first compliment of all age classes in 2006. Harvest in 2006 was 484 king salmon.

DEPARTMENT COMMENTS: The department **SUPPORTS** increasing the area open to fishing at the Eklutna Tailrace by an addition of 1.5 miles but **OPPOSES** extending the fishery downstream to the confluence with Knik Arm because small fragile stocks of king salmon ascending the Matanuska River could be subject to over harvest.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

NORTHERN COOK INLET RESIDENT SPECIES

PROPOSAL 349 - 5 AAC 60.122. Special provisions and localized additions and exceptions to the seasons, bag, possession and size limits, and methods and means for the Knik Arm Drainage Area.

PROPOSED BY: Thomas Knowles

WHAT WOULD THE PROPOSAL DO? This proposal would allow sport anglers fishing Big Lake to use bait on a year-round basis.

WHAT ARE THE CURRENT REGULATIONS? Only one single hook, artificial lures are allowed from November 1 through April 30. Bait is not allowed during the winter fishery.

WHAT WOULD BE THE AFFECT IF THE PROPOSAL IS ADOPTED? This proposal would increase angler participation, harvest and catch related mortality of rainbow trout, arctic char and burbot in Big Lake, perhaps to levels that would no longer be sustainable.

BACKGROUND: Big Lake is the most popular sport fishing lake in the Northern Cook Inlet Management Area (NCIMA). On average, anglers expend more than 10,000 angler days of effort to harvest 389, 3,277 and 195, rainbow trout, arctic char and burbot, respectively. Big Lake is unique in that it supports the only natural arctic char population in the NCIMA. Big Lake is also one of the few lakes in the area that provides a viable burbot fishery. The next closest lake that supports a productive burbot fishery is more than one hundred miles away. Because of Big Lake's unique fishing opportunities, size, and geographic location adjacent to or in close proximity of major population centers, this lake has become extremely popular with area fishermen. In 1998, in response to declining harvest and catch trend information and local angler concerns about fewer available rainbow trout, arctic char and burbot, the department submitted proposals to the board to restrict harvest opportunities on Big Lake. Since much of the fishing on Big Lake took place during the ice covered months, the board supported a winter bait restriction. Although the bait restriction did very little to reduce angler effort on Big Lake, harvest and catch of resident fish populations were reduced dramatically. Currently, sport fish harvest levels for rainbow trout and arctic char appear to be sustainable.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Given that the Mat-Su Valley is the fastest growing area in the state, it is likely that angler effort on area lakes will increase and that any liberalization of regulations, especially on systems that have a history of overexploitation, could drive resident fish populations below sustainable levels.

COST ANALYSIS: The Department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 350 - 5 AAC 60.122. Special Provisions and localized additions and exceptions to the seasons, bag, possession and size limits, and methods and means for the Knik Arm Drainage Area.

PROPOSED By: Steve Runyan

WHAT WOULD THE PROPOSAL DO? This proposal would close Big Lake to sport fishing for burbot during a portion of the spawning season from March 15 through May 1 and reduce the bag and possession limit from 5 fish to 2 fish.

WHAT ARE THE CURRENT REGULATIONS? There is no closed sport fish season for burbot in Big Lake. The bag and possession limit for burbot in Big Lake is 5 fish.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would reduce the sport harvest of Big Lake burbot while possibly increasing the abundance of burbot.

BACKGROUND: Big Lake is the most popular sport fishing lake in the Northern Cook Inlet Management Area (NCIMA). On average, anglers expend more than 10,000 angler days of effort to harvest 389, 3,277 and 195, rainbow trout, arctic char and burbot respectively. Very few lakes within the Matanuska Susitna Valley support burbot populations; consequently, Big Lake receives a substantial amount of sport fishing pressure. Other lakes that support productive burbot fisheries are more than one hundred miles away. Because of Big Lake's unique fishing opportunities, size, and geographic location adjacent to or in close proximity of major population centers it is extremely popular with area fishermen.

