

PROPOSAL 86 – 5 AAC 21.353. Central District Drift Gillnet Fishery. Amend provisions (a)–(f) of the management plan and add language to manage the commercial drift gillnet fishery based on the inseason abundance to meet escapement goals and harvest surplus salmon, as follows:

5AAC 21.353 Central District Drift Gillnet Fishery Management

(a)The purpose of this management plan is to provide the department with the ability to gather in-season data and to have the flexibility to use their in-season management tools to meet the escapement goals and to harvest the surplus salmon. The department shall manage the Central District commercial drift gillnet fishery as described in this section.

(b)The regular weekly fishing periods are as described in 5AAC21.320(b). The fishing season will open the third Monday in June or June 19, whichever is later.

(c)From the opening date as determined by 5AAC21.353 (b) until August 15,

(1)fishing will be opened for drift gillnets as described in 5AAC 21.320(b)(1).

(2) The fishing periods set forth in (1) of this subsection may be modified by emergency order;

(d)additional fishing time , based on in-season salmon abundance, needed to meet the objectives of harvesting the surplus salmon and staying within the escapement goals will be allowed in one or more of the following areas.

(1)Expanded Kenai Section of the Upper Subdistrict:

(2) Expanded Kasilof Section of the Upper Subdistrict:

(3) Anchor Point Section of the Lower Subdistrict:

(4) Drift Gillnet Area 1:

(5) Central District

What is the issue you would like the board to address and why? 5AAC 21.353. (a) through (f)

Prior to 1996 the central district drift gillnet fishery operated on a management plan of two twelve hour inlet wide weekly fishing periods. The plan worked as designed. The biologist had indices, from catch data, to know the size and location of the schools of salmon entering that year and could make sound scientific management decisions. Based on the in-season abundance count, salmon managers would open and close fisheries on a real time daily basis to ensure spawning escapements where adequate and to harvest the surplus salmon throughout the run to sustain production. Delegated emergency authority provided for immediate management decisions by area biologist. When runs were strong, managers liberalized harvest regulations to utilize surpluses. When runs were poor, managers closed fisheries to provide for predetermined escapement needs which ensure long-term sustainable yields. There was order, stability and predictability in the fisheries, fishery support businesses and the communities. This style of management is also mandated by the Constitution and the Magnuson Stevens Act (MSA). This successful management style is currently used in most areas of the State, It was also adopted by the Pacific Salmon Commission to manage and conserve salmon resources shared by Alaska, Oregon, Washington, and Canada, and worked well in Cook Inlet to achieve the escapement goals and allow all users an opportunity to utilize the surplus. The current version of 5 AAC21.353. central district drift gillnet fishery management plan is in violation of the constitutional mandate and does not allow adaptive in-season management. The plan makes it impossible for the biologist to know the run size and location or to manage for escapement goals or harvest the surplus. The result has been gross annual

over-escapements and annual loss of harvest in the tune of millions of salmon and tens of millions of dollars. The resource, habitat, commercial and sports fishermen, processors, workers, industries, communities and the State are needlessly harmed. The constitution mandates that renewable resources “shall be utilized, developed and maintained on the sustained yield principle.” Alaska law states: “The Commissioner shall manage, protect, maintain, improve, and extend the fish, game and aquatic plant resources of the state in the interest of the economy and general well being of the state... through rehabilitation, enhancement, and development programs. [the department must] do all things necessary to insure perpetual and increasing production and use of the food resources of state waters and continental shelf areas.”

This proposal seeks to develop the central district drift gillnet management plan to be in compliance with the Constitution, MSA, Alaska statute and 5 AAC 39.222. This plan will give the biologist the flexibility and proven tools to perform in-season real-time abundance based management and to be effective in achieving the escapement goals and to harvest the salmon surplus. This proposal also seeks to provide a reasonable opportunity for all harvesters and to provide adequate protection for northern bound and central district salmon stocks. This proposal does not limit the commissioner’s use of emergency order authority under AS 16.05.060.

PROPOSED BY: Central Peninsula Fish and Game Advisory Committee (EF-F16-145)
