

Wellard, Monica J (DFG)

From: Andrew Couch [fishing@fish4salmon.com]
Sent: Wednesday, August 01, 2012 2:12 AM
To: Wellard, Monica J (DFG)
Subject: Additional Emergency Petition Information from Andy Couch

Attn: Monica Wellard, Alaska Board of Fisheries Executive Director 907-465-6094

Additional Information For Board of Fisheries Consideration of July 23rd Emergency Petition from Andrew N. Couch

From: Andrew N. (Andy) Couch 907-746-2199

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Chairman Johnstone and Members of the Board of Fisheries,

After reading a single Alaska Department of Fish and Game (ADF&G) response letter to 3 emergency petitions submitted concerning Northern District salmon stocks, I thought it might be helpful for me to provide additional information concerning the petition I personally submitted.

It has come to my attention that more specifics in identifying the unforeseen and unexpected event(s) that threatens Northern District Salmon stocks may be necessary on behalf of my petition. Leaving no reason for doubt, I will identify several unforeseen and unexpected events -- starting in 2011 with ADF&G failing to correctly transpose the Central District Drift Gillnet Fishery Management Plan into regulation, the result of the Upper Cook Inlet Drifters Association lawsuit on salmon management in 2011, Board of Fisheries emergency efforts to address those issues in 2011, followed by ADF&G allowing fishing beyond the management plan restrictions in 2011, the Little Susitna River sport coho salmon fishery first closed to all bait fishing during the 2011 season, then closed to coho salmon fishing along with all Knik Arm drainages targeting wild coho salmon, with absolutely no coho based restrictions to any Upper Cook Inlet commercial fishery. All those unforeseen and unexpected events (except for efforts by the BOF) negatively impacted Northern District salmon stocks in 2011.

In 2012 using the Commissioner's Emergency Order Authority, ADF&G opened drift fishing beyond the bounds set in the Central District Drift Gillnet Fishery Management Plan -- specifically in the area beyond the expanded corridor for the 2nd year in a row -- with no mention to ADF&G expectations of the impacts on Stock of Concern Susitna sockeye or Northern District coho salmon.

I ask BOF members to consider all of the above as unforeseen and unexpected event(s) threatening Northern District salmon stocks. Let me mention one last unforeseen and unexpected event -- when the BOF adopted the Central District Drift Gillnet Fishery Management Plan did BOF members foresee and expect ADF&G to negate the plan every year by emergency order? I suspect not! but in two out of two years since the 2011 meeting that has occurred -- and if it happens again in 2013 the BOF will not see even a single year of management by the plan, during an entire BOF cycle. Surely, that must meet the standard of an unforeseen and unexpected event that threatens Northern District salmon stocks -- or the BOF would not have adopted the plan in the first place!

Since ADF&G has never attained the minimum Yentna / Susitna sockeye salmon goal(s) in place at the time during each of the past 30 years -- when fishing the drift fleet even to the amount allowed for regular periods by the current plan -- responsible management, providing a reasonable chance of meeting minimum Yentna / Susitna spawning escapement needs, dictates additional inseason restriction(s) on the drift fleet if minimum goals are to be met -- not additional harvest efforts. It is interesting that ADF&G commercial managers and the Commissioner continually attempt to "hide" behind the excuse of not knowing current year escapement projections to Northern District streams in a timely manner. True, they may not know which escapement goal(s) will be missed, or by how much, but A FAIR ASSESSMENT BY ADF&G would include AT LEAST a very high likelihood of escapement goal failure for Northern District stocks in 2012. Also included in that fair assessment would be the admission that, YES, with full knowledge of that situation, ADF&G opened additional commercial harvest opportunity on Northern District salmon stocks, bypassing a more conservative option provided earlier in the plan.

In response to my petition ADF&G managers also hide behind the Kenai River action taken to conserve king salmon, according to that management plan. In that case meeting a minimum escapement goal took priority and the plan was followed. Why then, was the Central District Drift Gillnet Fishery Management Plan not followed in the same spirit of conservation? By Allowing additional harvest with no mention to affected salmon stocks, did ADF&G also violate the Susitna Sockeye Stock of Concern Action Plan?

Is there some sort of hidden ADF&G priorities on these issues where "favored" users are allowed harvest opportunities beyond management plans and regulations, usurping other users of even minimal benefits provided for in BOF management plans? As mentioned in KRSA's emergency petition request for this same teleconference, BOF priorities in handling escapement issues and allocation issues should be clear to ADF&G managers, and made available to the public. Does the current BOF still value that meeting an escapement goal minimum range has management priority over exceeding another goal's upper range?

