

PROPOSAL 181

5 AAC 21.310. Fishing Seasons.

Exempt EO hours used in the NKB 600-foot fishery from weekly EO hourly restrictions, making use of the NKB area consistent with the Kasilof Section 600-foot fishery and the KRSHA, as follows:

5 AAC 21.310(b)(2)(C)(ii) Fishing Seasons.

...

(ii) Kenai and East Forelands Sections: from July 8 through August 15, unless closed earlier by emergency order under (iii) of this subparagraph; from August 11 through August 15, the fishery is open for regular periods only; on or after July 8, when the Kasilof Section is open to commercial fishing with set gillnets and the Kenai and East Forelands Sections are closed to commercial fishing with set gillnets, commercial fishing with set gillnets may be allowed within 600 feet of the mean high tide mark in that portion of the Kenai Section north of the latitude of the Blanchard Line at 60° 27.10' N. lat., and south of the latitude of the ADF&G regulatory marker located south of the Kenai River mouth at 60° 30.49' N. lat. **and is not subject to the time limitations in 5 AAC 21.359(e)(3) and 5 AAC 21.360;**

...

What is the issue you would like the board to address and why? This proposal seeks to exempt hours fished with the set gillnet fishery in the North Kalifornsky Beach (NKB) statistical area (244-32) within 600 feet of the mean high tide mark from weekly emergency order (EO) hour restrictive provisions found in the Kenai River Late-Run King Salmon Management Plan (5 AAC 21.359) or in the Kenai River Late-Run Sockeye Salmon Management Plan (5 AAC 21.360).

The provision which allows the set gillnet fishery in the NKB statistical area to be open within 600-feet of the mean high tide mark was first adopted at the 2017 Upper Cook Inlet board meeting. The intent of this provision was to harvest Kasilof River sockeye salmon, which could result in less fishing time needed in the Kasilof River Special Harvest Area (KRSHA). At this same meeting, the board modified the Kasilof River Salmon Management Plan 5 AAC 21.365(c)(3), by stating if the Kasilof Section set gillnet fishery was restricted to fishing within 600 feet of the mean high tide mark, the hours used in this fishery were not subject to the time limitations in 5 AAC 21.359(e)(3) and 5 AAC 21.360. This is the same exemption that is applied to hours fished in the KRSHA. However, during committee discussions, board deliberations, and in submitted RCs, there was no mention of including the recently adopted NKB 600-foot fishery in any hourly exemptions. Therefore, it is unclear whether this was board intent or if it was an oversight.

If fishing hours used in the NKB 600-foot fishery are not exempt from weekly EO hour restrictions, the department will be less likely to use this area because the hours used would count toward the entire Upper Subdistrict weekly EO hour restrictions.

PROPOSED BY: Gary Hollier (formerly ACR #7)
