



October 8, 2015

Alaska Department of Fish and Game  
Boards Support Section  
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**KRSA comment on three supplemental Agenda Change Requests to be considered by the Alaska Board of Fisheries at the 2015 Work Session, October 21-22, Anchorage, Alaska**

Kenai River Sportfishing Association (KRSA) strongly recommends that the Alaska Board of Fisheries (BOF) fail, in each case, the following three supplemental Agenda Change Requests (ACRs) as they fail to meet any criteria for accepting ACRs.

- ACR #16 addressing the Kasilof River Salmon Management Plan 5 AAC 21.365;
- ACR #17 addressing regulations that define statistical area boundaries 5 AAC 21.200, 5 AAC 21.310, and 5 AAC 21.330; and
- ACR #18 addressing the Kenai River Late-Run King Salmon Management Plan 5 AAC 21.359.

Discussion: In accordance with 5 AAC 39.999 Policy for changing board agenda.

*The Board of Fisheries will accept an agenda change request only:*

- 1) *For a fishery conservation purpose or reason; or*
- 2) *To correct an error in regulation; or*
- 3) *To correct an effect on a fishery that was unforeseen when a regulation was adopted.*

*The Board will not accept an agenda change request that is predominantly allocative in nature in the absence of new information found by the Board to be compelling.*

A thorough review of the current codified regulations, fishery statistics from each of the previous five salmon fishing seasons in Upper Cook Inlet (2011-2015), and a review of the documents archived from the both the 2011 and 2014 Upper Cook Inlet (UCI) meetings of the BOF makes it perfectly clear that the criteria set forth for acceptance of an ACR are not satisfied by any of the three supplemental ACRs put before the BOF at this time.

Acceptance of any one of these three supplemental ACRs, which seek to open and address key aspects of the major fishery management plans or regulations that govern the complicated mixed stock, mixed species UCI salmon fisheries, would result in a piecemeal, out-of-cycle meeting of the BOF on the most

complex, contentious area of the State during the limited time available at the 2016 Statewide Finfish meeting March 8-12, 2016 when a full hearing of the UCI salmon fisheries is scheduled for the winter of 2017.

All three of these were submitted by an individual representing himself as spokesperson for the South K Beach Independent Fishermen's Association. It is noted that while the BOF has accepted upon reconsideration and will consider these three supplemental ACRs, they were delivered to the BOF on October 1, 2015 well after the deadline for ACRs and also arguably after the deadline for public comments submitted regarding the on-time ACRs. None of these supplemental ACRs meets the criteria established by the BOF for acceptance. Comments specific to the individual ACRs follows.

ACR #16 seeks amendments to the Kasilof River Salmon Management Plan that would instruct ADFG how and when to utilize the "within 600 feet of the high tide mark" tool that are found within the Kasilof River Salmon Management Plan. This ACR fails to meet the criteria for acceptance. While the specific guidelines for traditional use of this tool as found in the existing Plan is grounded in the management of Kasilof River sockeye over a wide range of abundance of Kenai River late-run sockeye, subsection (e) of 5 AAC 21.363 of the Upper Cook Inlet Salmon Management Plan gives ADFG authority to act "outside" of the specific language of any codified management plan should it become necessary in their effort to achieve established escapement goals. The BOF thoroughly discussed both the Kasilof River Salmon Management Plan and subsection (e) of the Upper Cook Inlet Salmon Management Plan at the 2014 meeting. Additionally this ACR fails to suggest how concern over the achievement of the minimum escapement goal for Kenai River late-run king salmon would be affected.

ACR #17 seeks to make additions to the codified language in the Upper Cook Inlet section of the Administrative Code. Specifically this ACR calls for the subdistrict designation used for catch reporting in the commercial fishery to be adopted into regulation. This request does not meet the criteria for acceptance. The fisheries have been successfully managed for decades without the subdistrict boundaries set in regulation. The author should submit a suggestion such as this during the regularly schedule call for proposals for the 2017 meeting.

ACR #18 seeks amendments to the Kenai River Late-Run King Salmon Management Plan that would separate the Kasilof Section of the Upper Subdistrict from the Kenai/East Forelands Section for the purpose of implementing the paired restrictions called for during times when achieving the minimum escapement objective for Kenai River late-run king salmon is in question. The authors' state themselves the best reason for not accepting this ACR: in their response to question #9 on the Agenda Change Request form they state that this "proposal has been offered in petition form twice and as an ACR once." The no-more-than 36 hour restriction put in place during periods of low abundance of Kenai River late-run king salmon was one of the cornerstone discussion during the regularly scheduled meeting of the BOF in 2014 and the option of splitting the beach versus implementing the restriction for the entirety of the two subdistricts was thoroughly considered on the record. Furthermore should the hourly restriction be implemented separately as the authors propose the total number of days during which set net would be in the water in at least one subdistrict would likely increase significantly from the number of days set nets would be in the water if the entire subdistrict is either open or closed. This would result in a larger harvest of Kenai River late-run king salmon and, at historic low levels of abundance such as observed in 2013 and 2014, push all fisheries harvesting these fish toward early closure.