

Emergency Petition Attachment Contents

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Title 5. Fish and Game.

Chapter 01. Subsistence Finfish Fishery.

Article 11. Cook Inlet Area.

5 AAC 01.560(b)(1)(C) is repealed:

(C) repealed ____/____/2011;

5 AAC 01.560(b)(1)(D) is repealed:

(D) repealed ____/____/2011;

(In effect before 1981; am 5/6/81, Register 78; am 5/17/81, Register 78; am 6/30/83, Register 86; am 5/11/85, Register 94; am 6/10/89, Register 110; em am 5/22/91 - 5/30/91, Register 118; am 7/21/91, Register 119; am/readopt 5/14/93, Register 126; am 5/15/93, Register 126; am 5/6/94, Register 130; am 6/7/95, Register 135; am 9/29/95, Register 135; am 2/24/96, Register 137; am 4/23/98, Register 146; am 4/22/99, Register 150; am 3/11/2001, Register 157; am 3/8/2002, Register 161; am ____/____/2011, Register _____)

Authority: AS 16.05.060 AS 16.05.251 AS 16.05.258

5 AAC 01.566(a)(1)(A) is amended to read:

(A) the Port Graham, Koyuktolik, Port Chatham, **and** Windy Bay[, AND TYONEK] Subdistricts;

5AAC 01.566(a)(1)(C) is amended to read:

(C) **salmon, other than king salmon,** in the Yentna River drainage outside the Anchorage-Matsu-Kenai Nonsubsistence Area described in 5 AAC 99.015(a)(3);

5 AAC 01.566(a)(1) is amended by adding a new subparagraph to read:

(D) king salmon and salmon, other than king salmon, in the Tyonek Subdistrict;

5 AAC 01.566 is amended by adding new subsections to read:

(e) The board finds that 400 - 700 salmon, other than king salmon, are reasonably necessary for subsistence uses in the Yentna River drainage described in 5 AAC 01.593(2).

(f) The board finds that 700 - 2,700 king salmon and 150 - 500 salmon, other than king salmon, are reasonably necessary for subsistence uses in the Tyonek Subdistrict. (Eff. 5/14/93, Register 126; am 5/6/94, Register 130; am 6/7/95, Register 135; am 9/29/95, Register 135; am

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2/24/96, Register 137; am 5/31/96, Register 138; am 5/31/98, Register 146; am 4/22/99, Register 150; am 3/11/2001, Register 157; am 3/8/2002, Register 161; am ____/____/2011, Register _____)

Authority: AS 16.05.251 AS 16.05.258

5 AAC 01.593(5) is repealed:

(5) repealed ____/____/2011. (Eff. 5/31/98, Register 146; am ____/____2011, Register _____)

Authority: AS 16.05.251 AS 16.05.258

5 AAC 01.595(a)(3) is amended to read:

(3) in addition to the limits in (2) of this subsection, the holder of a Tyonek Subdistrict subsistence salmon fishing permit may take 70 king salmon [; NO MORE THAN 4,200 KING SALMON MAY BE TAKEN IN THE TYONEK SUBDISTRICT FROM MAY 15 THROUGH JUNE 30].

(In effect before 1981; am 4/15/81, Register 78; am 5/7/81, Register 78; am 5/23/88, Register 106; am 6/10/89, Register 110; am 7/21/91, Register 119; am/readopt 5/14/93, Register 126; am 2/24/96, Register 137; am 4/22/99, Register 150; am 3/8/2002, Register 161; am ____/____/2011, Register _____)

Authority: AS 16.05.251 AS 16.05.258

Chapter 21. Cook Inlet Area.

Article 2. Fishing Districts, Subdistricts, and Sections.

5 AAC 21.200(b)(2)(C) is repealed and readopted to read:

(C) Expanded Kenai Section: all waters enclosed by a line from a point located on the shore at 60° 40.35' N. lat., 151° 23.00' W. long., west to a point located at 60° 40.35' W. long., south to a point at the latitude of the Blanchard line located at 60° 27.10' N. lat., 151° 33.75' W. long., and east to a point on the beach at 60° 27.10' N. lat., 151° 16.94' W. long.;

5 AAC 21.200(b)(2) is amended by adding new subparagraphs to read:

(D) Kasilof Section: all waters enclosed by a line from a point on the beach at 60° 27.10' N. lat., to a point at 60° 27.10' N. lat., 151° 25.70' W. long., to a point at 60° 12.75' N. lat., 151° 32.05' W. long., to a point at 60° 04.02' N. lat., 151° 46.60' W. long., to an ADF&G regulatory marker located at 60° 04.02' N. lat., 151° 38.90' W. long.;

(E) Expanded Kasilof Section: all waters enclosed by a line from a point on the beach at 60° 27.10' N. lat., 151° 16.94' W. long., west to a point at the Blanchard Line located at 60° 27.10' N. lat., 151° 33.75' W. long., south to a point located at 60°

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04.02' N. lat., 151° 46.60' W. long., and east to an ADF&G regulatory marker located at
60° 04.02' N. lat., 151° 38.90' W. long.;

(In effect before 1985; am 5/11/85, Register 94; am 4/18/86, Register 98; am 3/29/87, Register 101; am 6/10/89, Register 110; em am 4/30/91 - 5/30/91, Register 118 [not printed]; am 7/21/91, Register 119; am 4/7/93, Register 126; am 5/31/96, Register 138; am 6/13/99, Register 150; am 8/8/99, Register 151; am 3/11/2001, Register 157; am 6/30/2002, Register 162; am 8/8/2003, Register 167; am 6/11/2005, Register 174; am 3/2/2011, Register 197; am ____/____/2011, Register ____)

Authority: AS 16.05.251

Article 3. Salmon Fishery.

5 AAC 21.310(b)(2)(C)(iii) is amended to read:

(iii) Kenai, Kasilof, and East Forelands Sections: the season will close August 15, unless closed earlier by emergency order after July 31, if the department determines that less than one percent of the season's total sockeye harvest has been taken per fishing period; from August 11 through August 15, the fishery is open for regular **fishing** periods only; for purposes of this subsubparagraph, "fishing period" means a time period open to commercial fishing

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as measured by a 24-hour calendar day from 12:01 a.m. until 11:59

p.m.

[WITHOUT CLOSURE].