Although catch information for Big Lake burbot is somewhat unreliable it is assumed that most anglers retain burbot once they are caught. A burbot study by the department conducted in 1991 indicated that the population of burbot greater than 18 inches in length for Big Lakes was only about 650 fish. Even if the population of burbot has doubled since the 1991 study, recent harvest information suggests that about 15% of the catchable sized burbot are being harvested from Big Lake each year and in some years, harvests levels may exceed as much as 50% of the assumed population. Department studies, conducted primarily in the upper Susitna area, indicate that in order to manage burbot populations to achieve sustainable yield only about 10% of the production is surplus. The harvest of Big Lake burbot fluctuates drastically from year to year with a high of 765 to a harvest of 0, with an overall average harvest of about 195 burbot per year since 1977. The most recent five year average (2001-2005) harvest is 426; a level much higher than the recommended harvest levels for maintaining a sustainable burbot population.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal. It is highly likely that Big Lake burbot populations are being overexploited at the current rate of harvest.

COST ANALYSIS: The Department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 351 - 5 AAC 60.122(5)(F) Special Provisions and localized additions and exceptions to the seasons, bag, possession and size limits, and methods and means for the Knik Arm Drainage Area.

PROPOSED By: Steve Runyan

WHAT WOULD THE PROPOSAL DO? This proposal would reduce the bag and possession limit for burbot in Big Lake from 5 fish, to 2 fish.

WHAT ARE THE CURRENT REGULATIONS? The bag and possession limit for burbot in Big Lake is 5 fish.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would reduce the sport harvest of Big Lake burbot while possibly increasing the abundance of burbot.

BACKGROUND: Big Lake is the most popular sport fishing lake in the Northern Cook Inlet Management Area (NCIMA). On average, anglers expend more than 10,000 angler days of effort to harvest 389, 3,277 and 195, rainbow trout, arctic char and burbot respectively. Very few lakes within the Matanuska Susitna Valley support burbot populations so consequently, Big Lake receives a substantial amount of sport fishing pressure. Other lakes that support productive burbot fisheries are more than one hundred miles away. Because of Big Lake's unique fishing opportunities, size, and geographic location adjacent to or in close proximity of major population centers it is extremely popular with area fishermen.

Although catch information for Big Lake burbot is somewhat unreliable it is assumed that most anglers retain burbot once they are caught. A burbot study by the department conducted in 1991 indicated that the population of burbot greater than 18 inches in length for Big Lakes was only about 650 fish. Even if the population of burbot has doubled since the 1991 study, recent harvest information suggests that about 15% of the catchable sized burbot are being harvested from Big Lake each year and in some years, harvests levels may exceed as many as 50% of the assumed population. Department studies, conducted primarily in the upper Susitna area, indicate that in order to manage burbot populations to achieve sustainable yield only about 10% of the production is surplus. The harvest of Big Lake burbot fluctuates drastically from year to year with a high of 765 to a harvest of 0, with an overall average harvest of about 195 burbot per year since 1977. The most recent five year average (2001-2005) harvest is 426, a level much higher than the recommended harvest levels for maintaining a sustainable burbot population.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal. It is highly likely that Big Lake Burbot populations are being overexploited at the current rate of harvest.

COST ANALYSIS: The Department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 352 - 5 ACC 60.122 (10)(B). Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Knik Arm drainages area; 5 AAC 61.118 (10). Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for Unit 4 of the Susitna River Drainage Area; and 5 ACC 62.122 (13)(C). Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the West Cook Inlet Area.

PROPOSED BY: Alaska Department of Fish and Game

WHAT WOULD THE PROPOSAL DO? This proposal would add four unstocked lakes (Shell, Onestone, Nancy, and Chuitbuna Lakes) and five stocked lakes (Anderson, Memory, Prator, Crystal, and Long Lakes) to the list of lakes currently managed for liberal northern pike harvest.

