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Submitted by Joseph Person

#### In Regards to the Setnet 1% Rule

This is being portrayed as a vital and important part of the setnet fishery mixed stock management plan and an important "transition tool" for closing the season. In reality, this is the last vestigial remnants of the "Kenai River Coho Salmon Conservation Management Plan" that the board repealed long ago. I reiterate my earlier testimony in emphasizing that when the board separated the calculation of the 1% rule between the Kasilof Section and the Kenai and East Forelands sections at the 2014 BoF meeting, they essentially removed it for the Kenai and East Forelands Section. On the other hand, as previously mentioned it is now a virtual certainty for the Kasilof section. In 2014 and 2015, the Kasilof section was closed early under it and the only reason it was not in 2016 is that we were closed for Chinook Conservation one period before the 1% rule would have kicked in. If applied retroactively the Kasilof Section would have been closed 11 out of 16 years due to the 1% rule, 3 years due to chinook conservation, and at least once (maybe twice) due to Kenai sockeye conservation concerns. We will rarely if ever have the opportunity to finish our season out to August 15th under this restriction. Run timings have been very late the last two years with significant sockeye harvest as far south as Ninilchik as late as Aug 10. In years of good sockeye returns, it is even easier to fail the 1%.

- In 2016 the Kasilof Section fished 5 days in August before closing on Aug 9, the maximum remaining days that could have been fished was 3 with a probable "cost" to Kenai coho of less than 1000 fish.
- In 2015 the Kasilof Section fished 7 days in August before closing on Aug 10, missing one day of fishing and saving approximately 300 Kenai coho.
- These were almost best case scenarios because poor overall seasons combined with late run timings allowed it to hit the 1% for multiple openings and the department managed openings in a fashion to maximize catching the 1%.
- In 2014 the Kasilof Section was closed by the 1% rule after its first two days of fishing in August despite fishing only 12 days in June and July. This would not be that uncommon in years of good sockeye harvest.
- Sportfish coho harvest estimates for the Kenai River for the last two years of data were 60,566 in 2014 and 57,067 in 2015

#### Possible Actions

- Remove 1% rule entirely, clearing up an unnecessary component of an already complicated management plan; simplifying planning for fishermen, processors, and managers. **(Preferred)**
- Shift the date for when the 1% Rule can be applied to sometime after August 1<sup>st</sup>.