

Alaska Department of Fish and Game
Boards Support Section
P.O. Box 115526
Juneau, AK 99811-5526



**THE ALASKA BOARD OF FISHERIES 2010/2011
PROPOSED CHANGES IN THE COOK INLET, KODIAK
AND CHIGNIK FINFISH; AND
KING AND TANNER CRAB (STATEWIDE, EXCEPT
SOUTHEAST/YAKUTAT) REGULATIONS**

PLEASE READ CAREFULLY

REVIEWER LETTER

DEAR REVIEWER:

July 2010

The Alaska Board of Fisheries will consider the attached book of regulatory proposals at its **October 2010 through March 2011** meetings. The proposals concern changes to the State's fishing regulations. Members of the public, organizations, advisory committees, and ADF&G staff timely submitted these proposals. The proposals are published essentially as they were received.

The proposals in this book are presented as brief statements summarizing the intended regulatory changes. In cases where confusion might arise or where the regulation is complex, proposed changes are also indicated in legal format. In this format, bolded and underlined words are **additions** to the regulation text, and capitalized words or letters in square brackets [XXXX] are deletions from the regulation text.

You are encouraged to read all proposals presented in this book. Some regulations have statewide application and some regulations may affect other regions or fisheries of the state. Also, some proposals recommend changes to multiple fisheries within an area or region.

In this book the proposals are first grouped by the meeting to which they pertain (see *Proposal Index* for each meeting). Within each meeting the proposals are then organized by region, fishery or species. These proposal lists are not in roadmap order for the meeting. The board will generate a roadmap for deliberations prior to each meeting when committee assignments are made. The roadmap may be changed up to and during the meeting. Agendas for each Board of Fisheries meeting will also be available prior to the meeting.

Before taking action on these proposed changes to the regulations, **the board would like your written comments and/or oral testimony on any effects the proposed changes would have on your activities.**

After reviewing the proposals, please send written comments to:

ATTN: BOF COMMENTS
Boards Support Section
Alaska Department of Fish and Game
P.O. Box 115526
Juneau, AK 99811-5526
Fax: 907-465-6094

Public comment, in combination with advisory committee comments and ADF&G staff presentations, provide the Board of Fisheries with useful biological and socioeconomic information. Written comments become public documents. The following are recommendations for providing written comments:

Timely Submission. Submit written comments by mail or fax so that they are received no later than two weeks prior to the meeting during which the topic will be considered (see *Tentative Meeting Schedule* on Page iv). Written comments received after the two-week deadline will still be accepted but will not be inserted in board member workbooks until the beginning of the meeting or cross-referenced with individual proposals.

Length. Prior to the two week deadline, the board will accept written comment of up to 100 single sided pages in length from any one individual or group relating to proposals at any one meeting. After the two week deadline, written comment will be limited to 10 single sided pages in length. During the meeting written comments up to 10 pages in length may be submitted by hand delivery if 25 copies are provided.

List the Proposal Number. Written comments should indicate the proposal number to which the comments apply and should clearly indicate whether you “support” or “oppose” the proposal. This will help ensure written comments are correctly noted for the board members. If the comments support a modification in the proposal, please indicate “support as amended” and provide your preferred amendment in writing. You do not need to list the Alaska Administrative Code (AAC) number.

PLEASE EXPLAIN WHY YOU SUPPORT OR OPPOSE THE PROPOSAL. This helps the board understand the rationale for your recommendation and identify factors that should be taken into account when acting on the proposal. A brief description consisting of a couple of sentences on why you support or oppose the proposal is sufficient.

Write Clearly. Comments will be scanned and photocopied so please use 8.5" x 11" paper and leave reasonable margins on all sides allowing for hole punches. Whether typed or handwritten, use dark ink and write legibly. If making comments on more than one proposal, please do not use separate pages for each proposal - simply begin the next set of written comments by listing the next proposal number.

Advisory Committees. In addition to the above, please make sure the advisory committee meeting minutes reflect the minority opinion along with the majority opinion. The board benefits greatly from understanding the pros and cons of each issue. Also, minutes should note the number of committee members in attendance as well as other stakeholders or others in attendance during meetings.

SPECIAL NOTES: The board applies various statutes and policies when considering fisheries allocations and when addressing salmon proposals: When addressing proposals affecting subsistence uses, the board provides for a reasonable opportunity for subsistence consistent with AS 16.05.258 and 5 AAC 99.010(b). When addressing allocations among commercial, sport, guided sport, and/or personal use fisheries, the board applies its *Allocation Criteria* (AS 16.05.251(e)). When addressing salmon fisheries it applies its *Mixed Stock Salmon Policy* (5 AAC 39.220) and its *Sustainable Salmon Fisheries Policy* (5 AAC 39.222). You may wish to review these statutes and policies as you prepare comments for the board. These are accessible on the board's website (<http://www.boards.adfg.state.ak.us>). Also, see Page *xi* for information on the board's procedures for “restructuring proposals”.

Persons with a disability needing special accommodations in order to comment on the proposed regulations should contact the Boards Support Section at (907) 465-4110 no later than two weeks prior to the scheduled meeting to make any necessary arrangements.

Jim Marcotte, Executive Director
Alaska Board of Fisheries
Alaska Department of Fish and Game
(907) 465-4110
<http://www.boards.adfg.state.ak.us>

ALASKA BOARD OF FISHERIES

November 15-18, 2010

LOWER COOK INLET FINFISH

PROPOSAL INDEX

Following is a list of proposals that will be considered at the above meeting sorted by general topic. A board committee roadmap will be developed and distributed prior to the meeting.

SALMON

Fishing districts, subdistricts, and sections

- 1 Change western most boundary line in Seldovia Bay Subdistrict.

Fishing Seasons

- 2 Change the opening date for the Outer District to June 1.
- 3 Change the opening date for the Eastern District to June 1.
- 4 Provide opportunity to harvest salmon.
- 5 Expand fishing districts.
- 6 Establish a terminal harvest area on the Kirschner Lake.

Gear

- 7 Include gillnet as a legal gear type.

Closed Waters

- 8 Allow the historic fishery for gillnet.
- 9 Amend the following regulations (d), (d)(6), (e), and (f) for closed waters in the commercial salmon fishery in waters of Lower Cook Inlet to include updated coordinates for closure.
- 10 Amend paragraph (g)(1) to update the appropriate closed waters boundary line for commercial salmon fishing in Resurrection Bay of the Eastern District in Lower Cook Inlet.
- 11 Amend section (b)(4) to accurately reflect updated coordinates for closed waters near the Homer Spit in the Southern District (Kachemak Bay).

CIAA and Trail Lakes Hatchery Plan (5 AAC 21.373)

- 12 Remove the sunset clause from regulation so as to make the Trail Lakes Hatchery Sockeye Salmon Management Plan permanent.
- 13 Modify Trail Lakes Management Plan for noncommercial users.
- 14 Allow PU fishery after CIAA meets cost recovery goals.

HERRING

Gear

- 15 Allow for use of cast nets when fishing for herring for personal use.

GROUNDFISH

Cook Inlet Fishing Seasons, Rockfish Management Plan, and Pacific Cod Management Plan

- 16 This is a placeholder proposal that will reorganize and clarify confusing regulatory references to rockfish fishing and bycatch retention.

Gear

- 17 Repeal the definition of gear.

Pacific Cod Management Plan

- 18 Open area from Cape Douglas to Chinitna Point for cod fishing.
19 Reallocate cod in Cook Inlet.

SPORT FISHERIES

West Cook Inlet

- 20 Designate a portion of Silver Salmon Creek as fly-fishing-only waters.
21 Decrease bag limit to 2 coho salmon in West Cook Inlet. *(This proposals is also listed for consideration during the Upper Cook Inlet Finfish meeting)*
22 Increase bag and possession limit to 3 coho salmon in West Cook Inlet Area. *(This proposals is also listed for consideration during the Upper Cook Inlet Finfish meeting)*

Lower Cook Inlet Freshwater - Salmon

- 23 Increase bag and possession limit to 3 coho salmon in the Kenai Peninsula Area. *(This proposals is also listed for consideration during the Upper Cook Inlet Finfish meeting)*
24 Change the Anchor River escapement goal from a threshold to a range.
25 Management actions on Deep Creek will be same as actions taken on the Anchor River.
26 Modify king salmon season on Anchor River and Deep Creek beginning weekend before Memorial Day and the following three weekends.
27 Modify king salmon season on Anchor River and Deep Creek beginning weekend before Memorial Day and the following three weekends.
28 Reduce annual limit of king salmon on Anchor River from five to two per year combined with Deep Creek.
29 Reduce annual limit of king salmon on Anchor River from five to two per year combined with Deep Creek.
30 Reduce annual limit of king salmon on Anchor River from five to two per year combined with Deep Creek.
31 Require only one unbaited, single hook, artificial lure in Anchor River and Deep Creek August 20 - December 31, and Memorial Day - June 30.
32 Allow bait in Anchor River and Deep Creek only after goals are met and until August 20 instead of September 1.
33 Prohibit the use of bait in Anchor River or Deep Creek year round.
34 Require only one unbaited, single hook (3/4" or less gap), artificial lure year-round in Anchor River and Deep Creek.
35 Require only one unbaited, single hook (3/4" or less gap), artificial lure year-round in Anchor River and Deep Creek.
36 Require use of circle hooks in the Anchor River.

- 37 Prohibit fishing within 300 yards of the weir on the Anchor River.
- 38 Close the Anchor River and Deep Creek to all fishing from November 1 to king opening in the spring.
- 39 Close the Anchor River and Deep Creek to all fishing from November 1 to king opening in the spring.
- 40 Close lower Cook Inlet streams to steelhead fishing from November 1 to king opening in spring.
- 41 Limit guides on Anchor River and Deep Creek to 2 clients a day; guides may not fish while client is present.
- 42 Limit guides on Anchor River and Deep Creek to 2 clients a day; guides may not fish while client is present.

Lower Cook Inlet Saltwater – Salmon

- 43 Allow fishing from shore for early-run king salmon in the closed marine waters near Ninilchik River and Deep Creek.
- 44 Increase total closed area at mouth of Anchor River from 2 miles to 4 miles in the Early-run King Salmon Special Harvest Area.
- 45 Increase total closed area at mouth of Anchor River from 2 miles to 4 miles in the Early-run King Salmon Special Harvest Area.
- 46 Increase total closed area at mouth of Anchor River from 2 miles to 4 miles in the Early-run King Salmon Special Harvest Area.
- 47 Close marine waters within 1 mile of shore from Bluff Point north to Ninilchik River if the Anchor River or Deep Creek are closed by EO.
- 48 Increase the king salmon bag limit to 2 fish with no recording requirement during the winter king fishery north of Bluff Point in Cook Inlet.
- 49 Allow for use of bow and arrow to take salmon in Kachemak Bay marine waters except in the Nick Dudiak Fishing Lagoon.
- 50 Prohibit removing salmon from saltwater before releasing the fish.