(In effect before 1983; am 6/30/83, Register 86; am 6/30/84, Register 90; am 5/11/85, Register 94; am 6/10/89, Register 110; am 7/21/91, Register 119; am 4/7/93, Register 126; am 6/7/95, Register 135; am 5/31/96, Register 138; am 5/14/97, Register 142; am 5/18/2000, Register 154; am 6/30/2002, Register 162; am 8/8/2003, Register 167; am 2/13/2005, Register 173; am 6/11/2005, Register 174; am 6/4/2008, Register 186; am ____/____/2011, Register _____)

Authority: AS 16.05.060 AS 16.05.251

5 AAC 21.331 is amended by adding a new subsection to read:

(i) A CFEC permit holder who holds two Cook Inlet set gillnet CFEC permits may operate an aggregate length of set gillnets not to exceed 210 fathoms in length. A single set gillnet may not exceed 35 fathoms in length. In order to identify the gillnet as a dual permit set gillnet, the permit holder shall mark the buoys as specified in 5 AAC 21.334 with both of the permit holder's five-digit CFEC permit serial numbers followed by the letter "D" on the identification buoy required in 5 AAC 39.280. All identifiers must be displayed in a manner that is plainly visible, unobscured, and in a color that contrasts with the background. (In effect before 1987; am 3/29/87, Register 101; am 4/2/88, Register 105; em am 4/30/91 - 5/30/91, Register 118 [not printed]; am 7/21/91, Register 119; am 4/22/99, Register 150; am 5/18/2000, Register 154;

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am 6/11/2005, Register 174; am 6/4/2008, Register 186; am ____/____/2011, Register
_____))

Authority: AS 16.05.251

5 AAC 21.333(e)(2) is repealed:

(2) repealed ____/____/2011;

5 AAC 21.333(e)(3) is repealed:

(3) repealed ____/____/2011;

5 AAC 21.333(g) is repealed:

(g) Repealed ____/____/2011. (Eff. 6/4/2008, Register 186; am 6/30/2008, Register
187; am ____/____/2011, Register _____)

Authority: AS 16.05.251

The lead-in language of 5 AAC 21.353(a) is amended to read:

(a) **The purpose of this management plan is to ensure adequate escapement of
salmon into the Northern District drainages and to provide management guidelines to the**

department. The department shall manage the commercial drift gillnet fishery to minimize the harvest of Northern District and Kenai River coho salmon in order to provide sport and guided sport fishermen a reasonable opportunity to harvest these salmon stocks over the entire run, as measured by the frequency of inriver restrictions. The department shall manage the Central District commercial drift gillnet fishery as follows:

...

5 AAC 21.353(a)(2)(A) is repealed and readopted to read:

(A) from July 9 through July 15,

(i) fishing during the first regular fishing period is restricted to the Expanded Kenai and Expanded Kasilof Sections; additional fishing time is allowed only in the Expanded Kenai and Expanded Kasilof Sections of the Upper Subdistrict;

(ii) fishing during the second regular fishing period is restricted to the Expanded Kenai and Expanded Kasilof Sections of the Upper Subdistrict and Drift Gillnet Area 1;

(iii) at run strengths greater than 2,300,000 sockeye salmon to the Kenai River, the commissioner may, by emergency order, open one additional 12-hour fishing period in the Expanded Kenai and Expanded Kasilof Sections of the Upper Subdistrict and Drift Gillnet Area 1;

5 AAC 21.353(a)(2)(B)(i) is amended to read:

(i) at run strengths of less than 2,300,000 [2,000,000] sockeye salmon to the Kenai River, fishing during one [TWO] regular 12-hour fishing period [PERIODS] will be restricted to the Expanded Kenai and Expanded Kasilof Sections of the Upper Subdistrict [AND DRIFT GILLNET AREA 1];

5 AAC 21.353(a)(2)(B)(ii) is amended to read:

(ii) at run strengths of 2,300,000 - 4,600,000 [2,000,000 to 4,000,000] sockeye salmon to the Kenai River, fishing during one [TWO] regular 12-hour fishing period per week [PERIODS] will be restricted to either the Expanded Kenai and Expanded Kasilof Sections of the Upper Subdistrict or [AND] Drift Gillnet Area 1, or both [AREAS 1 and 2];

(Eff. 6/11/2005, Register 174; am 6/4/2008, Register 186; am 9/12/2008, Register 187; am _____/_____/2011, Register _____)

Authority: AS 16.05.060 AS 16.05.251

5 AAC 21 is amended by adding a new section to read:

5 AAC 21.354. Cook Inlet Pink Salmon Management Plan. (a) The purpose of this management plan is to allow for the harvest of surplus pink salmon in upper Cook Inlet for set gillnet and drift gillnet gear. Notwithstanding 5 AAC 21.310(b)(2)(C)(iii), from August 11 through August 15, the commissioner may, by emergency order, open a commercial pink salmon fishery in an even-numbered year for up to two regular 12-hour fishing periods if the commissioner determines that the sockeye salmon escapement goals in the Kenai and Kasilof Rivers are being achieved and coho salmon run strength is sufficient to withstand additional harvest.

(b) The first pink salmon commercial fishing period will occur only if, during the regular fishing periods from August 6 through August 10, the daily harvest of pink salmon exceeds 50,000 fish or the cumulative harvest is 100,000 or more pink salmon. The second pink salmon commercial fishing period will occur only if 50,000 or more pink salmon and no more than 2,500 coho salmon are harvested during the first pink salmon commercial fishing period.

(c) During a pink salmon commercial fishing period opened under this section, a

(1) set gillnet may not have a mesh size greater than four and three-quarters inches, and the set gillnet may only be operated 600 feet or greater from the shore line; and

(2) drift gillnet may not have a mesh size greater than four and three-quarters inches, and fishing with drift gillnet gear will only be opened in the areas defined in 5 AAC 21.200(b)(2)(A) and (B). (Eff. ____/____/2011, Register _____)

Authority: AS 16.05.060 AS 16.05.251

5 AAC 21.358(b) is amended to read:

(b) The department shall manage the Northern District commercial salmon fisheries based on the abundance of [YENTNA RIVER] sockeye salmon **counted through the weirs on Larson, Chelatna, and Judd Lakes** [, THE YENTNA RIVER ESCAPEMENT GOAL,] or other salmon abundance indices as the department deems appropriate. [ACHIEVEMENT OF THE LOWER END OF THE YENTNA RIVER ESCAPEMENT GOAL SHALL TAKE PRIORITY OVER NOT EXCEEDING THE UPPER END OF THE KENAI RIVER INRIVER RUN GOAL. WHEN THE SOCKEYE SALMON RETURNS TO THE KENAI RIVER ARE FOUR MILLION FISH OR GREATER, THERE IS AN OPTIMAL ESCAPEMENT GOAL OF 75,000 TO 180,000 SOCKEYE SALMON IN THE YENTNA RIVER.]

The lead-in language of 5 AAC 21.358(c) is amended to read:

(c) From July 20 through **July 30** [AUGUST 6], if the department's assessment of abundance indicates that restrictions are necessary to achieve the escapement goal, the commissioner may, by emergency order, close the commercial set gillnet fishery in the Northern District and immediately reopen a season during which the number of set gillnets that may be used is limited to the following options selected at the discretion of the commissioner:

...

