

Submitted by Board Member John Wood, prepared by the Alaska Department of Fish and Game<sup>1</sup>.

February 28, 2024

Language for Kenai River late-run king salmon stock of concern action plan:

**Description:**

Subsection (a)-Intent from RC 90

Subsection (b)-Intent from RC 90

Subsection (c)-Intent from RC 90

Subsection (d)-Intent from RC 90 that also removes language in (d)(2) and (d)(3) of RC 90

Subsection (e)-Intent is from RC 90

Subsection (f)- Intent is from RC 96 with modified language requested after RC 96 was submitted with option from RC 90 in italics.

Subsection (g)-Intent is from RC 96

Subsection (h)- Intent is from RC 96

Subsection (i)- Intent is from RC 90 and 96

Subsection (j)- Intent is from RC 90

Subsection (k)- Intent is from RC 90

Subsection (l)- Intent is from RC 90

Subsection (m)- Authored by the department

Language identified with an (X) indicates choices to be determined.

*Italicized Bold Underline language is from RC 90*

**Bold Underline language is from RC 96**

Language that is not bold, underlined or italicized was modified by the department

**5 AAC 21.XXX. Kenai River Late-Run King Salmon stock of concern management plan. (a).*The purpose of this management plan is to provide management tools and guidelines to the department for the management of Upper Cook Inlet salmon fisheries, while Kenai River late-run king salmon are listed as a stock of management concern, that will result in the sustained yield of king salmon stocks large enough to meet optimal escapement goals, while allowing for harvest opportunity in the subsistence, personal use, sport, and commercial sockeye salmon fisheries. The provisions in this plan will be in effect between June 20 – August 15 and until the stock of management concern designation is removed by the Board of Fisheries. It is the intent of the board that the designation will be in effect until the lower bound of the optimal escapement goal is met or exceeded for three consecutive years, or is met in four out of six consecutive years and is expected to be met in future years.***

**(b) *The department shall manage the late run of Kenai River king salmon to achieve an optimal escapement goal (OEG) of 15,000 - 30,000 large king salmon.***

Achieving the lower end of the Kenai River late-run king salmon OEG shall take priority over not exceeding the upper end of the escapement and inriver goal ranges for Kenai and Kasilof River sockeye salmon.

(X) if preseason restrictions are issued for the late-run Kenai River king salmon sport fishery, then all Upper Subdistrict set gillnet fisheries are restricted;

(c) In the Kenai River sport fishery, from July 1 – July 31

(1) the use of bait is prohibited in the Kenai River downstream from an ADFG regulatory marker located at the outlet of Skilak Lake.

(2) only one unbaited single hook artificial lure may be used in the Kenai River downstream from an ADF&G regulatory marker located at the outlet of Skilak Lake;

(3) that portion of the Kenai River downstream from an ADF&G regulatory marker located at the outlet of Skilak Lake is open to unguided sport fishing from a nonmotorized vessel on Mondays; for purposes of this paragraph, a “nonmotorized” vessel is one that does not have a motor on board.

(d) If the projected late-run king salmon escapement is less than 15,000 large king salmon, the department shall close the sport fisheries in the Kenai River and in the salt waters of Cook Inlet north of the latitude of Bluff Point to the taking of king salmon;

(e) In order to achieve the optimal escapement goal and provide reasonable harvest opportunity, the commissioner may, by emergency order, establish fishing seasons as follows:

(1) in the Kenai River sport fishery,

(A) retention of king salmon 34 inches or greater in length as defined in 5 AAC 75.995(a) is prohibited; or

(B) retention of king salmon is prohibited;

(2) in the Kenai River personal use fisheries, retention of king salmon is prohibited; a Kasilof River personal use set gillnet may not exceed 10 fathoms in length, four and three quarter inches in mesh size, and 15 meshes in depth.

