

PROPOSAL 130 – 5 AAC 21.363. Upper Cook Inlet Salmon Management Plan. Amend *Upper Cook Inlet Salmon Management Plan* so that fishery restrictions on fully allocated stocks of concern are shared among all user groups in proportion to the respective user group harvest of that stock, as follows:

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

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

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

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

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