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(Eff. 5/31/96, Register 138; am 5/14/97, Register 142; am 6/13/99, Register 150; am 5/18/2000, Register 154; am 6/22/2002, Register 162; am 6/11/2005, Register 174; am 6/4/2008, Register 186; am ____/____/2011, Register ____)

Authority: AS 16.05.060 AS 16.05.251

5 AAC 21.360(b)(1) is amended to read:

(1) meet an optimum escapement goal (OEG) range of 700,000 - 1,400,000 [500,000 - 1,000,000] late-run sockeye salmon;

The lead-in language of 5 AAC 21.360(c)(1) is amended to read:

(1) at run strengths of less than 2,300,000 [2,000,000] sockeye salmon,

5 AAC 21.360(c)(1)(A) is amended to read:

(A) the department shall manage for an inriver goal range of 900,000 - 1,100,000 [650,000 - 850,000] sockeye salmon past the sonar counter at river mile 19;

The lead-in language of 5 AAC 21.360(c)(2) is amended to read:

(2) at run strengths of 2,300,000 - 4,600,000 [2, 000,000 TO 4,000,000] sockeye salmon,

5 AAC 21.360(c)(2)(A) is amended to read:

(A) the department shall manage for an inriver goal range of 1,000,000 - 1,200,000 [750,000 - 950,000] sockeye salmon past the sonar counter at river mile 19;

5 AAC 21.360(c)(2)(C) is amended to read:

(C) the Upper Subdistrict set gillnet fishery will be closed for one continuous 36-hour period per week beginning between 7:00 p.m. Thursday and 7:00 a.m. Friday and for a 24-hour closure on Tuesday from 12:00 a.m. until 11:59 p.m. [AN ADDITIONAL 24-HOUR PERIOD DURING THE SAME MANAGEMENT WEEK];

The lead-in language of 5 AAC 21.360(c)(3) is amended to read:

(3) at run strengths greater than 4,600,000 [4,000,000] sockeye salmon,

5 AAC 21.360(c)(3)(A) is amended to read:

(A) the department shall manage for an inriver goal range of 1,100,000 - 1,350,000 [850,000 - 1,100,000] sockeye salmon past the sonar counter at river mile 19;

5 AAC 21.360(h)(2) is amended to read:

(2) the bag and possession limit for the sport fishery is three sockeye salmon, unless the department determines that the abundance of late-run sockeye salmon exceeds 2,300,000 fish [2,000,000 SALMON], at which time the commissioner may, by emergency order, increase the bag and possession limit as the commissioner determines to be appropriate; and

5 AAC 21.360(h)(3) is amended to read:

(3) if the projected inriver run of sockeye salmon above the Kenai River sonar counter located at river mile 19 is less than 900,000 [650,000] fish and the inriver sport fishery harvest is projected to result in an escapement below the lower end of the optimal escapement goal, the commissioner may, by emergency order, decrease the bag and possession limit, as the commissioner determines to be appropriate, for sockeye salmon in the sport fishery above the Kenai River sonar counter located at river mile 19.

(In effect before 1984; am 5/3/84, Register 90; am 5/11/85, Register 94; am 6/10/89, Register 110; am 6/15/95, Register 134; am 5/31/96, Register 138; am 5/8/98, Register 146; am 6/13/99, Register 150; am 6/22/2002, Register 162; em am 7/20/2004 - 11/16/2004, Register 171; am 6/11/2005, Register 174; am 7/9/2005, Register 175; am 6/4/2008, Register 186; am ____/____/2011, Register _____)

Authority: AS 16.05.060 AS 16.05.251

5 AAC 21.365(b) is amended to read:

(b) Achieving the lower end of the Kenai River sockeye salmon escapement goal shall take priority over not exceeding the upper end of the Kasilof River optimal escapement goal range of **160,000 - 390,000** [150,000 TO 300,000] sockeye salmon.

5 AAC 21.365(c)(3) is amended to read:

(3) beginning July 8, the set gillnet fishery in the Kasilof Section will be managed as specified in 5 AAC 21.360(c); in addition to the provisions of 5 AAC 21.360(c), the commissioner may, by emergency order, limit fishing during the regular weekly periods and any extra fishing periods to those waters within one-half mile of shore, if the set gillnet fishery in the Kenai and East Forelands Sections are not open for the fishing period; **if the commissioner determines that further restrictions are necessary to aid in achieving the lower end of the Kenai River escapement goal, the commissioner may, in an emergency order under this paragraph further restrict fishing to within 600 feet of the high tide mark in the Kasilof Section;**

5 AAC 21.365(c)(4) is repealed and readopted to read:

(4) after July 8, if the Kasilof Section set gillnet fishery is restricted to fishing within the first one-half mile of shore, the commissioner may, by emergency order, open the KRSHA described in (f) of this section to both set and drift gillnet fishing using only one gillnet,

for fishing periods not to exceed 48 - hours in duration without one period of 24 consecutive hours of closure; the provisions in (f)(1) - (8) of this section apply during these openings;

5 AAC 21.365(c) is amended by adding a new paragraph to read:

(5) after July 15, if the department determines that the Kenai River late-run sockeye salmon run strength is projected to be less than 2,300,000 fish and the 390,000 optimal escapement goal for the Kasilof River sockeye salmon may be exceeded, the commissioner may, by emergency order, open fishing for an additional 24 hours per week in the Kasilof Section within one-half mile of shore and as specified in 5 AAC 21.360(c).

The lead-in language of 5 AAC 21.365(f) is amended to read:

(f) The commissioner may, by emergency order, open the Kasilof River Special Harvest Area (KRSHA) to the taking of salmon by gillnets when it is projected that the Kasilof River sockeye salmon escapement will exceed **365,000** [275,000] fish. It is the intent of the Board of Fisheries (board) that the KRSHA should rarely, if ever, be opened under this subsection and only for conservation reasons. Before the commissioner opens the KRSHA, it is the board's intent that additional fishing time be allowed in the remainder of the Kasilof Section first, and secondly that the mandatory closures specified in regulation be reduced in duration, if necessary to meet the escapement goals contained within this and other management plans. The Kasilof River Special Harvest Area is defined as those waters within one and one-half miles of the navigational light located on the south bank of the Kasilof River, excluding waters of the Kasilof

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River upstream of ADF&G regulatory markers located near the terminus of the river and waters open to set gillnetting under 5 AAC 21.330(b)(3)(C)(ii) and (iii). The following apply within the special harvest area when it is open:

...