Rockfish

- 51 Create a management plan for rockfish, lower daily bag limit, and require harvest recording in Cook Inlet.

LOWER COOK INLET FINFISH PROPOSALS

PROPOSAL 1 - 5 AAC 21.200(d)(2). **Fishing districts, subdistricts, and sections.** Change western most boundary line in Seldovia Bay Subdistrict as follows:

A regulatory change to the wording of the eastern most boundary line by the Board of Fisheries is the best way to resolve the issue at hand thus allowing the status quo to prevail for all parties. The present working is: all waters south of a line from Point Naskowhak at 59° 27.20' N lat., 151° 44.57' W. long., to Seldovia Point at 59° 28.22' N. lat., 151° 42.37' W. long.;

My proposal asks the Board to amend Article 2. 5 AAC 21.200(d)(2) the western most boundary at Point Naskowhak to read **59° 27.356' N. long., 151° 44.589' W. lat.**

ISSUE: With the advance of new technology the wording of this regulation has varied, however the actual fishing area has always been recognized and fished in the present location for over forty years. The present permit owner has fished this are for 34 years and has had leases from the State of Alaska, Division of Natural Resources for the past 20 years. The current fish regulation 5 AAC 21.200(d)(2) does not reflect the actual area traditionally fished and leased.

WHAT WILL HAPPEN IF NOTHING IS DONE? Without corrective action the DNR will be unable to honor our longstanding lease. No action would force us to relocate this site in an already congested area causing strife, confusion, unneeded discourse and loss of income.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Current permit holder and crew.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: David Chartier (HQ-10F-035)

PROPOSAL 2 - 5 AAC 21.310(b)(6). **Fishing seasons.** Change the opening date for the Outer District to June 1 as follows:

In the Outer District in the Lower Cook Inlet commercial salmon opener, the season will be open from [JUNE 1 TILL CLOSED BY EMERGENCY ORDER].

ISSUE: There are inconsistent openings for commercial harvest of salmon

WHAT WILL HAPPEN IF NOTHING IS DONE? The fishery will continue to be mismanaged and over-escapement will damage the salmon runs.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? By opening earlier there is opportunity of catching better quality fish. It also gives the biologist more accurate data on run timing.

WHO IS LIKELY TO BENEFIT? Every Lower Cook Inlet fisherman and the canneries in Lower Cook Inlet area.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Adding another biologist to work in the Eastern and Outer Districts.

PROPOSED BY: Thomas Buchanan (HQ-10F-062)

PROPOSAL 3 - 5 AAC 21.310(b)(7). Fishing seasons. Change the opening date for the Eastern District to June 1 as follows:

In the Eastern District in the Lower Cook Inlet commercial salmon opener, the season will be open from [JUNE 1 TILL CLOSED BY EMERGENCY ORDER].

ISSUE: There are inconsistent openings for commercial harvest of salmon

WHAT WILL HAPPEN IF NOTHING IS DONE? The fishery will continue to be mismanaged and over-escapement will damage the salmon runs.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? By opening earlier there is opportunity of catching better quality fish. It also gives the biologist more accurate data on run timing.

WHO IS LIKELY TO BENEFIT? Every Lower Cook Inlet fisherman and the canneries in Lower Cook Inlet area.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Adding another biologist to work in the Eastern and Outer Districts. Working on it.

PROPOSED BY: Thomas Buchanan (HQ-10F-061)

PROPOSAL 4 - 5 AAC 21.310. Fishing seasons. Provide opportunity to harvest salmon as follows:

Provide for harvest opportunities on salmon stocks not currently harvested in May, June, July, August and September.

ISSUE: Provide for drift gillnet and setnet fishing seasons in the following 4 districts of Area H: Southern District, Barren Islands, Kamishak Bay and Outer Districts.

WHAT WILL HAPPEN IF NOTHING IS DONE? These areas are legal and designated EEZ fisheries or State-designated areas for Area H salmon fishing.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Provide for harvest of available salmon stocks currently not utilized by commercial harvesters and processors. There are a number of under-harvested salmon stocks that present an opportunity for harvest. Propose that gillnetters be allowed to have two permit holders work together and use 200 fathoms of gillnet in these four districts.

WHO IS LIKELY TO BENEFIT? Commercial users, processors, general economy. Propose mixed gear types be considered similar to the UCI gear stacking currently available.

WHO IS LIKELY TO SUFFER? Perhaps seiners.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: United Cook Inlet Drift Association (SC-10F-071)

PROPOSAL 5 - 5 AAC 21.200. Fishing districts, subdistricts, and sections. Expand fishing districts as follows:

Expand drift areas to Outer District and Resurrection Bay.

ISSUE: Fishing areas.

WHAT WILL HAPPEN IF NOTHING IS DONE? Lost opportunity, crowding.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Possibly.

WHO IS LIKELY TO BENEFIT? Drift gillnetters.

WHO IS LIKELY TO SUFFER? Remains to be seen.

OTHER SOLUTIONS CONSIDERED? Lifting restrictions, other restrictions on the fleet have been rejected by the Board.

PROPOSED BY: John McCombs (HQ-10F-134)

PROPOSAL 6 - 5 AAC 21.3XX. New Section. Establish a terminal harvest area on the Kirschner Lake as follows:

Open the Kirschner terminal harvest area to common property fishing for the seine fleet.

ISSUE: There is no terminal cost recovery area at Kirschner.

WHAT WILL HAPPEN IF NOTHING IS DONE? Wild pinks and chums returning to Bruin Bay will not be caught.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, pinks and chums will be caught while bright and fresh.

WHO IS LIKELY TO BENEFIT? Lower Cook Inlet seiners.

WHO IS LIKELY TO SUFFER? Cook Inlet Aquaculture Association.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Leroy Cabana (HQ-10F-125)

PROPOSAL 7 - 5 AAC 21.330. Gear. Include gillnet as a legal gear type as follows:

Include gillnet as a legal gear type in the Southern District, Barren Islands, Outer and Eastern Districts and the Chinitna Bay Subdistrict.

ISSUE: Needs to be modified to include gillnet as a legal gear type in the Southern District, Barren Islands, Outer and Eastern Districts and the Chinitna Bay Subdistrict.

WHAT WILL HAPPEN IF NOTHING IS DONE? Lost economic opportunity. Failure to develop the fisheries of the state.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Needs to be modified to include gillnet as a legal gear type in the Southern District, Barren Islands, Outer and Eastern Districts and the Chinitna Bay Subdistrict.

WHO IS LIKELY TO BENEFIT? Fishermen and the economy.

WHO IS LIKELY TO SUFFER?

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: United Cook Inlet Drift Association (SC-10F-072)

PROPOSAL 8 - 5 AAC 21.350(G). Eastern District Closed waters. Allow the historic fishery for gillnet as follows:

Repeal (G) (2), (3) necessary to allow gillnet harvests on available stocks.

ISSUE: Repeal these sections so that some commercial harvests can occur on available salmon stocks. This is a historical gillnet fishing area. Many gillnet fishermen can remember commercial fishing in Resurrection Bay and feel that these stocks can withstand commercial harvest. The resumption of this historic fishery could utilize two permit holders on a single vessel utilizing 200 fathoms of gillnet gear.

WHAT WILL HAPPEN IF NOTHING IS DONE? Currently there are salmon stocks available for harvest during several months of the year in this closed area.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Provides for early and late season harvests.

WHO IS LIKELY TO BENEFIT? Commercial fishermen, processors, general economy because additional seafood will be produced.

WHO IS LIKELY TO SUFFER? Some commercial fishermen.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: United Cook Inlet Drift Association (SC-10F-075)

PROPOSAL 9 - 5 AAC 21.350. Closed waters. Amend the following regulations (d), (d)(6), (e), and (f) for closed waters in the commercial salmon fishery in waters of Lower Cook Inlet to include updated coordinates for closure lines as follows:

5 AAC 21.350. Closed waters.

(d) **Southern District** [KACHEMAK BAY]

(6) waters of Seldovia Bay south of **a line from an ADF&G regulatory marker at 59° 25.09' N. lat., 151° 42.57' W. long., to an ADF&G regulatory marker at 59° 24.84' N. lat., 151° 43.06' W. long.** [ADF&G REGULATORY MARKERS LOCATED AT 59° 24.90' N. LAT.]

(e) Kamishak Bay **District**: waters of Cottonwood Bay west of a line from **an ADF&G marker [A POINT] at 59° 38.39' N. lat., 153° 39.41' W. long.** [59° 38.33' 153° 39.25' W. LONG.], to **an ADF&G regulatory marker [A POINT] at 59° 37.68' N. lat., 153° 39.51' W. long.** [59° 39.57' N. LAT. 153° 39.52' W. LONG.]

(f) Outer District

(1) waters of Port Chatham east of **a line from ADF&G regulatory marker at 59° 13.32' N. lat., 151° 43.41' W. long., to an ADF&G regulatory marker at 59° 12.59' N. lat., 151° 43.55' W. long.** [THE SPIT AT 151° 44.32' W/ LONG.]

ISSUE: With the advent and widespread use of electronic global positioning system (GPS) units, the department has made a concerted effort to review coordinates of boundaries for regulatory closed waters governing the Lower Cook Inlet commercial salmon fishery and to provide updated, accurate coordinates whenever possible. The staff has identified three such areas and proposes to update regulations to reflect the more accurate coordinates.

Current Cook Inlet Area commercial salmon fishing regulations characterize two regulatory closed waters areas (Seldovia Bay in the Southern District and Port Chatham in the Outer District) as bounded by straight line latitudes or longitudes and do not specifically and accurately describe the actual on-grounds markers designating these waters. In Kamishak Bay District, coordinates listed in regulation for closed waters markers in Cottonwood Bay are simply inaccurate. In each of these cases, the on-grounds markers have been in place and utilized for at least the past 15 years; thus, no movement of any recently used closure line is affected by this proposal. Additionally, the Southern District is inappropriately labeled as “Kachemak Bay” in regulation (5 AAC 21.350 (d)), while the word “District” has been inadvertently omitted from 5 AAC 21.350(e) Kamishak Bay.