(f) The Upper Supdistrict commercial fishery shall be managed as follows:

(1) in the Kasilof Section from June 20 – ~~June 30~~<sup>July 14</sup> if the Kenai River late-run king salmon preseason projection, accounting for anticipated harvests and

projection error, is within 13,500 – 15,000 large fish the Upper Subdistrict set gillnet fishery shall:

(A) open for three eight hour periods per week that shall begin approximately 2 hours ~~before high tide based on Seldovia tide tables;~~

*after local low* *ortwo* *in the aggregate*  
(B) be restricted to one net, not more than 35 fathoms, and 29

meshes in depth;

(C) shall report all king salmon retained and released on an ADFG fish ticket;

(D) shall release all live, viable king salmon;

(E) fishery openings shall be based around tides described in the Seldovia District Tide Tables as follows: Ninilchik River Mouth to Kasilof River Mouth (Stat Areas 244-21, 244-22), Kasilof River Mouth to Kenai River Mouth (Stat Areas 244-31);

*plus 4 hours from Seldovia low tide* *plus three hours from Seldovia low tide*  
(F) shall close for one continuous 36-hour period per week beginning between 7:00 p.m. Thursday and 7:00 a.m. Friday;

Alternates from RC 90

(X) if retention of king salmon greater than 34 inches in length as defined in 5 AAC 75.995(a) are prohibited in the Kenai River sport fishery under (e)(1)(A) of this section, commercial fishing periods are open for no more than 24 hours per week, with a 48-hour continuous closure per week beginning between 7:00 p.m. Thursday and 7:00 a.m. Friday; the operation of setnets by a CFEC permit holder shall be restricted to not more than two set gillnets; *or three if the aggregate length is not more than 70 fathoms.*

(XX) if retention of king salmon prohibited in the Kenai River sport fishery under (e)(1)(B) of this subsection, commercial fishing periods are open for no more than 16 hours per week, with a 48-hour continuous closure per week beginning between 7:00 p.m. Thursday and 7:00 a.m. Friday; the operation of setnets by a CFEC permit holder shall be restricted to not more than one set gillnet; *same change*

~~(2) commercial fisheries shall be closed in the Upper Subdistrict from July 1 – July 14;~~ *Delete and renumber*

(3) if the Kenai River late-run king salmon preseason projection, accounting for anticipated harvests, projection error and in season run strength is between 13,500-15,000 large king salmon, in the Kasilof, Kenai and East Foreland Sections for the set gillnet fishery from July 15-July 27 the department shall

(A) open for four eight hour periods per week that shall begin approximately 2 hours ~~before high tide based on Seldovia tide;~~

*after local low*

meshes in depth:  
(B) be restricted to one <sup>or two</sup> nets <sup>in the aggregate</sup> not more than 35 fathoms and 29

ADFG fish ticket:  
(C) shall report all king salmon retained and released on an

(D) shall release all live, viable king salmon;

(E) fishery openings will be based around tides described in the Seldovia District Tide Tables as follows: <sup>plus 3 hours</sup> Ninilchik River Mouth to Kasilof River Mouth (Stat Areas 244-21, 244-22), <sup>plus 5 hours</sup> Kasilof River Mouth to Kenai River Mouth (Stat Areas 244-31, 244-32), <sup>plus 4 hours</sup> Kenai River Mouth to Boulder Point (Stat Areas 244-41, 244-42);

(F) closed for one continuous 36-hour period per week beginning between 7:00 p.m. Thursday and 7:00 a.m. Friday;

(4) in the Kasilof, Kenai and East Foreland Sections, from July 28-August 15 if the Kenai River late-run king salmon in season projection is within 13,500-15,000 large fish, in the set gillnet fishery in the Upper Subdistrict of the Central District the Department may

(A) open for two eight hour periods per week that shall begin approximately 2 hours <sup>after local low</sup> before high tide ~~based on Seldovia tide tables;~~

meshes in depth:  
(B) be restricted to one <sup>or two</sup> nets <sup>in the aggregate</sup> not more than 35 fathoms and 29

ADFG fish ticket:  
(C) shall report all king salmon retained and released on an

(D) shall release all live viable king salmon;