(Eff. 4/18/86, Register 98; am 6/22/2002, Register 162; am 7/3/2002, Register 163; am 9/28/2002, Register 163; em am 7/20/2004 - 11/16/2004, Register 171; am 2/13/2005, Register 173; am 6/11/2005, Register 174; am 10/1/2006, Register 179; am 6/4/2008, Register 186; am ____/____/2011, Register ____)

Authority: AS 16.05.060 AS 16.05.251

The lead-in language of 5 AAC 21.366(a) is amended to read:

(a) **The purpose of this management plan is to ensure an adequate escapement of king salmon into the Northern District drainages and to provide management guidelines to the department. The department shall manage the Northern District king salmon stocks primarily for sport and guided sport uses in order to provide sport and guided sport fishermen with a reasonable opportunity to harvest these salmon over the entire run as measured by the frequency of inriver restrictions.** The department shall manage the Northern

District commercial harvest of king salmon as follows:

...

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5 AAC 21.366(a)(11) is amended to read:

(11) if the Chuitna River is closed to sport fishing, the commissioner shall close, by emergency order, the area from **a point at the wood chip dock located approximately at 61° 02.56' N. lat., 151° 14.36' W. long.,** [AN ADF&G REGULATORY MARKER LOCATED ONE MILE SOUTH OF THE CHUITNA RIVER] to the Susitna River to commercial king salmon fishing for the remainder of the directed king salmon fishery.

(Eff. 4/18/86, Register 98; am 5/14/97, Register 142; am 6/13/99, Register 150; am 6/22/2002, Register 162; am 6/11/2005, Register 174; am 6/4/2008, Register 186; em am 5/1/2009 - 8/28/2009, Register 190; am ____/____/2011, Register ____)

Authority: AS 16.05.060 AS 16.05.251

ALASKA BOARD OF FISHERIES
Findings regarding regulatory action taken to address salmon
stocks of concern in the Upper Cook Inlet Area

2011-266-FB
March 26, 2011

During its October 13–14, 2010 Alaska Board of Fisheries (board) work session, the board heard reports from the Alaska Department of Fish and Game (department) on escapement goals set by the department for Cook Inlet salmon fisheries. The board also heard department recommendations on Stock of Concern status and concurred with them.

Susitna River Sockeye Salmon: Yield Concern (established 2008)
Chuitna River King Salmon: Management Concern (established 2011)
Theodore River King Salmon: Management Concern (established 2011)
Lewis River King Salmon: Management Concern (established 2011)
Willow and Goose Creeks King Salmon: Yield Concern (established 2011)
Alexander Creek King Salmon: Management Concern (established 2011)

The department developed action plans for each of these stocks for public and board review for the February 22–March 5, 2011 Upper Cook Inlet Finfish meeting held in Anchorage, consistent with the board's *Policy for Management of Sustainable Salmon Fisheries* (5 AAC 39.222).

The department developed action plans, identifying management and research activities that could be implemented in response to the various stocks of concern that had been identified. Also included were a number of regulatory options for the board's consideration for conservation purposes. Following a review of these options, and after taking public comment, the board took four specific measures to address the management and yield concerns identified by the department. The purpose of this board finding is to identify those specific regulatory actions taken to address the stock of concern issues raised with the understanding that future board action(s) could be taken when the stock of concern levels abated. The following regulatory actions were taken during the February 22–March 5, 2011 meeting.

Susitna River Sockeye Salmon (Yield Concern)

The board specified in the *Central District Gillnet Fishery Management Plan* (5 AAC 21.353) that from July 9–15, fishing during the first regular period is restricted to the expanded Kenai and expanded Kasilof sections. Previously, fishing during this time frame was restricted to the regular Kenai and Kasilof sections and Drift Gillnet Area 1. The board specified that additional fishing time between the first restricted period and the second regular period during this time frame may be allowed in the expanded and/or the current Kenai and expanded Kasilof sections. The board also added a limitation that fishing during the second regular fishing period is restricted to the Kenai and Kasilof sections and Drift Gillnet Area 1. The board adopted these measures to allow the passage of more sockeye salmon to the northern portions of Cook Inlet.

Chuitna River King (Management Concern)

Theodore River King (Management Concern)

Lewis River King (Management Concern)

The board increased closed specific commercial fishing areas described in the *Northern District King Salmon Management Plan* (5 AAC 21.366) to fishing for king salmon if sport fishing for king salmon in the Chuitna River is closed. The increased areas closed from the Wood Chip Dock (61° 2.559' N, 151° 14.356' W) north to the Susitna River. The board also prescribed sport fishing closures for the taking of king salmon in the Chuitna, Lewis, Beluga, and Theodore River drainages, including closures to catch and release. The board adopted these measures to allow the passage of more king salmon to spawning locations.

Willow and Goose Creeks King Salmon (Yield Concern)

The board removed from 5 AAC 61.114 (*Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for Unit 2 of the Susitna River Drainage Area*) the final weekend from streams in Unit 2 of the Susitna River drainage area for fishing. The board also specified that in waters open to sport fishing for king salmon in Unit 2, that from May 15 to July 13 sport fishing for any finfish species is closed from 11:00 p.m. to 6:00 a.m. Additionally, in the Goose Creek drainage, sport fishing was closed for king salmon, and upstream of the Parks Highway only one unbaited, single-hook artificial lure may be used. (Note: this was already in regulation and the board just acknowledged it. The regulatory language written regarding gear above the highway was necessary because Goose Creek had to get pulled out of a combined section and inserted as a stand-alone.) The board adopted these measures to allow the passage of more king salmon to spawning locations.

Alexander Creek King Salmon (Management Concern)

The board removed size and bag limits on northern pike taken from Alexander Lake as specified in 5 AAC 61.112 (*Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for Unit 1 of the Susitna River Drainage Area*) and allowed the use of spear and bow and arrow for northern pike on Alexander Lake as specified in 5 AAC 61.110 (*General provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Susitna River Drainage Area*). The board also removed restrictions on the disposal of pike caught in the Susitna River drainage (Chapter 61) and the West Cook Inlet Area (Chapter 62), except that it did specify that pike caught may not be released alive back into the water. The board adopted these measures in hope of reducing overall number of pike feeding on king salmon smolt.