WHAT WILL HAPPEN IF NOTHING IS DONE? Commercial finfish regulations will not specifically and accurately describe referenced closed water markers in Lower Cook Inlet.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Commercial fishermen using Cook Inlet commercial finfish regulations to aid them in determination of closed waters.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-10F-161)

PROPOSAL 10 - 5 AAC 21.350. Closed waters. Amend paragraph (g)(1) to update the appropriate closed waters boundary line for commercial salmon fishing in Resurrection Bay of the Eastern District in Lower Cook Inlet, as follows:

5 AAC 21.350. Closed waters.

(g) Eastern District

(1) waters of Resurrection Bay **west of a line from an ADF&G marker at the old military dock pilings on the west shore of Resurrection Bay north of Caines Head at**

Airport at 60° 07.49' N. latitude, 149° 24.72' W. longitude [NORTH OF A LINE FROM THE FORMER SITE OF THE ALASKA FERRY DOCK 60° 05.95' N. LAT., 149° 26.33' W. LONG., TO AN ADF&G REGULATORY MARKER ON THE SOUTHWEST CORNER OF THE ALASKA FREIGHT LINE DOCK].

ISSUE: Current regulatory closed waters in Resurrection Bay of Lower Cook Inlet’s Eastern District were originally intended to protect streams at the north (head) end of the bay during commercial fisheries targeting pink and chum salmon. No openings to target these species have occurred in Resurrection Bay for over 20 years and the commercial fishery there has since shifted to target enhanced runs of sockeye salmon returning to Bear Lake. The closed waters line presently in regulation is not necessary or appropriate for the current sockeye salmon fishery and has not been utilized for many years. However, since 1996, department staff annually designates a section of closed waters along the west shore of Resurrection Bay by emergency order, simultaneously superseding the northern closed area currently in regulation, to regulate the sockeye salmon fishery. Because 5 AAC 21.376 *Resurrection Bay Salmon Management Plan* specifically directs the department to manage the commercial fishery in Resurrection Bay in a manner that does not interfere with the recreational fishery, closure of these waters along the west shore is intended to preclude all seine fishing activity in the high traffic area near the Seward boat harbor, as well as in waters immediately south of town, which are heavily utilized by the recreational trolling fleet targeting chinook salmon. The proposed closure line is not currently outlined in the Cook Inlet Area commercial salmon fishing regulations.

WHAT WILL HAPPEN IF NOTHING IS DONE? Department staff will continue to supersede regulatory closed waters in Resurrection Bay and establish the west shore closure area by emergency order each year.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Commercial salmon fishermen using Cook Inlet commercial finfish regulations to aid them in determination of closed waters.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-10F-159)

PROPOSAL 11 - 5 AAC 77.549. Personal use coho salmon fishery management plan. Amend section (b)(4) to accurately reflect updated coordinates for closed waters near the Homer Spit in the Southern District (Kachemak Bay), as follows:

5 AAC 77.549. Personal use coho salmon fishery management plan.

(b) Salmon may not be taken in the following waters:

(4) west of a line from an ADF&G regulatory marker at “Green Timbers” (59° 37.67’ N. lat., 151° 28.38’ W. long. [59°37.90’ N. LAT.151°28.70’ W. LONG.]) on the Homer Spit to an ADF&G marker 300 yards east of the Homer airport access road (59° 38.35’ N. lat., 151° 28.71’ W. long.).

ISSUE: An area of closed waters in the Southern District coho salmon personal use set gillnet fishery, locally known as “Mud Bay,” is delineated by ADF&G regulatory markers on or near the shoreline. However, latitude and longitude coordinates for these closure markers are presently absent (airport marker) or inaccurate (Green Timbers marker) in the subsistence and personal use statewide fisheries regulations.

WHAT WILL HAPPEN IF NOTHING IS DONE? Personal use regulations will not specifically and accurately describe the two markers designating closed waters in Mud Bay.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Participants in the Southern District (Kachemak Bay) coho salmon personal use fishery will benefit from accurate descriptions of the closed waters markers in regulation.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-10F-160)

PROPOSAL 12 - 5 AAC 21.373. Trail Lakes Hatchery Sockeye Salmon Management Plan. Remove the sunset clause from regulation so as to make the Trail Lakes Hatchery Sockeye Salmon Management Plan permanent as follows:

CIAA requests the Trail Lakes Hatchery Sockeye Salmon Management Plan sunset clause, 5 AAC 21.373 (f), be removed and the Trail Lakes Hatchery Sockeye Salmon Management Plan be allowed to continue as adopted.

[F] THE PROVISIONS OF THIS SECTION DO NOT APPLY AFTER MAY 1, 2011.]

ISSUE: Early in 2009, The Cook Inlet Aquaculture Association (CIAA) asked the BOF to recognize the benefits of CIAA’s enhancement programs could not be sustained with inconsistent and frequently lost cost-recovery harvest income. The resulting imminent loss of future commercial, sport, and personal use fisheries in Lower Cook Inlet constituted an emergency. CIAA petitioned the BOF to repeal the Bear Lake Management Plan (5 AAC 21.375) and adopt a Trail Lakes Hatchery Sockeye Salmon Management Plan that would address this problem. The new plan would institute a cost-recovery harvest priority that provided for a

reasonable distribution of the harvest of sockeye salmon from enhancement projects among seine and set gillnet commercial fisheries and CIAA. The BOF acted on CIAA's request and in March 2009 repealed the Bear Lake Management Plan (5 AAC 21.375) and adopted the Trail Lakes Hatchery Sockeye Salmon Management Plan (5 AAC 21.373). Because the change in regulation was requested "out-of-cycle" through the BOF's petition process, the BOF included a sunset clause of May 1, 2011 [5 AAC 21.373 (f)]. CIAA requests the sunset clause [5 AAC 21.373 (f)] be removed and the remainder of the Trail Lakes Hatchery Sockeye Salmon Management Plan be allowed to stand as adopted.

WHAT WILL HAPPEN IF NOTHING IS DONE? Trail Lakes Hatchery provides sockeye salmon for stocking projects at Hidden Lake, Bear Lake, Kirschner Lake, Leisure Lake, Hazel Lake, Tutka Bay Lagoon, and Resurrection Bay and coho salmon for stocking at Bear Lake. Trail Lakes Hatchery, through a cooperative agreement with Nanwalek and Port Graham, also provides incubation and rearing for sockeye salmon released to English Bay Second Lake and Port Graham Bay.

Several of the sockeye salmon fry stocking projects conducted by Trail Lakes Hatchery are fry releases to barreid lakes where all returning fish are the products of supplemental production and are harvested. These projects were initially supported by eggs from fish returning to Tustumena Lake. CIAA no longer has access to the Tustumena Lake brood source. Since 2004, CIAA has been developing a new brood source to support these projects. The development of the new brood source has taken several years during which stocking objectives have not always been met. As a result, recent sockeye returns have been low (250,000 sockeye in 2008 and 2009). As development of a new brood source has progressed stocking has been more consistent and future returns are expected to improve (425,000 in 2010).

Without the Trail Lakes Hatchery Sockeye Salmon Management Plan in place for 2011 and beyond, CIAA will be unable to secure the funds required to operate Trail Lakes Hatchery's current and future salmon enhancement projects. Significant commercial, sport, and personal use harvest opportunities for sockeye and coho salmon will be lost.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Prior to adoption of the Trail Lakes Sockeye Salmon Management Plan, adult sockeye salmon returning to the Bear Lake system were harvested by CIAA for cost recovery in a freshwater special harvest area defined in the Trail Lakes Hatchery Basic Management Plan. Fish harvested in the freshwater system were of very low grade. Since adoption of the Trail Lakes Hatchery Sockeye Salmon Management Plan a majority of the fish harvested by CIAA for cost recovery have been harvested in saltwater. Fish harvested from saltwater are of very high grade and represent a significant asset to CIAA. Removal of the sunset clause from the Trail Lakes Hatchery Sockeye Salmon Management Plan will allow CIAA to continue to harvest high grade fish for cost recovery.

WHO IS LIKELY TO BENEFIT? In the long term, all users (subsistence, personal use, recreation, commercial and processors) of CIAA enhancement programs will benefit from the continued operation of Trail lakes Hatchery. CIAA and all user groups served by CIAA projects

throughout the Cook Inlet drainage will benefit. The coho salmon enhancement project will not be changed.

WHO IS LIKELY TO SUFFER? In the short term, the harvest by commercial fishermen that are restricted to or prefer to fish in Resurrection Bay or Kachemak Bay will be limited. CIAA, however, has increased its stocking objective for Resurrection Bay and is working to develop additional cost-recovery harvest opportunities in Tutka Bay. Over the next 2 to 3 years, as these projects come on line, commercial harvest opportunities in Resurrection Bay and Kachemak Bay are expected to increase. More fish will be available for harvest by CIAA and the commercial seine fleet.

OTHER SOLUTIONS CONSIDERED? 1) The Bear Lake Management Plan (5 AAC 21.375), which was repealed in 2009, allocated 50% of the harvest to CIAA. From 2005 through 2008, the harvest allocated to CIAA varied from 32% to 63% and averaged 47%. While CIAA harvested an average of 47% of the resource, the value of the harvested resource averaged only 36% of the value of the resource harvested by the commercial fishery. This option was rejected because CIAA's allocation was taken from the end of the return when quality and prices were low and CIAA's annual income was inconsistent and lower than projected.

2) CIAA has considered a variable Salmon Enhancement Tax (SET) option. For this option, CIAA must request the SET for Lower Cook Inlet be adjusted annually to secure the funds needed to operate Trail Lakes Hatchery. CIAA rejected this option because the process has not been previously used, implementation of a variable tax would require development of emergency regulations by the Department of Revenue, and there would be a 1 year delay in allocating tax revenues to the Association.

PROPOSED BY: Gary Fandrei, Cook Inlet Aquaculture Association (HQ-10F-107)

PROPOSAL 13 - 5 AAC 21.373. Trail Lakes Hatchery Sockeye Salmon Management Plan; and 5 AAC 21.376 Resurrection Bay Salmon Management Plan. Modify Trail Lakes management plans for noncommercial users as follows:

5 AAC 21.373 (d) [NO] Management restrictions [WILL] **shall** be imposed on the noncommercial fisheries in order to achieve the Trail Lakes Hatchery **broodstock** objectives for sockeye salmon.

5 AAC 21.376 (4) **Manage the noncommercial fisheries in order to achieve the Trail Lakes Hatchery broodstock objectives for sockeye and coho salmon.**

ISSUE: A sport fishery has developed at the mouths of Resurrection River and Salmon Creek drainages, downstream from the Seward Highway and downstream from then Ash Road. (This area had been closed since statehood) on sockeye and coho salmon propagated from the Cook Inlet Aquaculture Association's (CIAA) Bear Lake salmon project. This newly developed sports fishery has grown substantially and anecdotal information puts the harvest 300% more than what was expected. In 2008 the sockeye run was weak, resulting in a closure of CIAA's cost recovery

to insure adequate escapement into Bear Lake for spawning and CIAA's egg take program goal. Unfortunately, Alaska Department of Fish and Game's (ADF&G) Sport Fisheries Division refused to restrict the newly developed sports fishery, thus sharing in the burden of conservation to ensure escapement and egg take goals were achieved. Coho escapement to the weir have also been on the very low end and will probably not make the escapement goal on weak returns.