WHAT ARE THE CURRENT REGULATIONS? Area-wide, northern pike may be taken year round with rod and reel, spear, and bow and arrow. There is no bag, possession or size limits, with exception to Alexander Lake. Two (2) hooks per line may be used while fishing through the ice provided both hooks are attached to the same single piece of bait. Generally, standard ice fishing gear allows for the use of 2 lines per angler. Use of 5 lines per angler is allowed on select lakes in the Northern Cook Inlet Area, including Figure Eight, Sucker, Flathorn, Lower Vern, Upper Vern, Lockwood, Whiskey, Hewitt, Donkey, Threemile/Tukhallah, Trapper, Trail, Neil, and Kroto lakes, No Name/Cabin Lake, and lakes of the Nancy Lake Recreation Area (except Nancy Lake).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would increase the harvest of northern pike in select wild and stocked lakes where native and stocked fish species have been identified as impacted by pike predation.

BACKGROUND: Northern pike are not indigenous to the NCI management area. Having been illegally introduced during the 1950s, their proliferation and subsequent impact on area fish stocks was not measurably noticeable until about the mid 1980's when harvest rate began to increase. Over the past 25 years harvest of northern pike has increased from just over 100 fish in 1981 to nearly 12,023 pike in 2001. Growth in the fishery during the mid 1980s to mid 1990s indicated a period of rapid range expansion by pike throughout the westside Susitna area waters. In response, the department began gathering baseline data to describe population structure and to determine impact on salmonid productivity in the area during the mid 1990s.

Recommendations stemming from this research prompted the Board in 1996 to liberalize northern pike regulations with the bag and possession limit increased from 10 fish to no bag limit. Additional action taken provided for the use of 5 lines through the ice in select NCI lakes where northern pike were prolific. The average harvest and catch of northern pike in NCI from 1992 to 1996 was approximately 5,300 and 22,000 fish, respectively. The new regulations provided for an increased harvest and catch in 1997 of approximately 9,000 and 26,300 fish, respectively. Prior to 1996, before liberalizations were in effect, about 24% of the catch was harvested. After 1996 and to present day, about 30% of the catch is harvested.

During the 2002 BOF meeting 7 additional lakes were added to the list of lakes selected for maximal harvest (Fishing through the ice using 5 lines). Currently all lakes designated for use of 5 lines contains nearly only pike. The use of 5 lines over the past 10 years on select lakes has demonstrated increased harvest, but not obvious widespread stunting of northern pike. Research has shown that large pike (>30 inches) can serve as a

control mechanism for decreasing small pike abundance through cannibalism. Managers would like to continue this pattern of harvest without instituting slot limits, which can result in lost angler interest and overall lower harvest rates.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. The department would like to omit Nancy Lake from this proposal, as burbot stocks in this lake have declined to unsustainable levels and sport harvest is not allowed. Liberalizing pike regulation on Nancy Lake would increase hook and release related mortality on Nancy Lake burbot stocks.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 353 - 5 AAC 61.118. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for Unit 4 of the Susitna River Drainage Area.

PROPOSED BY: Brendon Sutherland

WHAT WOULD THE PROPOSAL DO? This proposal would add Shell Lake to the list of waters managed for liberal harvest of northern pike.

WHAT ARE THE CURRENT REGULATIONS? Area-wide, northern pike may be taken year round with rod and reel, spear, and bow and arrow. There is no bag, possession or size limits, with exception to Alexander Lake. Two (2) hooks per line may be used while fishing through the ice provided both hooks are attached to the same single piece of bait. Generally, standard ice fishing gear allows for the use of 2 lines per angler. Use of 5 lines per angler is allowed on select lakes in the Northern Cook Inlet area, including Figure Eight, Sucker, Flathorn, Lower Vern, Upper Vern, Lockwood, Whiskey, Hewitt, Donkey, Threemile/Tukhallah, Trapper, Trail, Neil, and Kroto lakes, No Name/Cabin Lake, and lakes of the Nancy Lake Recreation Area (except Nancy Lake).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would increase the harvest of northern pike in Shell Lake where native fish species have been identified as impacted by pike predation.