(E) fishery openings will be based around tides described in the Seldovia District Tide Tables as follows: <sup>plus 3 hours</sup> Ninilchik River Mouth to Kasilof River Mouth (Stat Areas 244-21, 244-22), <sup>plus 5 hours</sup> Kasilof River Mouth to Kenai River Mouth (Stat Areas 244-31, 244-32), <sup>plus 4 hours</sup> Kenai River Mouth to Boulder Point (Stat Areas 244-41, 244-42);

(F) closed for one continuous 36-hour period per week beginning between 7:00 p.m. Thursday and 7:00 a.m. Friday;

(X) beginning August 1, Upper Subdistrict set gillnet commercial fishing periods are open for no more than 8 hours per week;

(g) When preseason forecasts or inseason projections, accounting for anticipated harvests, projection error and in season run strength of Kenai

River large late-run king salmon escapements are above the OEG of 15,000 large king salmon, the Upper Subdistrict set gillnet commercial fishery may be opened within respective seasons as defined in 5 AAC 21.310(b)(C)(i) - (iii) with restrictive gear, as described in this section between June 20 and August 15.

(h) If the Kenai River late-run king salmon are projected to exceed an escapement of 15,000 large fish, while under the Stock of Concern Action Plan and to support rebuilding the Kenai River King Salmon stocks, the use of bait and retention of king salmon is prohibited in the Kenai River sport fishery. In the commercial setnet fishery in the Upper Subdistrict, the department shall:

(A) open for three eight hour periods per week that shall begin approximately 2 hours ~~before high tide, based on Seldovia tide tables;~~ <sup>after local low</sup>

(B) be restricted to two <sup>or three</sup> nets that are each not more than 35 fathoms and 29 meshes in depth;

(C) shall report all king salmon retained and released on an ADFG fish ticket; <sup>not more than 70 fathoms in the aggregate</sup>

(D) shall release all live, viable king salmon;

(E) fishery openings shall be based around tides described in the Seldovia District Tide Tables as follows: Ninilchik River Mouth to Kasilof River Mouth (Stat Areas 244-21, 244-22), Kasilof River Mouth to Kenai River Mouth (Stat Areas 244-31); <sup>plus 3 hours</sup> <sup>plus 4 hours</sup>

(F) shall close for one continuous 36-hour period per week beginning between 7:00p.m. Thursday and 7:00 a.m. Friday;

(i) In addition to other provisions in this section

(1) fishing in the Upper Subdistrict set gillnet commercial fishing shall occur in a manner that avoids fishing around low slack and is more likely to keep nets off the bottom. No more than eight hours of fishing may occur on any day and all openings shall start no earlier than 5:00 a.m. and end no later than midnight;

(2) each setnet operated by a CFEC permit holder shall be restricted to not more than 35 fathoms in length, ~~105 fathoms in aggregate length, and 15 RC 96) 29 (RC 96) meshes in depth;~~ <sup>as specified</sup> <sup>not more than 29</sup>

(3) commercial fishing periods are open for no more than 32/24 hours per week, with a 36 (RC 90)/48(RC 96)-hour continuous closure per week beginning between 7:00 p.m. Thursday and 7:00 a.m. Friday. The operation of setnets by a CFEC permit holder may be restricted to not more than ~~two/three set gillnets;~~

<sup>70 or 105 fathoms</sup>

**(4) in the Upper Subdistrict drift gillnet commercial fishery, no fishing may occur within two miles from the Kenai Peninsula shoreline.**

**(k) The Kasilof River Special Harvest Area identified in 5 AAC 21.365(f) shall remain closed for the duration of this plan.**

**(l) The department will, to the extent practicable, conduct habitat assessments on a schedule that conforms to the Board of Fisheries (board) triennial meeting cycle. The department is requested to report those findings to the board and submit proposals to the board for appropriate modification of this plan.**

(m) In this section a “large king salmon” or “large fish” is defined as a king salmon 75 cm mid eye to tail fork and longer.

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<sup>i</sup> Preparation of draft substitute language at the request of a Board member does not imply ADF&G support. The Department will state its position on the language during deliberation.