WHAT WILL HAPPEN IF NOTHING IS DONE? Without a directive by the Board of Fisheries to implement management restrictions on the noncommercial fisheries in order to achieve the Bear Lake maximum escapement and Trail Lakes Hatchery broodstock objectives for sockeye and coho salmon, these goals will not be achieved on years of low return. Failure to achieve these two goals will jeopardize future long standing Bear Lake returns and CIAA and ADF&G salmon projects along with negatively impacting the people that rely on these projects for recreation and commerce not only in Resurrection Bay, but also all of Cook Inlet and Kachemak Bay.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes. Failure to achieve the Trail Lakes Hatchery broodstock goal decreases the future sockeye and coho production to Resurrection Bay, Kachemak Bay and other CIAA projects in the Cook Inlet drainage.

WHO IS LIKELY TO BENEFIT? Everyone will benefit from the continuation of CIAA's contributions through rehabilitation, enhancement, stream clearing, research, monitoring, etc.

WHO IS LIKELY TO SUFFER? Only in the short term those fishermen who don't want to share the burden or take the responsibility to ensure Bear Lake maximum sockeye and coho escapement and the Trails Lake Hatchery broodstock goal. Had CIAA not rehabilitated Bear Lake and continue the on-going project it is unlikely there would be any surplus sockeye to warrant this new noncommercial fishery.

OTHER SOLUTIONS CONSIDERED? No other solutions will correct the problem on low return years. Every newly created fishery has some unforeseen problems. This is a problem that no one knew the magnitude of until the fishery was implemented. Lack of action will only exacerbate the problem.

PROPOSED BY: David Martin (SC-10F-119)

PROPOSAL 14 - 5 AAC 77.545. Kachemak Bay Personal Use Salmon Fishery Management Plan. Allow PU fishery after CIAA meets cost recovery goals as follows:

Allow the PU fishery after Cook Inlet Aquaculture Association (CIAA) cost recovery goals are met and a reasonable commercial fishery has occurred.

ISSUE: The personal use (PU) fishery solely based on Cook Inlet Aquaculture Association (CIAA) stocks. This PU fishery prevents CIAA from doing any effective cost recovery or commercial harvests on this stock.

WHAT WILL HAPPEN IF NOTHING IS DONE? UCIDA will encourage CIAA to stop the stocking of salmon in this location.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Unless CIAA and commercial fishermen achieve an economic performance from this program, there is no reason to continue this stocking program.

WHO IS LIKELY TO BENEFIT? Public.

WHO IS LIKELY TO SUFFER? Public.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: United Cook Inlet Drift Association (SC-10F-068)

PROPOSAL 15 - 5 AAC 27.430. Lawful gear for Cook Inlet Area. Allow for use of cast nets when fishing for herring for personal use as follows:

Allow Hawaiian style throw nets as a legal means of take.

ISSUE: Personal use herring are currently allowed to be harvested by dipnet or gillnet. Dip nets are not often effective, and gillnets may harvest more than one person or family might need.

WHAT WILL HAPPEN IF NOTHING IS DONE? People who would like to harvest a few gallons of herring will not utilize the fishery.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?

WHO IS LIKELY TO BENEFIT? The few people who would like to net herring but for practical or financial reasons find dip or gill nets inappropriate to their needs.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Dave Lyon (HQ-10F-188)

PROPOSAL 16 - 5 AAC 28.310. Fishing Seasons For Cook Inlet Area (d)(1) and (2); 5 AAC 28.365 Cook Inlet Area Rockfish Management Plan; and 5 AAC 28.367 Cook Inlet Area Pacific cod Management Plan (i). This is a placeholder proposal that will reorganize and clarify confusing regulatory references to rockfish fishing and bycatch retention.

ISSUE: Current Cook Inlet Area regulations concerning rockfish retention and sale as bycatch are unclear, and references are scattered over several regulations. This proposal will clarify regulations pertaining to retention of rockfish as bycatch and move those references pertaining to bycatch into the *Cook Inlet Rockfish Management Plan* to make them more understandable and accessible to agency and industry users.

WHAT WILL HAPPEN IF NOTHING IS DONE? Regulations will continue to create confusion for fishery participants, managers, and law enforcement agencies.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? The public and agencies will benefit from clear and consistent regulatory language.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-10F-164)

PROPOSAL 17 - 5 AAC 28.330. Lawful Gear for Cook Inlet Area. Repeal the definition of gear as follows:

(i)(2) **repealed** [A SINGLE CONTINUOUS LINE WITH NOT MORE THAN 150 HOOKS].

ISSUE: This definition of legal commercial gear for jig and hand troll groundfish fisheries creates confusion among fishermen, is difficult to enforce, and inconsistent with actual fishing practices.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued uncertainty regarding legal gear configurations during commercial jig and hand troll groundfish fisheries.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? The public and agency staff will benefit from clear and consistent regulations.

WHO IS LIKELY TO SUFFER? Unknown.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-10F-163)

PROPOSAL 18 - 5 AAC 28.350. Closed waters in Cook Inlet Area. Open area from Cape Douglas to Chitina Point for cod fishing as follows:

Repeal 5 AAC 28.350 [(b) (1) WATERS WEST OF A LINE FROM CAPE DOUGLAS TO CHINITNA POINT (50 DEGREES 41.6' N LAT., 153 DEGREES 03.2' W. LONG) THAT ARE DEEPER THAN 15 FATHOMS].

ISSUE: Unnecessary closed waters in Kachemak Bay.

WHAT WILL HAPPEN IF NOTHING IS DONE? Cod stocks in Kachemak Bay will continue to be unharvested.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? It improves the opportunity for smaller boats.

WHO IS LIKELY TO BENEFIT? The small boat pot cod fleet.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Adjust boundary lines – the closed area has no purpose.

PROPOSED BY: Al Ray Carrol (HQ-10F-074)

PROPOSAL 19 - 5 AAC 28.367. Cook Inlet Pacific Cod Management Plan. Reallocate cod in Cook Inlet as follows:

Change quota split from 75% pot-25% jig to **90% pot-10% jig.**

ISSUE: Under harvested Cook Inlet jig quota

WHAT WILL HAPPEN IF NOTHING IS DONE? Cook Inlet cod quota will be under harvested.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?

WHO IS LIKELY TO BENEFIT? Cook Inlet pot cod fishermen.

WHO IS LIKELY TO SUFFER? No one. The Cook Inlet jig fleet has never been able to harvest their quota.

OTHER SOLUTIONS CONSIDERED? Put cap of 400,000 lbs. on jig quota- this would work also.

PROPOSED BY: Al Ray Carrol (HQ-10F-073)

PROPOSAL 20 - 5 AAC 62.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the West Cook Inlet Area. Designate portion of Silver Salmon Creek as fly fishing only area as follows:

At Silver Salmon Creek on the west side of Cook Inlet, a corridor downstream at N 59° 59'00.7, E 152° 39'33.0 upstream to N 59° 58'50.7, E 152° 40'04.6 shall be designated fly-fishing only.

ISSUE: An excessive amount of coho salmon being caught with treble hooks and dying upon release plus a general overharvesting of coho at Silver Salmon Creek on the west side of Cook Inlet.

WHAT WILL HAPPEN IF NOTHING IS DONE? An increasing number of coho will be harvested which is threatening the viable fishery at Silver Salmon Creek plus too many released fish caught with treble hooks die.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Fewer fish will be harvested and fewer killed upon release because of the single-hook feature of fly-fishing equipment. The social atmosphere will also improve.

WHO IS LIKELY TO BENEFIT? Fly fishermen and spin-cast fishermen will be able to continue fishing a viable stream once the mortality of released fish is reduced. Both groups will also enjoy fishing alongside others using the same technique.

WHO IS LIKELY TO SUFFER? Spin-cast fishermen who previously fished the “fly-fishing” only zone and feel displaced.

OTHER SOLUTIONS CONSIDERED? Creating the entire stream as fly-fishing only. Rejected because of spin-cast fishermen historically fishing Silver Salmon Creek.

PROPOSED BY: David Coray (HQ-10F-233)

Note: This proposal is also listed for consideration during the Upper Cook Inlet Finfish meeting.

PROPOSAL 21 - 5 AAC 62.122. Special provisions and localized additions and exceptions to the seasons, bag possession, and size limits, and methods and means for the West Cook Inlet Area. Decrease bag limit to 2 coho salmon in West Cook Inlet as follows:

The legal daily bag limit of coho salmon from the Susitna drainage south to and including Chitina Bay will be two fish.

ISSUE: The sport fishing pressure on the west side of Cook Inlet at Silver Salmon Creek and Shelter Creek is threatening the viability of the sport fishery because too many coho are being harvested. Runs have declined over the past 15 years and the bag limit needs to be reduced.

WHAT WILL HAPPEN IF NOTHING IS DONE? The current bag limit of three coho per day per person will result in an overharvest of returning coho salmon and a once viable fishery for sport fishermen will be lost or severely impacted.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? By fewer fish harvested, more returning coho salmon will spawn, resulting in greater returns in the future.

WHO IS LIKELY TO BENEFIT? All sport fishermen enjoying West Cook Inlet coho fishing.

WHO IS LIKELY TO SUFFER? Those fishermen intent on maximizing their harvest of three salmon a day.

OTHER SOLUTIONS CONSIDERED? Reducing the daily bag limit to one fish. Rejected due to fly-in fishermen desiring coho for eating.

PROPOSED BY: David Coray (HQ-10F-234)

Note: This proposal is also listed for consideration during the Upper Cook Inlet Finfish meeting.

PROPOSAL 22 - 5 AAC 62.120(2). General provisions for season, bag, possession, and size limits, and methods and means for the West Cook Inlet Area. Increase bag and possession limit to 3 coho salmon in West Cook Inlet Area as follows:

To adopt the preferred solution the Board would simply need to repeal the following language, "of which no more than two may be coho salmon" from 5 AAC 62.120(2).

ISSUE: Restore daily bag and possession limit of 3 coho salmon, 16 inches or greater in length in the West Cook Inlet Area.