BACKGROUND: Northern pike are not indigenous to the NCI management area. Having been illegally introduced during the 1950s, their proliferation and subsequent impact on area fish stocks was not measurably noticeable until about the mid 1980's when harvest rate began to increase. Over the past 25 years harvest of northern pike has increased from just over 100 fish in 1981 to nearly 12,023 pike in 2001. Growth in the fishery during the mid 1980s to mid 1990s indicated a period of rapid range expansion throughout the westside Susitna area waters. In response, the department began gathering baseline data to describe population structure and to determine impact on salmonid productivity in the area during the mid 1990s.

Recommendations stemming from this research prompted the board in 1996 liberalize northern pike regulations with the bag and possession limit increased from 10 fish to no bag limit. Additional action taken provided for the use of 5 lines through the ice in select NCI lakes where northern pike were prolific. The average harvest and catch of northern pike in NCI from 1992 to 1996 was approximately 5,300 and 22,000 fish, respectively. The new regulations provided for an increased harvest and catch in 1997 of approximately 9,000 and 26,300 fish, respectively. Prior to 1996, before liberalizations were in effect, about 24% of the catch was harvested. After 1996 and to present day, about 30% of the catch is harvested.

During the 2002 BOF meeting 7 additional lakes were added to the list of lakes selected for maximal harvest (Fishing through the ice using 5 lines). Currently all lakes designated for use of 5 lines contains nearly only pike. The use of 5 lines over the past 10 years on select lakes has demonstrated increased harvest, but not obvious widespread stunting of northern pike. Research has shown that large pike (>30 inches) can serve as a control mechanism for decreasing small pike abundance through cannibalism. Managers would like to continue this pattern of harvest without instituting slot limits, which can result in lost angler interest and overall lower harvest rates.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal. The department proposal 352 also includes adding Shell Lake to the list of lakes where 5 lines are allowed.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 354 - 5 AAC 60.120 General provisions for seasons, bag, possession, and size limits, and methods and means for the Knik Arm Drainages Area and 5 ACC 61.120. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for Unit 5 of the Susitna River Drainage Area.

PROPOSED BY: Daniel Franckowiak.

WHAT WOULD THE PROPOSAL DO? This proposal would allow 7 to 12 lines while fishing for northern pike in all Northern Cook Inlet (NCI) waters except those with pike harvest limitations or bait restrictions.

WHAT ARE THE CURRENT REGULATIONS? Area-wide, northern pike may be taken year round with rod and reel, spear, and bow and arrow. There is no bag, possession or size limits, with exception to Alexander Lake. Two (2) hooks per line may be used while fishing through the ice provided both hooks are attached to the same single piece of bait. Generally, standard ice fishing gear allows for the use of 2 lines per angler. Use of 5 lines per angler is allowed on select lakes in the Northern Cook Inlet area, including Figure Eight, Sucker, Flathorn, Lower Vern, Upper Vern, Lockwood, Whiskey,

Hewitt, Donkey, Threemile/Tukhallah, Trapper, Trail, Neil, and Kroto lakes, No Name/Cabin Lake, and lakes of the Nancy Lake Recreation Area (except Nancy Lake).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would increase opportunity and the harvest of northern pike in all waters of NCI except where pike harvest limitations or bait restrictions are presently in effect.

BACKGROUND: Northern pike are not indigenous to the NCI management area. Having been illegally introduced during the 1950s, their proliferation and subsequent impact on area fish stocks was not measurably noticeable until about the mid 1980's when harvest rate began to increase. Over the past 25 years harvest of northern pike has increased from just over 100 fish in 1981 to nearly 12,023 pike in 2001. Growth in the fishery during the mid 1980s to mid 1990s indicated a period of rapid range expansion throughout the westside Susitna area waters. In response, the department began gathering baseline data to describe population structure and to determine impact on salmonid productivity in the area during the mid 1990s.