Question About 4.6 Million Kenai River Sockeye

On July 25, 2012 ADF&G Commercial Fisheries Management staff announced it is now expected the Kenai River sockeye salmon run to exceed 4.6 million fish. "Expected," is a very interesting word for commercial staff to choose in this case, because according to (iii) of the Central District Drift Gillnet Fishery Management Plan, "at run strengths greater than 4,600,000 sockeye salmon to the Kenai River, there will be no mandatory restrictions during regular fishing periods;" So, is the run strength of Kenai sockeye greater than 4,600,000, or NOT? If there is any uncertainty, as implied by ADF&G commercial fish staff's choice of the word "EXPECTED," then mandatory restrictions to the drift fleet under lower Kenai River sockeye run levels should have stayed in place. This, of course, was not the choice made by ADF&G commercial staff.

In ADF&G's assessment and response to emergency petitions submitted by Bruce Knowles, Ben Allen, and myself, there is mention made that ADF&G projected the Kenai River sockeye salmon run to be greater than 4.6 million fish on July 25, 2012, however, further down in the same response letter under the headline of, "Discussion," the statement is made that the Kenai River sockeye run will likely exceed 4.6 million fish. So once again, ADF&G raises the question on it's own assessment of the Kenai River sockeye run strength. If the run is only likely to exceed 4.6 million -- as stated in this Department letter and again in an additional response letter to the KRSA petition -- how likely is it to exceed 4.6 million? Would any ADF&G commercial fish staff members care to wager a considerable portion of their yearly income on that outcome? Because from personal experience, I can assure you, that is the cost of "likely to exceed 4.6 million," for some businesses in the Mat-Su Valley.

Impacts on Northern Users

As time goes on, it has become less likely that ADF&G will attain even the Fish Creek minimum sockeye salmon escapement goal or the 20,000 - 70,000 fish goal. More clear at this time, but not mentioned in the ADF&G response letter -- there will be no personal use dip net salmon fishery on Fish Creek during the 2012 season..

While the official word from ADF&G concerning Little Susitna River coho salmon is that it is too early to tell what the run strength is by weir count -- different assessments were used by ADF&G to restrict the fishery to no bait in 2011 -- specifically, ADF&G's sport fishery exit survey was of major importance. Even though the fishery was first restricted to no bait and eventually closed to coho salmon fishing in 2011, ADF&G attained less than half of the goal's minimum spawning escapement of 10,100 fish in 2011. Exit survey harvest results for the 2012 season are rumored to be less than what was seen in 2011. Word is that bait may be entirely closed once again for all of 2012, AND the daily limit may also be reduced to 1 coho salmon with an emergency order to be issued sometime between Friday August 3 and Sunday August 5. Unless there is a dramatic "unforeseen and unexpected" rush of silver salmon storming through the Little Susitna River Weir before that time, the likely hood of restriction is about as real as it gets. So, why has ADF&G chosen to keep this secret from the BOF and sport fishing public?

Responsible Management of Northern District Stocks

If the Board agrees with the emergency portion of this petition, then appropriate actions would be to identify and reconfirm with ADF&G staff the concept of managing to achieve an escapement goal minimum level as a priority over exceeding the maximum level of another escapement goal. While Northern coho stocks and user groups may have already been impacted beyond equal compensation, I would request that the board consider restricting the Central District Drift Gillnet Fishery to the Expanded Kenai and Kasilof corridors for the first 3 regular periods in August 2012, Finally, I would request that the BOF require ADF&G managers limit drift fishing to what is allowed within the plan boundaries and implied boundaries during the 2013 season.

I would like to thank the BOF for its careful consideration of all 3 emergency petitions submitted on before of Northern District salmon stocks and user groups that harvest these fish in the Northern portion of Upper Cook Inlet. Below I've also submitted a fishing column published in Mat-Su Valley's Frontiersman Newspaper last Friday.

Sincerely,

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Mat-Su Anglers Fishing Corner by Andy Couch July 27, 2012 Edition

ADF&G Management Takes Huge Bite Out of Mat-Su Coho Runs

On July 20, 2012 the Alaska Department of Fish and Game (ADF&G) issued emergency order 2S-18-12 <http://www.adfg.alaska.gov/static/home/news/pdfs/newsreleases/cf/183362997.pdf> which allowed commercial drift gillnetting in a huge area of Upper Cook Inlet beyond the implied limits written in the Central District Drift Gillnet Fishery Management Plan. In addition, the fishing period allowed by this emergency order was also extended from the standard 12 hours to 14 hours. Below are the guiding principles written into the plan itself.