WHAT WILL HAPPEN IF NOTHING IS DONE? For nearly forty years the daily bag and possession limit for coho salmon in the West Cook Inlet Area was 3 fish, 16 inches or greater in length. In response to a decline in abundance of coho salmon during the late 1990's, the bag and possession limit was reduced to 2 fish as part of a comprehensive plan that included restrictions on commercial fisheries. Since that time abundance has improved, commercial fisheries are no longer restricted specifically to conserve West Cook Inlet Area coho salmon yet the sport fishery still operates under the lowered bag and possession limit. Increasing the bag and possession

limit from 2 to 3 fish would not jeopardize the sustained yield of the resource, would provide increased opportunity for harvest and likely result in additional economic value from the fishery.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Sport fishing for coho salmon in the West Cook Inlet Area puts salmon on Alaskan's dinner table, provides high quality recreational opportunity and supports significant economic activity on the Upper Cook Inlet Region. Continuing to operate the fishery for coho under unnecessary restrictions only serves to reduce the potential benefits created by the fishery.

WHO IS LIKELY TO BENEFIT? Resident and non-resident sport and guided sport fishermen and the economy of the Upper Cook Inlet Region.

WHO IS LIKELY TO SUFFER? So long as the department continues to monitor the harvest of coho salmon of West Cook Inlet Area origin by all fisheries and manages this important resource for sustained yield then no one would suffer from adoption of a proposal seeking to restore the longstanding bag and possession limit of 3 coho salmon.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Kenai River Sportfishing Association and Mayor's Blue Ribbon Sportsmen's Committee, Matanuska-Susitna Borough (HQ-10F-080)

Note: This proposal is also listed for consideration during the Upper Cook Inlet Finfish meeting.

PROPOSAL 23 - 5 AAC 56.120. General provisions for seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area. Increase bag and possession limit to 3 coho salmon in the Kenai Peninsula Area as follows:

To adopt the preferred solution the Board would simply need to repeal the following language, "of which no more than two may be coho salmon" from 5 AAC 56.120 (2)(A).

ISSUE: Restore daily bag and possession limit of 3 coho salmon, 16 inches or greater in length in the Kenai Peninsula Area.

WHAT WILL HAPPEN IF NOTHING IS DONE? For nearly forty years the daily bag and possession limit for coho salmon in the Kenai Peninsula Area was 3 fish, 16 inches or greater in length. In response to a decline in abundance of coho salmon during the late 1990's, the bag and possession limit was reduced to 2 fish as part of a comprehensive plan that included restrictions on commercial fisheries. Since that time abundance has improved, commercial fisheries are no longer restricted specifically to conserve coho salmon yet the sport fishery still operates under the lowered bag and possession limit. Increasing the bag and possession limit from 2 to 3 fish would not jeopardize the sustained yield for the resource, would provide increased opportunity for harvest and likely result in additional economic value for the fishery.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Sport fishing for coho salmon in the Kenai Peninsula Area puts salmon on Alaskan's dinner table, provides high quality recreational opportunity and supports significant economic activity on the Kenai Peninsula. Continuing to operate the fishery for coho under unnecessary restrictions only serves to reduce the potential benefits created by the fishery.

WHO IS LIKELY TO BENEFIT? Resident and non-resident sport and guided sport fishermen and the economy of the Kenai Peninsula Area.

WHO IS LIKELY TO SUFFER? So long as the department continues to monitor the harvest of coho salmon of Kenai River origin by all fisheries and manages this important resource for sustained yield then no one would suffer from adoption of a proposal seeking to restore the longstanding bag and possession limit of 3 coho salmon.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Kenai River Sportfishing Association and Mayor's Blue Ribbon Sportsmen's Committee, Matanuska-Susitna Borough (HQ-10F-083)

PROPOSAL 24 - 5 AAC 56.1XX. New Section. Change the Anchor River escapement goal from a threshold to a range as follows:

The Anchor River Escapement Goal Policy would be managed for a range within either a BEG or SEG.

ISSUE: The chinook salmon escapement goal policy on the Anchor River is currently managed as an LB SEG Threshold. We believe an established range would be better suited for the Anchor River because it would provide a better in-season management tool and provide an upper end that would protect against escapements that are beyond the replacement point. We have better data certainty with many years of aerial survey information and weir data since 2003. Additionally, harvest potential and fishing power are adequate to manage for a range. The Anchor River is becoming more popular since stocking programs were reduced on the Kasilof and Ninilchik rivers so it is vitally important that we manage properly for future returns and MSY.

WHAT WILL HAPPEN IF NOTHING IS DONE? There is a potential for lost opportunity on future runs if we exceed the carrying capacity by only managing for a threshold. Dependable recruitment and run sustainability should be our goal wherever we have large recreational fisheries.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, would increase stock dependability.

WHO IS LIKELY TO BENEFIT? Everyone.

WHO IS LIKELY TO SUFFER? Nobody.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Kenai Area Fisherman's Coalition (HQ-10F-042)

PROPOSAL 25 - 5 AAC 56.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area. Management actions on Deep Creek will be same as actions taken on the Anchor River as follows:

The Anchor River and Deep Creek will be managed in tandem using data obtained from monitoring the Anchor River.

ISSUE: The Anchor River is actively monitored using a weir, but Deep Creek is not. ADF&G actively manages only the Anchor River. Due to the similarity in location of the mouths, stream, morphology, instream habitat, and runs of fish, fish behave in similar ways. However, management actions taken on the Anchor River are not duplicated on Deep Creek, so Deep Creek doesn't benefit from management decisions intended to preserve fish populations and runs. Management actions on one stream have implications for fish and angling on the other stream due to their proximity.

WHAT WILL HAPPEN IF NOTHING IS DONE? Increased and continuing decline of Deep Creek fish runs.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? All people who fish Deep Creek for salmon, steelhead, trout, or char.

WHO IS LIKELY TO SUFFER? People who move to Deep Creek to fish when fishing on the Anchor River is restricted.

OTHER SOLUTIONS CONSIDERED? Adding monitoring equipment to Deep Creek. Extra expense not needed due to similarities between the Anchor River and Deep Creek.

PROPOSED BY: Allen Tigert, Phil Brna, and John Martin (HQ-10F-024, and SC-10F-038)

PROPOSAL 26 - 5 AAC 56.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area. Modify king salmon season on Anchor River and Deep Creek beginning weekend before Memorial Day and the following three weekends as follows:

The Anchor River and Deep Creek is open to king salmon fishing on the weekend before Memorial Day and the following three weekends for a total of four weekends. If the BEG is met via weir data, then the department could open the streams an additional weekend. (Both streams are NOT open on Wednesday).

ISSUE: The art of snagging or “lining” king salmon in the Anchor River and Deep Creek is causing a large increase in mortality, on top of the normal catch and release mortality experienced in these fisheries. In addition to that, the Anchor River and Deep Creek is open Wednesdays. This gives fish very little respite from the immense pressure they experience as they move up through the lower rivers. During low water conditions they are slow to migrate upstream, especially if they are reluctant to travel through a weir and hold over in a section of the river that is open to fishing. The out-migrating steelhead are extremely vulnerable to the snagging or “lining” and the handling mortality that is associated with it.

WHAT WILL HAPPEN IF NOTHING IS DONE? Stressed king salmon stocks will take longer to recover and there will be increased mortality in the king salmon and steelhead fisheries.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? King salmon anglers would benefit from healthier returns. The handling mortality of the weakened, out-migrating steelhead would be reduced.

WHO IS LIKELY TO SUFFER? All who currently enjoy the opportunity to spend time on these rivers catching king salmon. This regulation may add to the sometimes crowded near-shore marine fishery.

OTHER SOLUTIONS CONSIDERED? We considered leaving the river open for five weekends, but with the 2009 emergency closure of the Anchor River, a more conservative approach is recommended.

PROPOSED BY: Lynn Whitmore (SC-10F-028)

PROPOSAL 27 - 5 AAC 56.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area. Modify king salmon season on Anchor River and Deep Creek beginning weekend before Memorial Day and the following three weekends as follows as follows:

The regulations would say the Anchor River and Deep Creek would open for king salmon fishing on Memorial Day and the following three weekends for a total of four weekends. If the BEG is met via weir data then the department could open the streams an additional weekend. (Neither stream to be open on Wednesday).

ISSUE: The Anchor River king salmon run has been declining for years (see graph). This coupled with liberalized season (5 fish season limit and Wednesday opening) resulted in an emergency closure in 2009.

In addition, the art of snagging or “lining” king salmon in the Anchor River and Deep Creek is causing a large increase in mortality, on top of the normal catch and release mortality experienced in these fisheries. In addition, the Anchor River is open Wednesdays. This gives fish very little respite from the immense pressure they experience as they move up through the lower rivers. During low water conditions they are slow to migrate upstream, especially if they are reluctant to travel through a weir and hold over is a section of the river that is open to fishing. The out-migrating steelhead are extremely vulnerable to snagging or “lining” as well as use of bait and the handling mortality that is associated with these practices.

Another problem is that the season change in 2009 added a variable that makes analyzing a long-term escapement data set more difficult for management and planning purposes. Going back to the 2008 seasons will reduce the noise in the data set. “We need at least two life cycles (14 years) of escapement data, and the returns those escapements, to be able to predict with any accuracy what the run size will be, or to develop a management plan with effective restrictions that will provide sustainable harvests in the long term” (N. Szarzi, pers. Comm.. 3/31/10) Clearly, by keeping the seasons the same over the data set we will reduce the “clutter” in the data set. That is why we need to revert to 2008 regulations until the 14 year data set is completed.

WHAT WILL HAPPEN IF NOTHING IS DONE? Stressed king salmon stocks will take longer to recover and there will be increased mortality in the king salmon and steelhead fisheries.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? King salmon anglers would benefit from healthier returns. The handling mortality of the weakened, out-migrating steelhead would be reduced.

WHO IS LIKELY TO SUFFER? People who fish on Wednesday would lose that day to fishing. However, that has only been open for one season and most would appreciate the better fishing that should result on the weekends by giving the river a chance to “fill up”.

OTHER SOLUTIONS CONSIDERED? We considered leaving the river open for five weekends but with the 2009 emergency closure of the Anchor River a more conservative approach is recommended.

PROPOSED BY: John L. Martin (SC-10F-042)

PROPOSAL 28 - 5 AAC 56.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area. Reduce annual limit of king salmon on Anchor River from five to two per year combined with Deep Creek as follows:

The bag and possession limit for the Anchor River and Deep Creek is one king salmon per day. No more than two king salmon 20 inches or more in length may be taken each year from the Anchor River and Deep Creek combined.

ISSUE: The existing limit of 5 king salmon on the Anchor River and Deep Creek is too liberal at a time when the run strength has been in a steady decline. This resulted in a mid-season emergency closure of the Anchor River in 2009. We would like to return to the 2007 bag and possession limits.