Recommendations stemming from this research prompted the board in 1996 liberalize northern pike regulations with the bag and possession limit increased from 10 fish to no bag limit. Additional action taken provided for the use of 5 lines through the ice in select NCI lakes where northern pike were prolific. The average harvest and catch of northern pike in NCI from 1992 to 1996 was approximately 5,300 and 22,000 fish, respectively. The new regulations provided for an increased harvest and catch in 1997 of approximately 9,000 and 26,300 fish, respectively. Prior to 1996, before liberalizations were in effect, about 24% of the catch was harvested. After 1996 and to present day, about 30% of the catch is harvested.

During the 2002 BOF meeting 7 additional lakes were added to the list of lakes selected for maximal harvest (Fishing through the ice using 5 lines). Currently all lakes designated for use of 5 lines contains nearly only pike. The use of 5 lines over the past 10 years on select lakes has demonstrated increased harvest, but not obvious widespread stunting of northern pike. Research has shown that large pike (>30 inches) can serve as a control mechanism for decreasing small pike abundance through cannibalism. Managers would like to continue this pattern of harvest without instituting slot limits, which can result in lost angler interest and overall lower harvest rates.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal as written. The department recommends 5 lines instead of 7 to 12 lines for consistency with current burbot regulations. The department is in support of northern pike management strategies that will reduce northern pike abundance in waters where northern pike continue to prey upon native and stocked fish populations. However, the department is cautious about impact on nontarget wild fish species. For this reason, the department would support liberalizing the number of lines fished in select flowing waters where nearly only pike exist, such as Fish Creek (lower Susitna River), Fish Creek (Kroto Slough), Whitsoe Creek, and Indian Creek (Yentna River), but not in other flowing waters such as Deshka River sloughs where overwintering rainbow trout may be present.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 355 - 5 ACC 61.120. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for Unit 5 of the Susitna River Drainage Area.

PROPOSED BY: Bruce E. Taylor

WHAT WOULD THE PROPOSAL DO? This proposal would allow five lines with baited hooks while fishing for northern pike after freeze up (November 1 – April 15) in all sloughs, ponds, and tributaries, and excluding main channels, that drain into the Deshka, Yentna, and Susitna Rivers.

WHAT ARE THE CURRENT REGULATIONS? Area-wide, northern pike may be taken year round with rod and reel, spear, and bow and arrow. There is no bag, possession or size limits, with exception to Alexander Lake. Two (2) hooks per line may be used while fishing through the ice provided both hooks are attached to the same single piece of bait. Generally, standard ice fishing gear allows for the use of 2 lines per angler. Use of 5 lines per angler is allowed on select lakes in the NCI area, including Figure Eight, Sucker, Flathorn, Lower Vern, Upper Vern, Lockwood, Whiskey, Hewitt, Donkey, Threemile/Tukhallah, Trapper, Trail, Neil, and Kroto lakes, No Name/Cabin Lake, and lakes of the Nancy Lake Recreation Area (except Nancy Lake).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would likely increase harvest of northern pike in sloughs, ponds, and tributaries of the Deshka, Yentna, and Susitna Rivers by an unknown amount.

BACKGROUND: Northern pike are not indigenous to the NCI management area. Having been illegally introduced during the 1950s, their proliferation and subsequent impact on area fish stocks was not measurably noticeable until about the mid 1980's when harvest rate began to increase. Over the past 25 years harvest of northern pike has increased from just over 100 fish in 1981 to nearly 12,023 pike in 2001. Growth in the fishery during the mid 1980s to mid 1990s indicated a period of rapid range expansion throughout the westside Susitna area waters. In response, the department began gathering baseline data to describe population structure and to determine impact on salmonid productivity in the area during the mid 1990s.

Recommendations stemming from this research prompted the board in 1996 liberalize northern pike regulations with the bag and possession limit increased from 10 fish to no bag limit. Additional action taken provided for the use of 5 lines through the ice in select NCI lakes where northern pike were prolific. The average harvest and catch of northern pike in NCI from 1992 to 1996 was approximately 5,300 and 22,000 fish, respectively. The new regulations provided for an increased harvest and catch in 1997 of approximately 9,000 and 26,300 fish, respectively. Prior to 1996, before liberalizations

were in effect, about 24% of the catch was harvested. After 1996 and to present day, about 30% of the catch is harvested.