ADOPTED this 26th day of March, 2011



Vince Webster, Chair
Alaska Board of Fisheries

Vote: 7 in favor, 0 opposed

Annotated Plan Language

5 AAC 21.353 Central District Drift Gillnet Fishery Management Plan

(a) **THE PURPOSES OF THIS MANAGEMENT PLAN ARE TO ENSURE ADEQUATE ESCAPEMENTS OF SALMON INTO NORTHERN DISTRICT DRAINAGES AND TO PROVIDE MANAGEMENT GUIDELINES TO THE DEPARTMENT. THE DEPARTMENT IS FURTHER DIRECTED TO MANAGE THE COMMERCIAL DRIFT GILL NET FISHERY TO MINIMIZE THE HARVEST OF NORTHERN DISTRICT AND KENAI RIVER COHO SALMON IN ORDER TO PROVIDE SPORT AND GUIDED SPORT FISHERMEN A REASONABLE OPPORTUNITY TO HARVEST THESE SALMON STOCKS OVER THE ENTIRE RUN, AS MEASURED BY THE FREQUENCY OF IN RIVER RESTRICTIONS.**

(b) The department shall manage the Central District commercial drift gillnet fishery as follows:
 (1) weekly fishing periods are as described in 5 AAC 21.320(b);
 (2) the fishing season will open the third Monday in June or June 19, whichever is later, and

(A) from July 9 through July 15,
 (i) fishing during **ONE OF** the two regular fishing periods is restricted to the Kenai and Kasilof Sections **and Drift Gillnet Area 1**;
 (ii) **at run strengths greater than 2,000,000 sockeye salmon to the Kenai River,** the commissioner may, by emergency order, open **one** additional **12-hour** fishing period **[S]** in the Kenai and Kasilof Sections of the Upper Subdistrict and **Drift Gillnet Area 1** **[ADDITIONAL PERIODS MAY BE AUTHORIZED INDEPENDENT OF THE UPPER SUBDISTRICT SET GILLNET FISHERY];**

(B) from July 16 through July 31,
 (i) at run strengths of less than 2,000,000 sockeye salmon to the Kenai River, fishing during two regular 12-hour fishing periods will be restricted to the Kenai and Kasilof Sections of the Upper Subdistrict **[and Drift Gillnet Area 1];**
 (ii) at run strengths of 2,000,000 to 4,000,000 sockeye salmon to the Kenai River, fishing during **two** **[ONE]** regular 12-hour fishing periods **[PER WEEK]** will be restricted to **[EITHER OR BOTH OF]** the Kenai and Kasilof Sections of the Upper Subdistrict **and** **[OR]** Drift Gillnet Areas **1 and 2**;
 (iii) **[AT RUN STRENGTHS OF LESS THAN 4,000,000 SOCKEYE SALMON TO THE KENAI RIVER, THE**

KRSA proposals for revision are highlighted in strikeout language.

(Proposed language to clarify objective to protect Northern District and minimize coho.)

*Mon. & Thu. @ 12 hrs each
 Timed for 1st influx of late-run sockeye (Kasilof)
 2nd week of July is peak passage period for Susitna sockeye
 Kenai & Kasilof = "corridor"
 Area 1 is South of Kalgin Island
 Additional fishing time is provided at average or larger Kenai runs to share harvest and control escapement.*

*(Proposed area reduction)
 (Decoupling language for early July)*

Kenai sockeye run strength can be effectively gauged around this time

Area restrictions to protect northern fish

(Proposed area reduction)

*Additional fishing time is allowed at average Kenai runs
 (Proposed time & area reduction)*

Area 2 = East of Kalgin Island

(Decoupling language for late July)

COMMISSIONER MAY, BY EMERGENCY ORDER, OPEN ADDITIONAL FISHING PERIODS IN THE KENAI AND KASILOF SECTIONS OF THE UPPER SUBDISTRICT AND ADDITIONAL PERIODS MAY BE AUTHORIZED INDEPENDENT OF THE UPPER SUBDISTRICT SET GILL NET FISHERY];

(iv)] at run strengths greater than 4,000,000 sockeye salmon to the Kenai River, there will be no mandatory restrictions during regular fishing periods;

(C) [THE UPPER SUBDISTRICT WILL CLOSE ON OR BEFORE AUGUST 7, EXCEPT THAT] from August 16 [AUGUST 8] until closed by emergency order, Drift Gillnet Areas 3 and 4 are open for fishing during regular fishing periods;

(D) from August 11 through August 15 [AUGUST 1 THOUGH AUGUST 7], there are no mandatory area restrictions to regular periods, except that if the Upper Subdistrict set gillnet fishery is closed under 5 AAC 21.310(b) (2)(C)(iii), regular fishing periods will be restricted to Drift Gillnet Areas 3 and 4.

(bc) For the purposes of this section,

(1) "Drift Gillnet Area 1" means those waters of the Central District south of Kalgin Island at 60ø 20.43' N. lat.;

(2) "Drift Gillnet Area 2" means those waters of the Central District enclosed by a line from 60ø 20.43' N. lat., 151ø 54.83' W. long. to a point at 60ø 41.08' N. lat., 151ø 39.00' W. long. to a point at 60ø 41.08' N. lat., 151ø 24.00' W. long. to a point at 60ø 27.10' N. lat., 151ø 25.70' W. long. to a point at 60ø 20.43' N. lat., 151ø 28.55' W. long.;

(3) "Drift Gillnet Area 3" means those waters of the Central District within one mile of mean lower low water (zero tide) south of a point on the West Foreland at 60ø 42.70' N. lat., 151ø 42.30' W. long.;

(4) "Drift Gillnet Area 4" means those waters of the Central District enclosed by a line from 60ø 04.70' N. lat., 152ø 34.74' W. long. to the Kalgin Buoy at 60ø 04.70' N. lat., 152ø 09.90' W. long. to a point at 59ø 46.15' N. lat., 152ø 18.62' W. long. to a point on the western shore at 59ø 46.15' N. lat., 153ø 00.20' W. long., not including the waters of the Chinitna Bay Subdistrict.

(ed) The commissioner may depart from the provisions of the management plan under this section as provided in 5 AAC 21.363(e) **[EXCEPT THAT DEPARTURE FROM THE PROVISIONS OF THIS MANAGEMENT PLAN JUSTIFIED BY KENAI RIVER LATE-RUN SOCKEYE SALMON MAY ONLY OCCUR IF THE DEPARTMENT PROJECTS THAT, WITHIN 48 HOURS, THE IN-RIVER ABUNDANCE OF LATE-RUN SOCKEYE SALMON AS ENUMERATED PAST THE SONAR COUNTER LOCATED AT RIVER-MILE 19, WILL EXCEED THE INRIVER GOAL AND AT THAT TIME, THE COMMISSIONER MAY DEPART FROM**

Time & area restrictions for northern fish are removed at large Kenai sockeye runs (effectively prioritizes Kenai max. goal over Susitna min. goals)

Extended fishing in limited western inlet areas

(Proposed earlier ending date)

Corridor restrictions no longer needed because Susitna sockeye have passed (although coho are increasing abundant at this time)

Drift areas 1, 2, 3 & 4 defined

(KRSA proposal limits conditions under which plan provisions may be set aside in the event of large Kenai escapements.)