WHAT WILL HAPPEN IF NOTHING IS DONE? If the stock is being stressed from unknown conditions in the marine environment and we continue with the 5 fish limit in the river, we could be causing further decline in total return strengths. We should consider a more conservative limit until those conditions are identified and the weir numbers reflect a steady, healthy return.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No, but it helps ensure the sustainability of king salmon stocks.

WHO IS LIKELY TO BENEFIT? All king salmon anglers if a conservative approach is adapted and run strengths return to historic levels.

WHO IS LIKELY TO SUFFER? All of us who catch or consume king salmon. Important to consider here is the likelihood that reducing these limits in the streams may and probably will cause increased pressure on the near-shore saltwater king salmon fishery.

OTHER SOLUTIONS CONSIDERED? The option to change the bag limit to a three king annual bag limit was considered but may not be conservative enough at this time. Also, because the fishing pressure that was transferred to Deep Creek in 2009 after the Anchor River emergency closure, it was decided to treat Deep Creek with conservative limits.

PROPOSED BY: Lynn Whitmore (SC-10F-027)

PROPOSAL 29 - 5 AAC 56.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area. Reduce annual limit of king salmon on Anchor River from five to two per year combined with Deep Creek as follows:

Bag and possession limit for the Anchor River and Deep Creek is one king salmon per day. No more than 2 (two) king salmon 20 inches or more in length may be taken each year from the Anchor River and Deep Creek combined.

ISSUE: The 5 king limit on the Anchor River and Deep Creek is too much for these systems to support. I would like to see the return of the 2007 bag and possession limit of 2 per year from both rivers.

WHAT WILL HAPPEN IF NOTHING IS DONE? We can't predict returns on an annual basis given the unseen environmental varieties affecting king returns. We should protect the fish making it to the river to assure stocks are available in the future. Not doing so could result in a more significant decline.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No. It helps assure the numbers of kings returning to the rivers.

WHO IS LIKELY TO BENEFIT? King salmon fishermen on the river and out in the ocean with increased number of kings.

WHO IS LIKELY TO SUFFER? Every king fishermen that catch and eat kings from the area.

OTHER SOLUTIONS CONSIDERED? Change to a 3 king limit. This I don't believe is enough of a change to make an immediate impact.

PROPOSED BY: Mike Priebe (SC-10F-021)

PROPOSAL 30 - 5 AAC 56.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area. Reduce annual limit of king salmon on Anchor River from five to two per year combined with Deep Creek as follows:

The bag and possession limit for the Anchor River and Deep Creek is one king salmon per day. No more than 2 (two) king salmon 20" or more in length may be taken each year from the Anchor River and Deep Creek combined.

ISSUE: The Anchor River king salmon run has been in decline for years. This coupled with the liberalized regulations (5 fish season limit and Wednesday openings) resulted in an emergency season closure last year. The Anchor River king salmon are in drastic decline. This decline et must be stopped and escapement raised to higher levels.

The existing limit of 5 king salmon on the Anchor River and Deep Creek is too liberal at a time when the run strength has been in a steady decline.

Another problem is that the season change in 2009 added a variable that makes analyzing a long-term escapement data set more difficult for management and planning purposes. Going back to the 2008 seasons will reduce the noise in the data set. "We need at least two life cycles (14 years) of escapement data, and the returns those escapements, to be able to predict with any accuracy what the run size will be, or to develop a management plan with effective restrictions

that will provide sustainable harvests in the long term” (N. Szarzi, pers. Comm.. 3/31/10) Clearly, by keeping the seasons the same over the data set we will reduce the “clutter” in the data set. That is why we need to revert to 2008 regulations until the 14 year data set is completed.

WHAT WILL HAPPEN IF NOTHING IS DONE? King salmon staging in the freshwater lenses at the mouths of Anchor River and Deep Creek will continue to experience heavy pressure. In the past this has been an ever-expanding fishery with no limit on the number of boats involved. For several years now king salmon stocks have been declining and may continue to decline if no conservation efforts are implemented. The Kenai River will be directly affected by experiencing a large increase in pressure if there are more closures on these lower peninsula streams.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? All king salmon anglers if a conservative approach is adapted and run strengths return to historic levels.

WHO IS LIKELY TO SUFFER? All of us who catch or consume king salmon. Important to consider here is the likelihood that reducing these limits in the streams may and probably will cause increased pressure on the near-shore saltwater king salmon fishery.

OTHER SOLUTIONS CONSIDERED? The option to change the bag limit to a three king annual bag limit was considered but may not be conservative enough at this time. Also, because of the fishing pressure that was transferred to Deep Creek in 2009 after the Anchor River emergency closure, it was decided to treat Deep Creek with conservative limits.

PROPOSED BY: John L. Martin (SC-10F-041)

PROPOSAL 31 - 5 AAC 56.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula area. Require only one unbaited, single hook, artificial lure in Anchor River and Deep Creek August 20 – December 31, and Memorial Day – June 30 as follows:

In the Anchor River and Deep Creek only one, unbaited, single hook artificial lure is allowed between August 20 – December 31st and from Memorial Day – June 30.

ISSUE: Bait used during steelhead return to saltwater is resulting in more mortality of steelhead in the Anchor River and Deep Creek. There is already no bait from September 1st – December 31. Steelhead start to enter August 20th and return to saltwater April – June.

WHAT WILL HAPPEN IF NOTHING IS DONE? A decline of steelhead stocks on Deep Creek and Anchor River.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No, but protects the valuable steelhead run.

WHO IS LIKELY TO BENEFIT? Those who value steelhead and desire to conserve them.

WHO IS LIKELY TO SUFFER? Anglers who use bait exclusively.

OTHER SOLUTIONS CONSIDERED? Complete ban of bait year round since coho salmon stocks are also declining.

PROPOSED BY: Mike Priebe (SC-10F-022)

PROPOSAL 32 - 5 AAC 56.122(2)-(5). Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area. Allow bait in Anchor River and Deep Creek only after goals are met and until August 20 instead of September 1 as follows:

Bait is allowed in Anchor River and Deep Creek only after the department projects that the king salmon BEG will be met until August 20. After August 20, only single hook artificial lures are allowed. If the department does not project that king salmon BEG will be met, the use of bait is allowed beginning on August 1 and ending on August 20.

ISSUE: Use of bait during steelhead migrations and for king salmon results in increased mortality in the Anchor River and Deep Creek. Many anglers target female king salmon to obtain roe for bait and this results in a disproportionate harvest of females. There is already a no bait rule to protect steelhead beginning on September 1 but steelhead begin entering about August 20.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued decline of salmon and steelhead stocks.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, a recent study done by Oregon Department of Fish and Wildlife shows that bait cured with sulfites can result in juvenile salmon and steelhead mortality from 0% to 30%. <http://www.cbulletin.com/369337.aspx>.

WHO IS LIKELY TO BENEFIT? All anglers who desire conservative management to protect salmon and steelhead stocks.

WHO IS LIKELY TO SUFFER? Anglers who use bait exclusively.

OTHER SOLUTIONS CONSIDERED? Total ban on bait year round since coho salmon stocks are also declining.

PROPOSED BY: Allen Tigert and Phil Brna (HQ-10F-025)

PROPOSAL 33 - 5 AAC 56.122(2)-(5). Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area. Prohibit the use of bait in Anchor River or Deep Creek year round as follows:

No bait is allowed in the Anchor River or Deep Creek, year round.

ISSUE: Use of bait during steelhead migrations and for salmon results in increased mortality in the Anchor River and Deep Creek. Many anglers target female salmon to obtain roe for bait and this results in a disproportionate harvest of females. There is already a no bait rule to protect steelhead beginning on September 1 but steelhead begin entering about August 20.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued decline of salmon and steelhead stocks.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, a recent study done by Oregon Department of Fish and Wildlife shows that bait cures with sulfites can result in juvenile salmon and steelhead mortality from 0% to 30% (<http://www.cbulletin.com/369337.aspx>).

WHO IS LIKELY TO BENEFIT? All anglers who desire conservative management to protect salmon and steelhead stocks.

WHO IS LIKELY TO SUFFER? Anglers who use bait exclusively.

OTHER SOLUTIONS CONSIDERED? Limited ban on bait to protect kings and steelhead.

PROPOSED BY: Allen Tigert and Phil Brna (HQ-10F-023)

PROPOSAL 34 - 5 AAC 56.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula area. Require only one unbaited, single hook (3/4" or less gap), artificial lure year-round in Anchor River and Deep Creek as follows:

Only one, unbaited, single hook, artificial lure or fly allowed year round. Gap between point and shank must be 3/4 or less.

ISSUE: Declining numbers of salmon and steelhead on the Anchor River and Deep Creek require more legal management. There seems to be more anglers who are using very large single hooks, or several large single hooks in tandem or even treble hooks for snagging salmon and rainbows.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued decline of salmon and steelhead, higher mortality rates of fish not harvested, but damaged by hooks.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No, but it protects the return and spawning success of salmon and steelhead.

WHO IS LIKELY TO BENEFIT? All salmon and steelhead to increase return to historical levels.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? 3/8 hook size does not seem large enough for kings.

PROPOSED BY: Mike Priebe (SC-10F-019)

PROPOSAL 35 - 5 AAC 56.122(2)-(5). Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area. Require only one unbaited, single hook (3/4" or less gap), artificial lure year-round in Anchor River and Deep Creek as follows:

In all flowing waters of Anchor River and Deep Creek only one unbaited, single hook, artificial lure is allowed year-round [SEPTEMBER 1-DECEMBER 31], except that bait is allowed as provided in 5 AAC XX.XXX. The gap between point and shank must be 3/4" or less.

ISSUE: Declining stocks of salmon and steelhead on Anchor River and Deep Creek require conservative management. In the last few years, there are an increasing number of anglers who are using very large single hooks, several large single hooks in tandem, or treble hooks to snag both salmon (especially kings and coho) and steelhead.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued decline of salmon and steelhead stocks.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, fewer fish with injuries due to snagging. Snagging injuries result in gashes and decomposed flesh.

WHO IS LIKELY TO BENEFIT? All salmon and steelhead anglers if a conservative approach is adopted and run strengths return to historic levels.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Limit hook size to 3/8" was rejected because that hook size may be considered insufficient by most anglers for kings.

PROPOSED BY: Allen Tigert and Phil Brna (HQ-10F-026)

PROPOSAL 36 - 5 AAC 56.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area. Require use of circle hooks in the Anchor River as follows:

The use of circle hooks is mandatory in the Anchor River, with no more than two hooks in tandem.

ISSUE: There is an increased amount of snagging or “lining” occurring in the lower peninsula streams and it is physically damaging to the fish stocks including steelhead. This is seriously affecting the quality of the fishing experience on the Lower Peninsula streams.

