

02.29.24

Chairman Wood

RE: Comments and suggested changes to RC 146.

Since there is a limit to the pages submitted, we will comment by page, 1-6.

Page One-

We do not support new language that implements unsubstantiated reasons to adopt a Stock of Concern (SOC) or an Action Plan (AP) on an allocative escapement goal. The Board should consider amending current 5 AAC 21.359 language to adopt the only scientifically defensible escapement goal of 13,500 to 27,000 or to improve the assessment by adopting an all-king goal as previously managed for prior to 2020. Amending the plan to reflect returning to biologically defensible management would ensure returns and stakeholders a “sustainable salmon fishery” (SSFP, (f)(37)).

Page two-

Achieving the goals of all salmon stocks should be the primary goal. Weak stock management negates the prolific stock and severely restricts reasonable opportunity by stakeholders to achieve access to harvestable surpluses.

The BOF is tasked for setting policy for the State’s fisheries and to balance the needs of the State with the aspects of sustainability.

Pre-Season forecasts should be given minimal considerations as the confidence intervals for these surrounding these projections for large kings, such as reported in; Memorandum dated 02.23.24, Kenai River late-run Chinook salmon 2024 outlook, (forecast). Attention should be given to the second page where the mean average percent error (MAPE) for Age 5 is 51%, Age 6 22% and Age 7 at 1,000%. Clearly a large disparity in numbers and an inappropriate evaluation to close a fishery prior to an in-season assessment.

The assumption that an increase in large king spawners is theoretical and may look plausible on paper, but in practice, since 2020, this has not been proven. Ignoring the current fresh water conditions such as the carrying capacity or such factors as competition and ecosystem changes maybe effecting the ability for spawners to produce previous progeny. Changing size and assessing fecundity while returning sustainable yields would be difficult to enumerate while kings less than 75cm are not accounted for.

We do not subscribe to the “paired restrictions”. Each fishery should be managed independently so that managers could adjust in-season depending on abundance based evaluations and the amount of harvest capacity.

Page three-

We do support managing for an SEG of 13,500 – 27,000.

We agree that if “rolling openings” were utilized, that a period opening “approximately 2 hours before high tide based on Seldovia tide tables” is acceptable.

We do not support a restrictive 8-hour fishing period as there is many individual conditions in the 70 miles of ESSN area that is likely to severally negatively impact several sections of this area. We do support 12 hour openings that has traditionally allowed for the differences. In highly mud flat and sand bar conditions, several primary nets, even within a 12-hour period, do not have water underneath them. Coupled with the two hour or more variance in tide sequencing over the entire area, it would leave managers in a very difficult situation to choose “winners and losers”. Utilizing the standard 12-hour openings is predictable and allows flexibility in the fishery. There is no data to support a reduction of fishing time in a single period would reduce harvest select ability. We do support 2-12 hour periods per week as prescribed in current regulation.

We have very little issue with full reporting of all king salmon but we are concerned with the definition of “viable”. A clear definition would be in order, especially if there would be enforceability actions attached to the definition.

We adamantly oppose closing the beaches from July 1 – July 14. This 2-week period would harm over half the Kasilof Section. It should be noted that through historical net registrations (ESSN – 440 permits registered) the Kasilof Section accounts for 2/3 of the permits, (approximately 294 CFEC permits leaving 146 in the Kenai section). In practice, using historical run timing, the 244-22 Coho statistical area may be affected severally. The historical timing for the Kasilof sockeye run peak at the Kasilof River counter is around July 16th. Sockeye lag about a week or more along the 70 miles of the ESSN fishery. Any “rolling’ or “surgical” openings or closures must take this into consideration. Otherwise, the restrictions (burdens) or the opportunities (reasonable) will not be evenly distributed.

Page four-

We would incorporate our previous comments for duplicate conditions offered on this page.

We do not support any language that causes confusion or arbitrary assessments before in-season projections are determined. There is sufficient allowances and conservative evaluations in the current pre-season forecast. While the commercial fishery is directly accountable by law and enforcement action for not reporting, the in-river fisheries do not have that accountability and their assessments are not in real-time. Accounting for anticipated harvests is an unknown amount as stated and is already incorporated in the in-river count at the counter. Since the primary fisheries that may catch kings are below the counter, the real numbers are already accounted for. Projection error is an ambiguous term and is already considered in the pre-season outlook/forecast. Run strength is assessed by number across the counter and have

already traversed through the fishery. This assessment does not reflect real time data and affords a reactive approach to fisheries management. Commercial fisheries in Alaska have been historically successful using the Emergency Order (EO) authority to manage on abundance. This requires a very attentive local managing staff to open and close based on in-person observations and enumerations. With limited hours available to the ESSN commercial, we have been active sentinels in alerting managers of observed fish concentrations as it relates to sockeye.

Page five-

We would again like to reference our previous comments on duplicate conditions or provisions listed.

We do not support the unsupported conclusion that king salmon are caught more at low water than at high. King salmon move with the current since they are more powerful than the other species of salmon. In our experience, there is no direct pattern of king capture that is directly related to tide cycle. Nets, depending on configuration, remain on bottom for a very limited time and in shallower areas with less current, they may stay on bottom longer than others. It has been noted that deeper nets actually fish a narrower zone in Cook Inlet based on tidal currents. We do not believe a complex evaluation required by the Department is possible or probable. Unintended consequences may be the result of this provision as the majority of Kenai bound salmon tend to mass and travel to the Kenai River on the flood flow from the south of the Kenai River area versus the north beaches of the River that may have a productive ebb fishery.

We do support an opening and closing open waters in daylight hours.

We do support maintaining aggregate gear configurations and numbers of allowable nets.

We believe that once an escapement goal is projected, in-season, that the fishery should proceed as close to the historically operated fishery as possible.

Page six-

We would again reference our previous comments to previous provisions.

We do not believe that any significant harvest of Kenai River kings are harvested in the Kasilof River Special Harvest Area. The Kasilof River has an abundance of sockeye far exceeding it's BEG annually. Closures in the general area for LRKK restricts the opportunity to harvest Tustumena Lake bound sockeye. Genetics sampling for fish harvested in the South Kalifornsky Beach statistical area (244-31), which is the closest DNA yearly assessed commercial fishery have indicated very low harvests of LRKK. This terminal fishery offers an opportunity for the commercial fleet to harvest sockeye outside of their normal area. It should be noted that the fishery operates within one mile of the terminus of the mouth of the Kasilof River, both north and south. Restrictions to gear are in place and hours can be limited.

We are concerned that the last regulation currently in place has not been conducted as expected from the original intention. Habitat Division of the ADF&G conduct periodic reviews and surveys as it is related to permitting as that is our understanding of their main function.

The Board should request that the Department report on the ecosystem changes from the previous studies, and to answer direct questions on the carrying capacities LRKK salmon and any known stressors to king salmon within the Kenai River system or subsequent known spawning reaches.

Thank you for your consideration,

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