<p><u>PROVISION ONLY TO ALLOW ADDITIONAL FISHING BY THE DRIFT GILLNET FISHERY TO OCCUR IN THE CORRIDOR ADJACENT TO THE UPPER SUBDISTRICT.]</u></p>	
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[Type text]

RC 164

Susitna Sockeye Salmon Action Plan Considerations

5 AAC 21.353. Central District Drift Gillnet Fishery Management Plan.

5 AAC 21.353(a)(2)(A)(i)-(iii) are amended to read:

(a) The department shall manage the Central District commercial drift gillnet fishery as follows:

(1) weekly fishing periods are as described in 5 AAC 21.320(b);

(2) the fishing season will open the third Monday in June or June 19, whichever is later, and

(A) from July 9 through July 15,

(i) fishing during the **first** [TWO] regular fishing period[S] is restricted to the **Outer** Kenai and **Outer** Kasilof Sections [AND DRIFT GILLNET AREA 1];

ii) fishing during the second regular fishing period is restricted to the Outer Kenai and Outer Kasilof Sections and Drift Gillnet Area 1;

[(ii)]gill at run strengths greater than 2,000,000 sockeye salmon to the Kenai River, the commissioner may, by emergency order, open one additional 12-hour fishing period in the **Outer** Kenai and **Outer** Kasilof Sections of the Upper Subdistrict and Drift Gillnet Area 1;

(B)from July 16 through July 31,

(i) at run strengths of less than 2,000,000 sockeye salmon to the Kenai River, fishing during two regular 12-hour fishing periods will be restricted to the **Outer** Kenai and **Outer** Kasilof Sections of the Upper Subdistrict and Drift Gillnet Area 1;

(ii)at run strengths of 2,000,000 to 4,000,000 sockeye salmon to the Kenai River, fishing during two regular 12-hour fishing periods will be restricted to the **Outer** Kenai and **Outer** Kasilof Sections of the Upper Subdistrict and Drift Gillnet Areas 1 and 2;

[Type text]

5 AAC 21.200. Fishing districts, subdistricts, and sections.

5 AAC 21,200(b)(2) is amended by adding new subparagraphs to read:

(b) Central District: all waters between a line extending from Boulder Point at 600 46.39' N. lat., to Shell Platform C, to a point on the west shore at 600 46.39' N. lat., and the latitude of Anchor Point Light (590 46.15' N. lat.)

(2) Upper Subdistrict: all waters within a line from Boulder Point to Shell Platform C, then bearing 2230 to Northwest Point at 600 31.25' N. lat., 1510 55.75' W. long., then following the eastern shore of Kalgin Island to the South Kalgin Island Light at 600 20.80' N. lat., 1520 05.09' W. long., then to a point at 600 04.02' N. lat., 1510 46.60' W. long. to the Niniichik small boat harbor, excluding the waters of the Kalgin Island Subdistrict;

(C) Outer Kenai Section: all waters enclosed by a line from a point located on the shore at 60° 40.35' N. lat., 151° 23.00' W. long., westerly to a point located at 60° 40.35' W long., southerly to a point at the latitude of the Blanchard Line located at 60° 27.10' N. lat 151° 33.75'W. long., easterly to a point on the beach at 60° 27.10' N. lat 151° 16.94' W. long.

[C]Kasilof Section: all waters enclosed by a line from a point on the beach at 600 27.10' N. lat., to a point at 600 27.10' N. lat., 1510 25.70' W. long., to a point at 600 12.75' N. lat., 1510 32.05' W. long., to a point at 600 04.02' N. lat., 1510 46.60' W. long., to an ADF&G regulatory marker located at 600 04.02' N. lat., 1510 38.90' W. long.;

(E) Outer Kasilof Section: all waters enclosed by a line from a point on the beach at 60° 27.10' N. lat., 151° 16.94' W. long., westerly to a point at the Blanchard Line located at 60° 27.10' N. lat., 151° 33.75'W. long., southerly to a point located at 60° 04.02' N. lat., 151° 46.60' W. long., easterly, to an ADF&G regulatory marker located at 60° 04.02' N. lat., 151° 38.90' W. long.;

Susitna Sockeye Salmon Action Plan Considerations

5 AAC 21.353. Central District Drift Gillnet Fishery Management Plan.

5 AAC 21.353(a)(2)(A)(i)-(iii) are amended to read:

(a) The department shall manage the Central District commercial drift gillnet fishery as follows:

(1) weekly fishing periods are as described in 5 AAC 21.320(b);

(2) the fishing season will open the third Monday in June or June 19, whichever is later, and

(A) from July 9 through July 15,

(i) fishing during the **first** [TWO] regular fishing period[S] is restricted to the **expanded** Kenai and **expanded** Kasilof Sections [AND DRIFT GILLNET AREA 1] **additional fishing time between the first restricted period and the second period during this time frame may be allowed in the expanded Kenai and expanded Kasilof sections;**

(ii) fishing during the second regular fishing period is restricted to the Kenai and Kasilof Sections and Drift Gillnet Area 1;

[(ii)] **(iii)** at run strengths greater than 2,000,000 sockeye salmon to the Kenai River, the commissioner may, by emergency order, open one additional 12-hour fishing period in the Kenai and Kasilof Sections of the Upper Subdistrict and Drift Gillnet Area 1;

(B) from July 16 through July 31,

(i) at run strengths of less than 2,000,000 sockeye salmon to the Kenai River, fishing during two regular 12-hour fishing periods will be restricted to the Kenai and Kasilof Sections of the Upper Subdistrict and Drift Gillnet Area 1;

(ii) at run strengths of 2,000,000 to 4,000,000 sockeye salmon to the Kenai River, fishing during two regular 12-hour fishing periods will be restricted to the Kenai and Kasilof Sections of the Upper Subdistrict and Drift Gillnet Areas 1 and 2;

5 AAC 21.200. Fishing districts, subdistricts, and sections.

5 AAC 21.200(b)(2) is amended by adding new subparagraphs to read:

(b) Central District: all waters between a line extending from Boulder Point at 60° 46.39' N. lat., to Shell Platform C, to a point on the west shore at 60° 46.39' N. lat., and the latitude of Anchor Point Light (59° 46.15' N. lat.)

(2) Upper Subdistrict: all waters within a line from Boulder Point to Shell Platform C, then bearing 223° to Northwest Point at 60° 31.25' N. lat., 151° 55.75' W. long., then following the eastern shore of Kalgin Island to the South Kalgin Island Light at 60° 20.80' N. lat., 152° 05.09' W. long., then to a point at 60° 04.02' N. lat., 151° 46.60' W. long. to the Ninilchik small boat harbor, excluding the waters of the Kalgin Island Subdistrict;

(C) Expanded Kenai Section: all waters enclosed by a line from a point located on the shore at 60° 40.35' N. lat., 151° 23.00' W. long., westerly to a point located at 60° 40.35' W long., southerly to a point at the latitude of the Blanchard Line located at 60° 27.10' N. lat., 151° 33.75' W. long., easterly to a point on the beach at 60° 27.10' N. lat., 151° 16.94' W. long.