WHAT WILL HAPPEN IF NOTHING IS DONE? The quality of the fishing will continue to degrade and sport fishermen will become more discouraged to the point off reducing effort and stocks will continue to be harmed.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? We will have to remove less hooks from the backs of the salmon and steelhead we release and less snag marks in the fish we keep.

WHO IS LIKELY TO BENEFIT? All real sportsmen.

WHO IS LIKELY TO SUFFER? Professional snaggers and liners.

OTHER SOLUTIONS CONSIDERED? We considered a regulation that would move their weight within 18 inches of their hook, but one of the problems we see is people using sinking fly lines to sweep the bottom which that wouldn’t fix and a different regulation for every user group and fishery would be too cumbersome.

PROPOSED BY: Don Flynn and Lynn Whitmore (SC-10F-046)

PROPOSAL 37 - 5 AAC 56.122(2). Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area. Prohibit fishing within 300 yards of the weir on the Anchor River as follows:

The Anchor River is closed to all fishing to a department marker 300 yards below the weir, when the weir is operating, from the end of the king salmon season until August 1. (Note we would like the bridge hole closed but we do not know the precise distance.)

ISSUE: The department marker below the Anchor River wieir is placed too close to the weir. The weir keeps fish from moving freely up the river and they hold in the deep wtaer below the Old Sterling Highway Bridge. Anglers snag kings here and when the river re-opens on July 1 they target kings even though king fishing is closed.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued decline of king salmon population.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No

WHO IS LIKELY TO BENEFIT? All anglers who value conservation of king salmon stocks.

WHO IS LIKELY TO SUFFER? Anglers who are illegally targeting king salmon after the river closes to fishing for kings.

OTHER SOLUTIONS CONSIDERED? Close the area 300 yards below the weir both during and after king season when the weir is in place.

PROPOSED BY: Allen Tigert and Phil Brna (HQ-10F-027)

PROPOSAL 38 - 5 AAC 56.122(2)-(5). Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area. Close the Anchor River and Deep Creek to all fishing from November 1 to king opening in the spring as follows:

The entire Anchor River and Deep Creek drainages are closed to all fishing from November 1 until they open for king salmon fishing in the spring.

ISSUE: Increased angling pressure for steelhead on both Anchor River and Deep Creek at the beginning of winter when these fish are concentrated, sluggish due to cold water temperatures, and very susceptible to disturbance is likely resulting in increased mortality, lower winter survival and ultimately a decline in the number of spawners in the spring.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued decline in the steelhead populations and decreased sustainability of the fishery.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No but it helps sustain steelhead populations and fishing which are very limited in Southcentral Alaska.

WHO IS LIKELY TO BENEFIT? All anglers who value conservative management to protect small and valuable steelhead populations.

WHO IS LIKELY TO SUFFER? Those few anglers who fish for steelhead in November.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Allen Tigert and Phil Brna (HQ-10F-031)

PROPOSAL 39 - 5 AAC 56.122. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula area. Close the Anchor River and Deep Creek to all fishing from November 1 to king opening in the spring as follows:

Close Deep Creek and Anchor River after October 31 and reopen the start of king season

ISSUE: The fishing pressure for steelhead on the Anchor River and Deep Creek in late fall and early winter months. The low water levels and cold water temperatures make the steelhead more vulnerable and stressed, resulting in higher death rates and less successful spawning numbers of fish.

WHAT WILL HAPPEN IF NOTHING IS DONE? With more and more fishermen, the steelhead numbers will continue to decline.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No, but these are the only steelhead rivers on the Kenai Peninsula with good runs and protecting them will assure their survival.

WHO IS LIKELY TO BENEFIT? All who value the steelhead runs on these rivers.

WHO IS LIKELY TO SUFFER? Those fishermen who target them in November/December.

OTHER SOLUTIONS CONSIDERED? Close either earlier or later. November 1 seems like the correct proposal.

PROPOSED BY: Mike Priebe (SC-10F-020)

PROPOSAL 40 - 5 AAC 56.122. Special provisions and localized additions and exceptions to the seasons, bags, possessions, size limits and methods and means for the Lower Kenai Peninsula Area. Close lower Cook Inlet streams to steelhead fishing from November 1 to king opening in spring as follows:

The following drainages will be closed to steelhead fishing from November 1 to the opening day of spring king salmon season; Anchor River, Deep Creek, Ninilchik River and Stariski Creek.

ISSUE: The steelhead fisheries of the Lower Kenai Peninsula are fully utilized with little or no research to establish their further sustainability. The rapid increase of anglers on this resource has escalated over the past five years to where the angling pressure in September now rivals or surpasses the king salmon season in May and June. The heavy utilization of the resource coupled with little research fails to insure the future health of the Lower Kenai Peninsula steelhead. The steelhead run starts in late July to early August and peaks in late September to early October. By late October the water of these streams has dropped to 32-36 degrees

Fahrenheit and the wintering steelhead enter into a very lethargic stage, stacking up in the deep pools and fighting to survive against winter floods, shifting ice and hungry river otters. The surviving steelhead spawn in late May to mid June as the water temperature rises to 45 degrees. The 30%-40% that survive to out migrate back to the ocean face a tempting gauntlet of salmon egg clusters fished by king salmon fisherman looking for early summer kings. Many hunger steelhead fall prey to the king salmon fisherman lowering their survival rate as they transition back into their saltwater environment for the next 16-30 months before again entering the Lower Kenai Peninsula streams. To improve their longevity the steelhead fishing season should close on 11:59 PM on October 31.

WHAT WILL HAPPEN IF NOTHING IS DONE? The heavily fished steelhead resource will be stressed and their future survival will be in doubt.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCT PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? The angler who wishes to see this special resource perpetuated for our children and their children.

WHO IS LIKELY TO SUFFER? Those anglers who choose to devalue this highly prized resource.

OTHER SOLUTIONS CONSIDERED? Have the department do an in-depth study of these steelhead streams but realize neither the funding nor staff is available. Closing these streams on November 1 will help until the department can do the research necessary to evaluate the fisheries.

PROPOSED BY: Anchorage Advisory Committee (SC-10F-099)

PROPOSAL 41 - 5 AAC 56.xxx. New regulation. Limit guides on Anchor River and Deep Creek to 2 clients a day; guides may not fish while client is present as follows:

Guides on the Anchor River and Deep Creek are limited to two (2) clients per day and guides may not sport fish while a client is present or within guides control, unless the guide is providing help to a client who is disabled.

ISSUE: River guiding on the Anchor River and Deep Creek, specifically during the king and steelhead seasons. Additional fish harvested and catch and release mortality, and also the limited river space between guided and unguided fishermen. Guides are setting up camps and taking as many as 8 anglers on the river at a time. This pushes non-guided anglers from access.

WHAT WILL HAPPEN IF NOTHING IS DONE? More conflict between guided and non-guided anglers, with an increase of pressure and mortality of limited and depressed king salmon and steelhead runs.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No, but it improves the experience of the fishing for both guided and unguided anglers.

WHO IS LIKELY TO BENEFIT? Both guided and unguided anglers.

WHO IS LIKELY TO SUFFER? Guides who bring more than 2 clients per day.

OTHER SOLUTIONS CONSIDERED? Complete restriction of guiding. Unfair to guides and anglers who need a guide.

PROPOSED BY: Mike Priebe (SC-10F-024)

PROPOSAL 42 - 5 AAC 56.XXX. New Section. Limit guides on Anchor River and Deep Creek to 2 clients a day; guides may not fish while client is present as follows:

Guides on the Anchor River and Deep Creek are limited to two (2) clients per day and guides may not sport fish while a client is present or within the guide's control or responsibility, unless the guide is providing assistance to a client with a disability as defined in the Americans with Disabilities Act.

ISSUE: Guided angling on the Anchor River and Deep Creek, especially during king and steelhead seasons or when the fishing on the Kenai River is restricted has resulted in increased guiding pressure, additional fish harvest, catch and release mortality, and conflicts with unguided anglers. Guides are bringing up to 8 anglers and displacing unguided anglers from long stretches of rivers for extended periods of time.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued and increasing conflicts with guided anglers.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No, but it does improve the quality of the angling experience for both unguided and guided anglers.

WHO IS LIKELY TO BENEFIT? Both unguided and guided anglers.

WHO IS LIKELY TO SUFFER? Guides who bring more than two clients per day to fish.

OTHER SOLUTIONS CONSIDERED? Total prohibition on guiding but rejected because it is unfair to guides and anglers who need a guide.

PROPOSED BY: Allen Tigert and Phil Brna (HQ-10F-030)

PROPOSAL 43 - 5 AAC 58.022. Waters; seasons; bag, possession, and size limits; and special provisions for Cook Inlet – Resurrection Bay Saltwater Area; and 5 AAC 58.055. Upper Cook Inlet Salt Water Early-run King Salmon Management Plan. Allow fishing from shore for early-run king salmon in the closed marine waters near Ninilchik River and Deep Creek as follows:

Open fishing in saltwater, from shore, concurrent with freshwater river openings for early-run king salmon Special Harvest Area #1, Ninilchik River and Deep Creek only;

ISSUE: 1. ADF&G enforcement issue: ADF&G has problem with people fishing in the streams outside of the freshwater boundary. 2. ADF&G is unable to mark boundaries in a way that won't interfere with boat traffic. 3. ADF&G has not found means to establish bank to bank line at -0- foot tide line. 4. Overcrowding and congestion of fishermen at the boundary line creates conflict and challenges compliance issue.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued enforcement and compliance issues along with a compromise to the fishing experience of those in the boundary areas.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Estimated impact on king harvest numbers are minimized – no impact on conservation effort.

WHO IS LIKELY TO BENEFIT? 1. ADF&G enforcement problem is resolved. 2. More area is opened to fishing in this highly congested and poorly regulated area.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Mike Schuster (SC-10F-055)

PROPOSAL 44 - 5 AAC 58.022. Waters; seasons; bag, possession, and size limits; and special provisions for Cook Inlet – Resurrection Bay Saltwater Area; and 5 AAC 58.055. Upper Cook Inlet Salt Water Early-run King Salmon Management Plan. Increase total closed area at mouth of Anchor River from 2 miles to 4 miles in the Early-run King Salmon Special Harvest Area as follows:

Saltwater fishing for kings is closed within the area two miles along the shoreline and one mile out from the shore from the mouth of the Anchor River, Deep Creek and Ninilchik rivers.

ISSUE: King salmon numbers are declining in the Anchor River and Deep Creek. Current regulations allow saltwater fishing within one mile of the confluence of these streams. Until returns are up, return the boundary back to the 2007 regulations.