During the 2002 BOF meeting 7 additional lakes were added to the list of lakes selected for maximal harvest (Fishing through the ice using 5 lines). Currently all lakes designated for use of 5 lines contains nearly only pike. The use of 5 lines over the past 10 years on select lakes has demonstrated increased harvest, but not obvious widespread stunting of northern pike. Research has shown that large pike (>30 inches) can serve as a control mechanism for decreasing small pike abundance through cannibalism. Managers would like to continue this pattern of harvest without instituting slot limits, which can result in lost angler interest and overall lower harvest rates.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal as written. The department is in support of northern pike management strategies that will reduce northern pike abundance in waters where northern pike continue to prey upon native fish populations. However, the department is cautious about impact on nontarget wild fish species. For this reason, the department would support liberalizing the number of lines fished in select flowing waters where nearly only pike exist, such as Fish Creek (lower Susitna River), Fish Creek (Kroto Slough), Whitsoe Creek, and Indian Creek (Yentna River), but not in other waters of the Susitna Drainage such as Deshka River sloughs where overwintering rainbow trout may be present.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

NORTHERN COOK INLET PERSONAL USE

PROPOSAL 356 - 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon fishery Management Plan.

PROPOSED BY: Tom O'Brien

WHAT WOULD THESE PROPOSALS DO? This proposal would establish a personal use dipnet fishery in selected Upper Cook Inlet drainages such as; Ship, Bird, Campbell and Jim creeks and the Little Susitna River (all species of salmon could be retained), and would lower the trigger point for opening the sockeye salmon personal use fishery on Fish Creek from 70,00 to 50,000 sockeye salmon.

WHAT ARE THE CURRENT REGULATIONS? The only personal use dipnet fishery for salmon in the Northern and Western Cook Inlet area is on Fish Creek (Big Lake drainage). This fishery is a dipnet fishery for sockeye salmon only and opens by emergency between July 10 through July 31 if the department projects that the escapement of sockeye salmon into Fish Creek will exceed the escapement goal of 20,000 -70,000 fish.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Salmon stocks in Northern Cook Inlet are fully allocated. This proposal would reduce allocation of salmon stocks between current users in Northern and Western Cook Inlet areas by allocating fish to a new user group (personal use). In cases of smaller systems such as; Ship, Campbell, Fish, Jim and the Little Susitna River a personal use fishery would likely reduce salmon populations to unsustainable levels.

BACKGROUND: Currently the only personal use fishery in Northern and Western Cook Inlet for salmon is on Fish Creek. Fish Creek has been stocked annually with sockeye salmon fry since 1976. The department initiated the stocking program in 1976 and Cook Inlet Aquaculture took over the stocking operations in 1993. The personal use dip net fishery was established in 1987 and is governed by 5 AAC 77.540, the Upper Cook Inlet Personal Use Management Plan. This fishery is prosecuted to harvest surplus sockeye salmon in excess of the escapement goal. This fishery targets both Fish Creek wild and hatchery sockeye salmon stocks. The Fish Creek personal use fishery has been open early only once during the past eight years due to low returns of sockeye salmon to the Fish Creek drainage.

Ship, Bird, Campbell, Jim, and Cottonwood creeks, and the Little Susitna, and many small streams in the Beluga area have fairly small salmon populations and likely could not support a personal use fishery. Salmon returning to the waters identified in this proposal are all currently fully allocated.

DEPARTMENT COMMENTS: The department is **OPPOSED** to the biological aspects of this proposal because it would likely result in unsustainable harvests and is **NEUTRAL** on the allocative aspects.

COST ANALYSIS: The Department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 357 - 5 AAC 77.527 Personal Use Smelt Fishery.

PROPOSED BY: Tom O'Brien

WHAT WOULD THE PROPOSAL DO? This proposal would establish a bag and possession of hooligan in the Cook Inlet personal use smelt use fisheries of 7.5 gallons.