[C](D) Kasilof Section: all waters enclosed by a line from a point on the beach at 60° 27.10' N. lat., to a point at 60° 27.10' N. lat., 151° 25.70' W. long., to a point at 60° 12.75' N. lat., 151° 32.05' W. long., to a point at 60° 04.02' N. lat., 151° 46.60' W. long., to an ADF&G regulatory marker located at 60° 04.02' N. lat., 151° 38.90' W. long.;

(E) Expanded Kasilof Section: all waters enclosed by a line from a point on the beach at 60° 27.10' N. lat., 151° 16.94' W. long., westerly to a point at the Blanchard Line located at 60° 27.10' N. lat., 151° 33.75' W. long., southerly to a point located at 60° 04.02' N. lat., 151° 46.60' W. long., easterly to an ADF&G regulatory marker located at 60° 04.02' N. lat., 151° 38.90' W. long.;

RE: DRIFT NET FISHERY MANAGEMENT PLAN REVISIONS

February 28, 2011

- 1:16 pm – Consideration of action plans for Committee as a whole beginning with Board-generated proposal RC 164.
- 1:31 pm – Board expresses intent to restrict period during July 9-15
- 2:27 pm – Return to the record to take up RC 200 which is a revised version of RC 64 for July 9-15.
- 2:40 pm – RC 200 accepted as substitute language for RC 164.
- 2:42 pm – confirmed that RC 200 deals only with July 9-15 period
- 2:50 pm – discussion of (A)(ii) with reference to proposal 126.
- 2:55 pm – Webster: intent is to only restrict the first of two periods in July 9-15.
- 2:58 pm – affirmation that remaining drift net plan elements of proposal 126 to be considered in Committee B.
- 3:05 pm – Fox explanation: “RC 200 closes the area 1 during July 9 period and adds an expanded corridor during that timeframe. Also allows additional time in the expanded corridor up to the next regular period. 2nd regular period, there are no changes. Also no changes to the rest of the plan unless you make them later during other proposals.”
- 3:13 pm – Webster summary of justification for proposed change
- 3:32 pm – Question called on adoption of RC 200

March 1, 2011

- 10:24 am – Committee B deliberation begins, proposal #126 to record
- 10:30 am – Discussion of plan purpose revision
- 10:41 am – Show of hands by Board for incorporating proposed purpose for further consideration (4 votes)
- 10:41 am – Discussion of past action taken for July 9-15, supersedes this section of proposal
- 10:42 am – Discussion of July 16-31 components
- 11:38 am – Back on record
- 11:40 am – Discussion of RC 216 (review of commercial landings from drift harvests in the expanded corridor)
- 12:03 pm – Brown amendment for all proposed revisions in the July 16-31 time period will involve the expanded corridor adopted without objection.
- 12:04 pm – ii revision carried forward to be included in proposal consideration

12:06 pm – Proposal 126 (iii) dropped from proposal because Dept already has authority to open only in the corridor

12:07 pm – adjourn for lunch.

1:34 pm – Part C and D sections of proposal 126 omitted from further consideration.

1:37 pm – Marcotte: summary of action currently before the Board relative to amended proposal 126 including revision to the purpose as proposed, deleted proposed changes to (A) based on past action, revise(B)(i) to restrict one regular period to corridor, (B)(ii) revise as proposed in 126, (iii) delete proposed change. Also revise numbers for Didson numbers and use expanded corridor in (B).

1:55 pm – Vote on amended proposal 126 carried 6-1.

March 2, 2011

8:31 am – Webster: clarification of Board intent in passing amended proposal 126 re: use of expanded corridor for 2.3-4.6 million runs from July 16-31.

8:35 am – Johnstone: clarification of specific language for (B)(i) as applying to expanded corridor with closure of area 1.

8:36 am – Webster reference to Jul 9-15 intent to use expanded corridor but no specific action taken to revise explicit language RC 200 previously adopted (he did not identify whether he was referring to additional fishing time only or was also including the 2nd period).

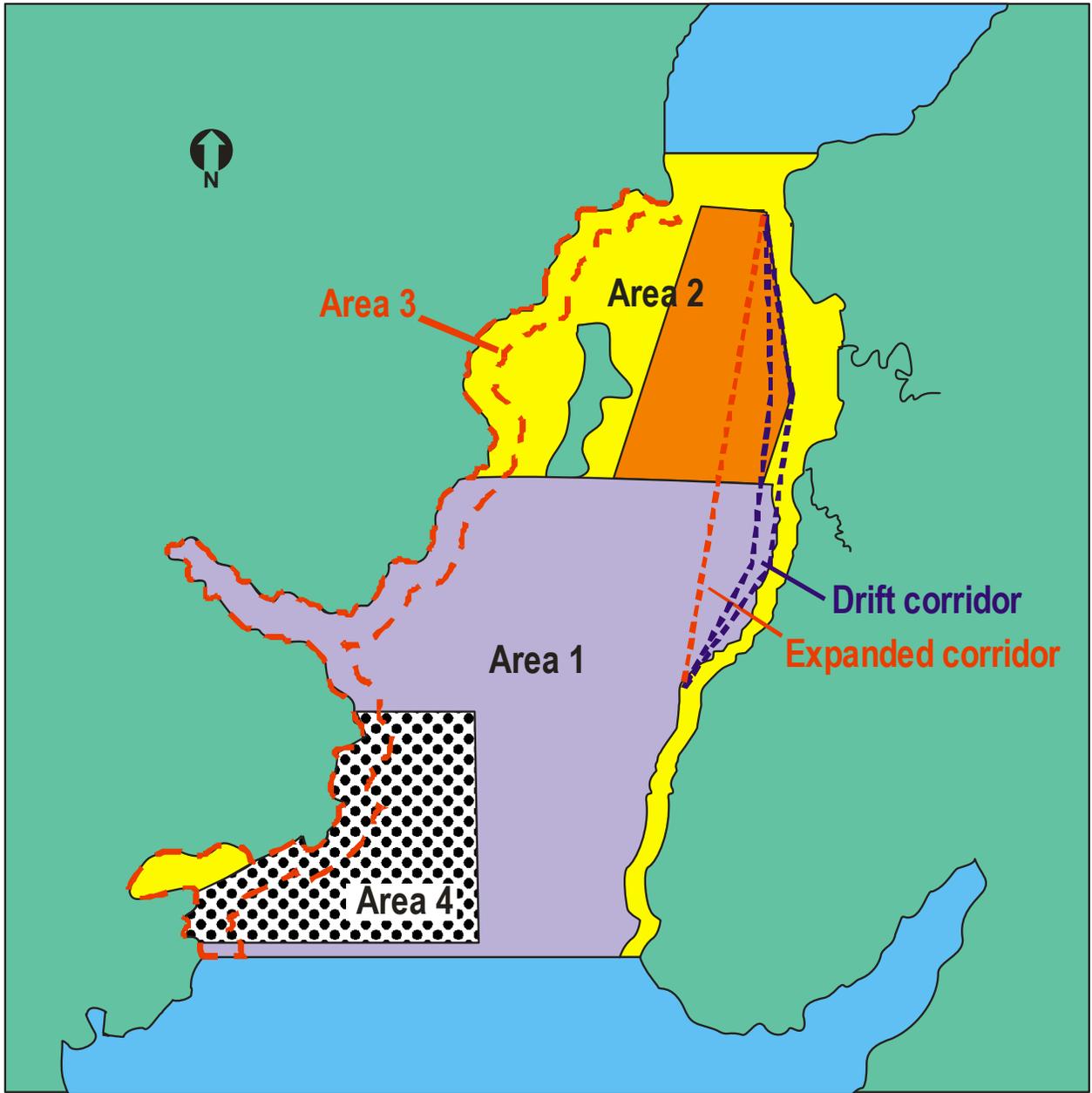
5 AAC 21.353 CENTRAL DISTRICT DRIFT GILLNET FISHERY MANAGEMENT PLAN (JUNE & JULY PORTIONS)