WHAT WILL HAPPEN IF NOTHING IS DONE? This is an expanding fishery with the number of boats fishing kings in salt water increasing yearly. Kings have been in decline since the regulation changed.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No, but it helps sustain the number of kings available to all.

WHO IS LIKELY TO BENEFIT? All king salmon fishermen in the long haul. All Kenai fishermen for kings when managed appropriately.

WHO IS LIKELY TO SUFFER? The guides in the short run. All who fish within the one mile current boundaries.

OTHER SOLUTIONS CONSIDERED? Closing the Anchor River early due to returns. It would be better to manage the fishery in the ocean to reduce the possibility of emergency closures for all.

PROPOSED BY: Mike Priebe (SC-10F-023)

PROPOSAL 45 - 5 AAC 58.022. Waters; seasons; bag, possession, and size limits; and special provisions for Cook Inlet – Resurrection Bay Saltwater Area; and 5 AAC 58.055. Upper Cook Inlet Salt Water Early-run King Salmon Management Plan. Increase total closed area at mouth of Anchor River from 2 miles to 4 miles in the Early-run King Salmon Special Harvest Area as follows:

All angling in saltwater is closed within two miles of the mouth of the Anchor River each year until July 1st. However, angling will be allowed one mile offshore of those streams.

ISSUE: King salmon stocks in Anchor River and Deep Creek. Last year there was an emergency closure of the Anchor River king salmon fishery. The current regulations allow saltwater angling within one mile of the mouths of these streams. Until the health of king salmon stocks are certain, return the boundaries back to match the previous regulations, a distance of two miles.

WHAT WILL HAPPEN IF NOTHING IS DONE? King salmon staging in the freshwater lens will continue to experience heavy pressure. In the past this has been an ever-expanding fishery with no limit on the number of boats involved. For several years now king salmon stocks have been declining and may continue to decline if no conservation efforts are implemented. The Kenai River will be directly affected by experiencing a large increase in pressure if there are more closures on these Lower Peninsula streams.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? All king salmon anglers in the long run. The Kenai Peninsula residents will all benefit as well as the general public if we manage our fisheries conservatively when there is evidence they are stressed.

WHO IS LIKELY TO SUFFER? The guide industry will definitely suffer in the short term. However, they had great difficulty with their success rate for kings this year as did most of the Cook Inlet salmon guides. All of us who have been fishing within the one mile limit will suffer.

OTHER SOLUTIONS CONSIDERED? The Alaska Department of Fish and Game had to close the Anchor River last year. That is one solution. We would prefer to see the fishery limited rather than lost altogether!

PROPOSED BY: Lynn Whitmore (SC-10F-026)

PROPOSAL 46 - 5 AAC 58.022. Waters; seasons; bag, possession, and size limits; and special provisions for Cook Inlet – Resurrection Bay Saltwater Area; and 5 AAC 58.055. Upper Cook Inlet Salt Water Early-run King Salmon Management Plan. Increase total closed area at mouth of Anchor River from 2 miles to 4 miles in the Early-run King Salmon Special Harvest Area as follows:

All angling in saltwater is closed within two miles of the mouths of the Anchor River, Deep Creek and the Ninilchik River. However, angling will be allowed one mile offshore of those streams

ISSUE: King salmon stocks in Anchor River and Deep Creek. Last year there was an emergency closure of the Anchor River king salmon fishery. ADF&G does not actively manage Deep Creek, so no escapement data is available. The current regulations allow saltwater angling within one mile of the mouths of these streams. Until the health of king salmon stocks are certain, return the boundaries back to match the previous regulations. A distance of two miles.

Another problem is that the season change in 2009 added a variable that makes analyzing a long-term escapement data set more difficult for management and planning purposes. Going back to the 2008 seasons will reduce the noise in the data set. “We need at least two life cycles (14 years) of escapement data, and the returns those escapements, to be able to predict with any accuracy what the run size will be, or to develop a management plan with effective restrictions that will provide sustainable harvests in the long term” (N. Szarzi, pers. Comm. 3/31/10) Clearly, by keeping the seasons the same over the data set we will reduce the “clutter” in the data set. That is why we need to revert to 2008 regulations until the 14 year data set is completed.

WHAT WILL HAPPEN IF NOTHING IS DONE? King salmon staging in the freshwater lenses at the mouths of Anchor River and Deep Creek will continue to experience heavy pressure. In the past this has been an ever-expanding fishery with no limit on the number of boats involved. For several years now king salmon stocks have been declining and may continue to decline if no conservation efforts are implemented. The Kenai River will be directly affected

by experiencing a large increase in pressure if there are more closures on these Lower Peninsula streams.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? All king salmon anglers in the long run. The Kenai Peninsula residents will all benefit as well as the general public if we manage our fisheries conservatively when there is evidence they are stressed.

WHO IS LIKELY TO SUFFER? The guide industry will definitely suffer in the short term. However, they had great difficulty with their success rate for kings this year as did most of Cook Inlet salmon guides. All of us who have been fishing within the new one mile limit will suffer.

OTHER SOLUTIONS CONSIDERED? The Alaska Department of Fish and Game had to close the Anchor River last year. That is one solution. We would prefer to see the fishery limited rather than lost altogether!

PROPOSED BY: John L. Martin (SC-10F-040)

PROPOSAL 47 - 5 AAC 58.055. Upper Cook Inlet Salt Water Early-run King Salmon Management Plan. Close marine waters within 1 mile of shore from Bluff Point north to Ninilchik River if the Anchor River or Deep Creek are closed by EO as follows:

If at any time the department closes the Anchor River or Deep Creek to king salmon fishing by EO, marine waters north of the latitude of Bluff Point (59° 40' North) to a line south of the latitude of the Ninilchik River (60° 03.99' North) and within 1 mile of shore is closed to fishing until July 1.

ISSUE: In 2009, ADF&G closed the Anchor River to the king salmon fishing to meet BEG, but the marine fishery remained open and people continued to harvest kings bound for the Anchor.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued decline of inriver king salmon stocks in Anchor River and Deep Creek due to unknown cause will be exacerbated by continued marine harvest. ADF&G does not actively manage Deep Creek because of the lack of monitoring but it behaves similarly to Anchor River.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No

WHO IS LIKELY TO BENEFIT? All anglers who desire conservative management of king salmon and king salmon sustainability.

WHO IS LIKELY TO SUFFER? Marine anglers who continue to fish after freshwaters are closed.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Allen Tigert, Phil Brna, and John Martin (HQ-10F-028, SC-10F-039)

PROPOSAL 48 - 5 AAC 58.060. Lower Cook Inlet Winter Salt Water King Salmon Sport Fishery Management Plan. Increase the king salmon bag limit to 2 fish with no recording requirement during the winter king fishery north of Bluff Point in Cook Inlet as follows:

Eliminating the one fish zone and need to record during the period in which there is no seasonal limit (October-March) will simplify regulations for anglers fishing out of Homer in making the two fish limit standard.

ISSUE: In the winter king fishery on Kachemak Bay the one fish limit and recording requirement in waters north of 59° 40' serves no biological purpose and should be eliminated. Many anglers are unaware that this regulation exists, and revoking it could be considered a "housekeeping" move.

WHAT WILL HAPPEN IF NOTHING IS DONE? Anglers will continue to troll on either side of the line, most unaware that they are going in and out of separate regulatory areas. In addition, there is an area at the head of Kachemak Bay that falls north of the 59° 40' line, and this could lead to further confusion.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?

WHO IS LIKELY TO BENEFIT? Anglers who are unaware of the regulation, and anglers who find fish north of the imaginary 59 ° 40' line and would like to catch two.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Status quo- this issue should be addressed and the regulations simplified.

PROPOSED BY: Dave Lyon (HQ-10F-189)

PROPOSAL 49 - 5 AAC 58.030. Methods, means and general provisions - Finfish. Allow for use of bow and arrow to take salmon in Kachemak Bay marine waters except in the Nick Dudiak Fishing Lagoon as follows:

Allow archery tackle to be used to take salmon in Kachemak Bay wherever snagging is open by regulations - stipulating "by regulation" will specifically exclude the Homer Lagoon, which is open by emergency order.

ISSUE: Lack of opportunity for the taking of fish by archery tackle.

WHAT WILL HAPPEN IF NOTHING IS DONE? A small user group will continue to be denied the chance to take fish with a bow and arrow.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?

WHO IS LIKELY TO BENEFIT? Archers who would like to have the chance to bowfish.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Davy Lyon (HQ-10F-187)

PROPOSAL 50 - 5 AAC 58.022. Waters; seasons; bag, possession and size limits; and special provisions for Cook Inlet-Resurrection Bay Saltwater Area. Prohibit removing salmon from saltwater before releasing the fish as follows:

Add: **a salmon that is removed from the water shall be retained and becomes a part of the bag limit of the person originally hooking it; a person may not remove a salmon from the water before releasing the fish;** to 5 AAC 58.022 (a) (2) salmon, other than king salmon: may be taken from January 1-December 31; bag and possession limit of six fish; of which only three per day and in possession may be coho salmon; no size limit.

ISSUE: Waste of resource when salmon, especially snagged fish, are removed from water, killed or injured then abandoned or released into the water.

WHAT WILL HAPPEN IF NOTHING IS DONE? Such waste will continue.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Everyone who values the perpetuation of the resource and resource users whose legal harvest is hindered by those who hog fishing spots while engaged in wasteful practices.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Amend 5 AAC 58.022(b)(2) to contain the same provision (localize the change to the area specified in that section). I feel the change would also benefit the resource in the wider area.

PROPOSED BY: Jere Murray and Walter McInnes (HQ-10F-069)

PROPOSAL 51 - 5 AAC 58.XXX. New Section. Create a management plan for rockfish, lower daily bag limit, and require harvest recording in Cook Inlet as follows:

- 1) Create a rockfish management plan.
- 2) Lower bag limit to two per day.
- 3) Harvest record required by species.
- 4) Create no fishing special management areas for genetics to regenerate in outlying areas.
- 5) Educate the public on life strategy of rockfish and how to not target them.

ISSUE: Increased harvest of rockfish in Cook Inlet and Gulf of Alaska by guided charter industry, minimize over-exploitation.

WHAT WILL HAPPEN IF NOTHING IS DONE? Localized depletion of species with K-selected sensitive reproductive strategies adding up to declines of overall populations.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?

WHO IS LIKELY TO BENEFIT? Everyone by sustainable rockfish populations,

WHO IS LIKELY TO SUFFER? Possibly halibut charter businesses that did not get a limited entry permit and may target rockfish, lingcod, and salmon for commercial business in 2011.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Pioneer Alaskan Fisheries Inc. (HQ-10F-195)
