

PROPOSAL 138 – 5 AAC 21.310. Fishing seasons. Remove the one-percent rule that applies to the commercial set gillnet fishery in the Upper Subdistrict after July 31 so that the set gillnet fishery will close August 15 and be managed using regular fishing periods from August 11 through August 15, as follows:

5 AAC 21.310(b)(C) Fishing Seasons

(iii) Kenai, Kasilof, and East Forelands Sections: [IN THE COMBINED KENAI AND EAST FORELANDS SECTIONS, AND SEPARATELY IN THE KASILOF SECTION,] 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 FOR TWO CONSECUTIVE FISHING PERIODS IN THE COMBINED KENAI AND EAST FORELANDS SECTIONS OR SEPARATELY IN THE KASILOF SECTION]; from August 11 through August 15, the fishery is open for regular fishing periods only; for purposes of this sub-subparagraph, “fishing period” means a time period open to commercial fishing as measured by a 24-hour calendar day from 12:01 a.m. until 11:59 p.m.;

What is the issue you would like the board to address and why? Currently, setnetting in the Upper Subdistrict closes in August based on the one-percent rule. The 1% rule states that after July 31st, if less than one percent of the season’s total setnet sockeye harvest has been taken per fishing period for 2 consecutive periods, the fishery is closed for the season.

The original intent of the 1% rule was to allocate additional Kenai River coho salmon to inriver fisheries. This, however, comes at the expense of harvest opportunity by the Upper Subdistrict set gillnet fishery on Kenai and Kasilof river sockeye salmon during the final days of their season, with months of inriver coho season remaining. It is important to note that in the past 10 years (2006-2015), the Kenai River sockeye salmon inriver goal has been exceeded 7 times, and the Kasilof River sockeye salmon BEG has been exceeded 9 times. Meanwhile, based on average harvest and total run estimates from 2000 to 2004, ADFG estimated that the harvest rate of Kenai River Coho salmon by all commercial fisheries at about 3% and the harvest rate by the sport fishery at about 38%. Additionally, for every fishing period from August 11 to August 15, the set gillnet fishery harvests only about 1.2% of the total run of Kenai River coho salmon (see staff comments on 2014 proposals 116 & 117). The board has addressed Kenai river coho salmon conservation in the Upper Subdistrict setnet fishery through the season ending date of August 15, with only regular periods allowed from 11-15. There are currently no conservation concerns for Kenai River coho salmon.

In order to provide a reasonable opportunity to harvest surplus sockeye salmon bound for the Kenai and Kasilof rivers, this proposal seeks to remove the 1% rule for the Upper Subdistrict setnet fishery.

PROPOSED BY: Kenai Peninsula Fishermen’s Association

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