Ref.	Time frame	Kenai LR sockeye	Old Plan	What the Board adopted	What the Department drafted		
(2)	Jun 19 ^a – Jul 8	--	2 reg. periods per week No area restrictions	(no change)	(no change)		
(A)(i)	July 9-15	--	2 reg. periods restricted to Kenai & Kasilof sections and drift area 1	<u>1st reg. period</u> restricted to <u>expanded</u> Kenai & <u>expanded</u> Kasilof sections <u>Additional fishing time</u> allowed only in the <u>expanded</u> Kenai & <u>expanded</u> Kasilof sections	<u>1st reg. period</u> restricted to <u>expanded</u> Kenai & <u>expanded</u> Kasilof sections <u>Additional fishing time</u> allowed only in the <u>expanded</u> Kenai & <u>expanded</u> Kasilof sections		
(A)(ii)				<u>2nd reg. period</u> restricted to Kenai & Kasilof sections and drift area 1	<u>2nd reg. period</u> restricted to <u>expanded</u> Kenai & <u>expanded</u> Kasilof sections and drift area 1		
(A)(iii)				>2.3 mil ^b	1 additional 12-hr period in Kenai & Kasilof sections and drift area 1	1 additional 12-hr period in Kenai & Kasilof sections and drift area 1	1 additional 12-hr period in <u>expanded</u> Kenai & <u>expanded</u> Kasilof sections and drift area 1
(B)(i)	July 16-31	< 2.3 mil ^b	2 reg. 12-hour periods restricted to Kenai & Kasilof sections and drift area 1	1 reg. 12-hour period restricted to <u>expanded</u> Kenai & <u>expanded</u> Kasilof sections	1 reg. 12-hour period restricted to <u>expanded</u> Kenai & <u>expanded</u> Kasilof sections		
(B)(ii)				2.3-4.6 mil ^b	2 reg. 12-hour periods restricted to Kenai & Kasilof sections and drift areas 1 & 2	1 reg. 12-hour period <u>per week</u> restricted to <u>either or both</u> of the <u>expanded</u> Kenai & Kasilof sections, <u>or</u> drift area 1	1 reg. 12-hour period <u>per week</u> restricted to <u>either the expanded</u> Kenai & Kasilof sections or drift area 1 <u>or both</u>
(B)(iii)				> 4.6 mil ^b	No mandatory area restrictions	No mandatory area restrictions	No mandatory area restrictions

^a3rd Monday in June or June 19, whichever is later.

^bRevised sonar goals

MAP OF DRIFT GILLNET FISHERY AREAS UNDER DISCUSSION (APPROXIMATE)



CORRECTIONS TO DEPARTMENT LANGUAGE TO MATCH BOARD ACTION

5 AAC 21.353. CENTRAL DISTRICT DRIFT GILLNET FISHERY MANAGEMENT PLAN. (a) The purpose of this management plan is to ensure adequate escapement of salmon into the Northern District drainages and to provide management guidelines to the department. The department shall manage the commercial drift gillnet fishery to minimize the harvest of Northern District and Kenai River coho salmon in order to provide sport and guided sport fishermen a reasonable opportunity to harvest these salmon stocks over the entire run, as measured by the frequency of inriver restrictions. The department shall manage the Central District commercial drift gillnet fishery as follows:

- (1) weekly fishing periods are as described in 5 AAC 21.320(b);
- (2) the fishing season will open the third Monday in June or June 19, whichever is later, and
 - (A) from July 9 through July 15,
 - (i) fishing during the first regular fishing period is restricted to the expanded Kenai and expanded Kasilof Sections; additional fishing time is allowed only in the expanded Kenai and expanded Kasilof Sections of the Upper Subdistrict;
 - (ii) fishing during the second regular fishing period is restricted to the [EXPANDED] Kenai and [EXPANDED] Kasilof Sections of the Upper Subdistrict and Drift Gillnet Area 1;
 - (iii) at run strengths greater than 2,300,000 sockeye salmon to the Kenai River, the commissioner may, by emergency order, open one additional 12-hour fishing period in the [EXPANDED] Kenai and [EXPANDED] Kasilof Sections of the Upper Subdistrict and Drift Gillnet Area 1;
 - (B) from July 16 through July 31,
 - (i) at run strengths of less than 2,300,000 sockeye salmon to the Kenai River, fishing during one regular 12-hour fishing period will be restricted to the Expanded Kenai and Expanded Kasilof Sections of the Upper Subdistrict;
 - (ii) at run strengths of 2,300,000 to 4,600,000 sockeye salmon to the Kenai River, fishing during one regular 12-hour fishing period per week will be restricted to either **or both of** the Expanded Kenai and Expanded Kasilof Sections of the Upper Subdistrict, or Drift Gillnet Areas 1 **[OR BOTH]; Drift Gillnet Area 1 is not intended to be opened concurrent with the Expanded Kenai or Kasilof Sections under this provision;**
 - (iii) at run strengths greater than 4,600,000 sockeye salmon to the Kenai River, there will be no mandatory restrictions during regular fishing periods;
 - (C) from August 16 until closed by emergency order, ...