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. . . .

By this action ADF&G once again prioritized harvesting abundant Kenai and Kasilof River sockeye salmon stocks above meeting minimum escapement levels for Northern District / Mat-Su salmon stocks, and allowing a reasonable opportunity for sport harvest of coho salmon as outlined by the plan. It is interesting to note that in emergency order 2S-18-12 the department made no mention to how Northern District salmon escapements fare when additional drift gillnetting is allowed in the middle of Cook Inlet. It is also interesting that the department did not mention it had failed to meet the Little Susitna River coho salmon escapement goal for the past 3 years, and that if it fails to meet that goal again this year, then the Little Susitna River coho stock would qualify for Stock of Concern status. Presently designated, Stock of Concern, sockeye salmon headed for the Susitna / Yentna River drainage were also harvested last Saturday during this expanded commercial fishery opening. By this action, the department shows disregard for any Northern District / Mat-Su Valley Stock of Concern or potential Stock of Concern.

Part of the reason ADF&G may have felt justified in allowing additional fishing on Northern bound salmon was that the department had closed the commercial set net fishing along the Kenai Peninsula beaches in an effort to come closer to meeting the Kenai River king salmon escapement goal. That leaves the drift gillnetters as the main method of harvesting a large surplus of sockeye salmon headed to the Kenai River. Where the rub comes, is when the department allowed drift gillnetting far out into Cook Inlet, rather than closer to the Kenai and Kasilof Rivers where the surplus salmon are bound.

Worse Development for Mat-Su Salmon Stocks

On July 25, 2012 ADF&G Commercial Fisheries Management staff announced it is now expected the Kenai River sockeye salmon run to exceed 4.6 million fish. "Expected," is a very interesting word for commercial staff to choose in this case, because according to (iii) of the Central District Drift Gillnet Fishery Management Plan, "at run strengths greater than 4,600,000 sockeye salmon to the Kenai River, there will be no mandatory restrictions during regular fishing periods;" So, is the run strength strength of Kenai sockeye greater than 4,600,000, or NOT? If there is any uncertainty, as implied by ADF&G commercial fish staff's choice of the word "EXPECTED," then mandatory restrictions to the drift fleet under lower Kenai River sockeye run levels should stay in place. This, of course, was not the choice made by commercial staff.

With huge amounts of time already provided to drift gillnetting in the expanded Kenai and Kasilof Corridor (as allowed by the plan), with an emergency order over ruling the plan and allowing additional area and time to be fished out past the expanded corridor, and now with ADF&G commercial staff using, "expectations," to allow all regular drift periods to be fished in the center of Upper Cook Inlet, don't expect even an average return of Northern District coho salmon to provide any silver lining for a sport fishing season that has already seen every wild king salmon freshwater fishery in the Mat-Su Valley closed early by emergency order.

Coho Expectations

I've guided several salmon fishing charters since king salmon fisheries closed on June 25, with all of those trips run on the Little Susitna River. Silver or coho salmon catching has been slow, and while sport catch numbers will increase as we get later in July and August, at this point expect much less than a banner year for coho. Chum salmon are available at Little Susitna in good numbers right now. Over on the Deshka River and other Susitna River drainage streams higher coho catch rare being made. This is likely a result of two factors: 1. Anglers on most Susitna drainage streams may now use bait -- which can be highly effective for catching coho salmon. 2. Coho salmon from Mat-Su stream drainages, other than the Little Susitna River, are smaller in size, making it easier for them to slip through gillnets out in the inlet.

Coho salmon should also be arriving in locations throughout the Knik Arm. I would expect some coho have already been caught at Jim, Wasilla, and Cottonwood Creek, along with Eklutna Tailrace. Be sure and check regulations before you fish -- of particular note is Wasilla Creek (Rabbit Slough) and Cottonwood Creek -- where salmon fishing is only allowed from 6 a.m. - 6 p.m. on the weekends in rather small areas on the lower portion of the creeks. Although Fish Creek already has a few coho salmon (and thousands of sockeye salmon) passing through the ADF&G weir, it does not open to sport fishing until the first weekend in August (youth only) and then the following weekend to all anglers.