



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Public Safety

DIVISION OF ALASKA WILDLIFE TROOPERS
Office of the Director

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Chairman John Wood
Alaska Board of Fish
P.O. Box 115526
Juneau, AK 99811

Chairman and Board of Fish Members:

AWT recognizes that regulations are developed by the Alaska Boards of Fish and Game through the public process to support management plans. Management plans rely upon public compliance with regulations to achieve success. Enforcement is a crucial element needed to ensure long-term compliance with regulations by the public. The Alaska Wildlife Troopers request the board recognize that the division has limited resources and manpower, and any new regulation scheme or area restrictions may place an additional burden on AWT. When the board considers proposals having to do with allocation or biological concerns, AWT is generally neutral in position and will not have a written comment.

Upon review of the proposals for the 2024 Anchorage Upper Cook Inlet meeting AWT provides the following comments for consideration:

Proposal 4 seeks to move the regulatory boundary in Cook Inlet for king salmon sport fisheries.

AWT is neutral on the allocative aspects of this proposal, though has concerns regarding an additional boundary line that users will need to know if not changed throughout all regulations it is referenced. Currently the latitude of 59°40.00'N is used in 5ACC 58.022, 5ACC 58.033, and 5ACC 58.055. Further Bluff Point is used in 5AAC 21.395. Though the proposal addresses changing 5ACC 58.055, if the board adopts the change, these other regulations should be considered also as it could cause confusion amongst anglers and enforcement. By adding additional lines fisherman are more likely to inadvertently violate other regulations. When creating new boundaries, using exact coordinates is preferred by enforcement, rather than geographical points.

Proposal 85 seeks to prohibit the use of motorized vessels in the Kenai River under certain circumstances, between Skilak Lake to the Warren Ames Bridge.

AWT is neutral on this proposal but has concerns with the enforceability as it is written. It appears the intent is to not allow fishing for king salmon from vessels with motors and then further prevent shore anglers targeting any species from being transported in a motorized vessel. The proposer further defines for this section what a “motorized vessel” is. It is unclear if the defined “motor vessel” is just for shore fisherman or intended for king salmon fishing from the vessel as well. If the board adopts the proposal, clarification is needed on what the intent is of the proposal and then a regulation drafted that is enforceable.

Proposal 88 seeks to prevent sport fish charter vessel operators from guiding non-resident clients during certain periods.

AWT is neutral on this allocative proposal, but a regulation that prevents an act when only one group of people (non-residents) are involved places an additional burden on enforcement to investigate. AWT could spend time investigating a complaint and documenting the activity, but not be able to identify if it is a violation until residency is determined during a contact of the vessel.

Proposal 98 and 107 seeks to modify the commercial gillnet fishery based off the mean high tide mark.

AWT is neutral, however it is very difficult to enforce distance off a mean high tide mark. It is also difficult for the fleet to do this as well, especially from longer distances. AWT recommends GPS points or lines for any proposal that uses mean high tide to determine open/closed areas.

Proposal 136 seeks to increase waters closed to commercial fishing, by moving drifters from ¼ mile to 1 mile from the mouth of Silver Salmon creek and Shelter Creek on the west side.

AWT is neutral on this proposal, but as these changes are made AWT recommends using GPS points to identify these and other creek mouths.

Proposal 196 seeks to prohibit dipnet fishing from an anchored vessel on the Kenai River.

AWT has received a growing number of complaints that dip netters will anchor on the river and fish, typically during low tide and into the flood. Historically, participants operating from vessels in the Kenai dipnet fishery have used a drift method, now anglers have increasingly began anchoring in the lower portion of the fishery and a times off the bank in the upper portion. AWT began hearing and seeing this change in the past several years. This change in method, though lawful, has caused conflict between those who have traditionally drift fished and those who anchor. The growing frustration between user groups has caused an increase in calls to AWT from both sides of this conflict as drifters get upset with those who are anchored in areas that have been used for drift dip netting for years. The primary complaint from drift vessels is that an anchored vessel causes a safety concern, and from anchored vessels is that they are allowed to anchor and should not have to move. AWT has witnessed and seen the potential safety concerns as drift vessels maneuver amongst the anchored vessels. AWT is neutral on this proposal, though recognizes there is a user conflict and potential safety concerns.

Proposal 204 seeks to allow hook and line attached to a rod or pole as subsistence gear to take king salmon in the Yentna River.

While AWT is neutral on the allocation, it would be expected that complaints from the public would increase due to the differing regulations for sport fish use vs subsistence use in the same areas.

Proposal 232 seeks to allow residents to sport fish additional gear and take multiple limits in Upper Cook inlet.

AWT opposes this proposal as written as this would create substantial regulatory complexity. Enforcement would have to determine if anglers are operating extra gear and have over limits or fail to have a second license. If additional opportunity or harvest is being sought, AWT would recommend lifting gear restrictions and bag limits rather than the complexity this proposal will bring when enforcing licenses, proxy, and annual bag limits.

Proposal 242 seeks to prohibit anglers from releasing any coho salmon caught on the Little Susitna River below the weir and further makes the act of snagging illegal, but allows the retention of a snagged fish.

AWT opposes this proposal as written, as it provides incentive for someone to snag fish, even though snagging itself would be prohibited. Currently 5AAC 75.022 defines “snag” as a fish caught elsewhere than in the mouth. When a AWT cites a person for retaining a snagged fish we are citing for keeping a fish that was hooked elsewhere than in the mouth. If a person is cited for snagging or attempting to snag, we are showing that a person by their method of fishing is attempting to catch a fish elsewhere than in the mouth. If AWT observed a person catch a limit of coho hooked in the tail and return them all to the water, we would articulate that by the persons method of fishing they are snagging as all fish were hooked elsewhere than in the mouth.

Proposal 244 seeks to define the mouth of Fish Creek to include all waters withing ¼ mile radius of its confluence with the Knik Arm.

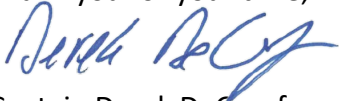
AWT agrees that the current regulatory markers posted at the mouth of the creek do not adequately delineate fresh vs salt water. AWT recommends GPS points for any proposal that to determine open/closed areas.

Proposal 255 seeks to create a personal use dipnet fishery for salmon in the 20 Mile and Placer Rivers July 1-33.

AWT is neutral, but has public safety concerns. Currently, there is substantial vehicle traffic through this area all summer, with the busiest month being July. There is already inadequate parking to support 20-mile access, and users during the earlier hooligan season. While hooligan is open, the Department of Transportation reduces the speed limit due to boom of users into the area. It is plagued with illegally parked cars, people walking out in front of traffic, etc. If approved, this would increase traffic and parking problems in this area, which will still be under construction

in 2024. While the Department of Public Safety cannot speak for Anchorage Police Department, it would likely cause increased congesting and collision incidents they would have to deal with.

Thank you for your time,

A handwritten signature in blue ink, appearing to read "Derek DeGraaf". The signature is stylized and cursive.

Captain Derek DeGraaf
Alaska Wildlife Troopers