WHAT ARE THE CURRENT REGULATIONS? The personal use hooligan (smelt) fishery in Cook Inlet opens on April 1. It closes in saltwater on May 31 and in fresh water on June 15. Personal use fisheries are only open to Alaska residents holding a current sport fishing license, an ADF&G Permanent Identification Card (PID), or an Alaska resident disabled veterans lifetime hunting and fishing license (DAV). There is no bag or possession limit for hooligan.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal may lower the harvest of hooligan by some unknown amount.

BACKGROUND: Hooligan are harvested each spring from several Cook Inlet streams and nearby saltwater areas, but most notably from the Kenai River, Susitna River, and Twentymile River. In 2007 a commercial hooligan fishery at the mouth of the Susitna River in Upper Cook Inlet harvested 67 tons of a 100 ton quota. The harvest from the personal use hooligan fisheries in Upper Cook Inlet streams fluctuates dramatically from year to year. The Kenai River hooligan harvest averaged about 16,000 fish annually for the last ten years (1996-2005), but fluctuated from 41,085 to 9,206 hooligan. In the Susitna River drainage the 10 year average (1996-2005) harvest is 8,212 fish, but fluctuated from 27,031 to 5,492 hooligan. The Turnagain Arm personal use fishery, located at or near the Twentymile River, ranged from 76,800 fish in 2002 to 8,800 fish in 2005, with an average harvest of about 32,000 fish.

Fluctuations in total harvest are likely due to the hooligan life history strategy that does not show the same site fidelity to natal streams as salmon, and has natural population spikes. Commercial, and or subsistence harvests of hooligan in other areas are also highly cyclic. Biomass estimates of the hooligan populations and average daily harvest by angler in Upper Cook Inlet are not known.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. There is no indication of over-harvest of upper Cook Inlet hooligan stocks. The harvests recorded in the past ten years from these systems are not significant in comparison to probable population size.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 358 - 5 AAC 77.540. Upper Cook Inlet Personal Use Salmon fishery Management Plan.

PROPOSED BY: Duane Gluth

WHAT WOULD THESE PROPOSALS DO? This proposal would establish a personal use gillnet salmon fishery in the Beluga area of West Cook Inlet (WCI).

WHAT ARE THE CURRENT REGULATIONS? The only personal use dipnet fishery for salmon in the Northern and Western Cook Inlet area is on Fish Creek (Big Lake drainage). This fishery is a dipnet fishery for sockeye salmon only and opens by emergency between July 10 through July 31 if the department projects that the escapement of sockeye salmon into Fish Creek will exceed the escapement goal range of 20,000 -70,000 fish.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would reduce allocation of salmon stock between users in the Beluga Area of Western Cook Inlet and increase the harvest of targeted salmon species.

BACKGROUND: Currently the only personal use fishery in Northern and Western Cook Inlet for salmon is on Fish Creek. Fish Creek has been stocked annually with sockeye salmon fry since 1976. The department initiated the stocking program in 1976 and Cook Inlet Aquaculture took over the stocking operations in 1993. The personal use dip net fishery was established in 1987 and is governed by 5 AAC 77.540, the Upper Cook Inlet Personal Use Management Plan. This fishery is prosecuted to harvest surplus sockeye salmon in excess of the escapement goal. This fishery targets both Fish Creek wild and hatchery sockeye salmon stocks. The Fish Creek personal use fishery has been open early only once during the past eight years due to low returns of sockeye salmon to the Fish Creek drainage.

DEPARTMENT COMMENTS: The department **OPPOSES** the biological aspects of this proposal because many small streams in the Beluga area have fairly small salmon populations and likely could not support a personal use fishery and is **NEUTRAL** on the allocative aspects. The Beluga Area of West Cook Inlet includes several small stream with small salmon populations, all systems within this area are viewed as being fully allocated between subsistence, sport fish, educational and commercial users.

COST ANALYSIS: The Department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.