

Alaska Board of Fisheries Committee Summary

COMMITTEE B

Cook Inlet Commercial Fishing

March 2, 2017

Board Committee Members:

1. Al Cain, *Chair
2. Robert Ruffner

Alaska Department of Fish and Game Staff Members:

1. Charlie Swanton, Deputy Commissioner
2. Scott Kelley, Director, CFD
3. Forrest Bowers, Deputy Director, CFD
4. Tracy Lingnau, Regional Supervisor, CFD
5. Tim Baker, Regional Management Coordinator, CFD
6. Jack Erickson, Regional Research Coordinator, CFD
7. Pat Shields, Area Management Biologist, CFD
8. Alyssa Frothingham, Asst. Area Management Biologist, CFD
9. Mark Willette, Area Research Biologist, CFD
10. Tom Brookover, Director, SFD
11. Tom Vania, Regional Supervisor, SFD
12. Jason Pawluk, Asst. Area Management Biologist, SFD

Alaska Wildlife Troopers

1. Captain Steve Hall

Alaska Department of Law:

1. Seth Beausang

Advisory Committee Members:

1. Paul Shadura, Kenai/Soldotna AC
2. David Martin, Central Peninsula AC
3. Joel Doner, Anchorage AC
4. Andy Couch, Mat Valley AC
5. Dan Anderson, Homer AC

Public Panel Members:

1. Joseph Person, KPFA

2. Bruce Gabrys, Self, Drift Gillnet
3. Jeff Beaudoin, Self, Set Gillnet
4. Eric Huebsch, UCIDA
5. Mac Minard, Mat Su Borough F&W Commission
6. Kevin Delaney, KRSA
7. Martin Meigs, AK Sportfishing Assoc.
8. Jeff Berger, Self
9. Bob Merchant, Self
10. Gary Hollier, Self, Set Gillnet
11. Steve Tvenstrup, Self, Drift Gillnet

Federal Subsistence Representative:

1. George Pappas, United States Fish and Wildlife Service

The committee met March 2, 2017 at 2:30 p.m. and adjourned at 4:45 p.m.

PROPOSALS BEFORE THE COMMITTEE WERE: (14 total) 84, 131–133 (*Fishing Districts and Gillnet Specifications and Operations*), 123–126 (*Pink Salmon Management Plan*), 127–130 (*Upper Cook Inlet Management Plan*), 142 (*West Cook Inlet Salmon*), 143 (*Cook Inlet Smelt*)

PROPOSAL 84 – 5 AAC 21.330. Gear. and 5 AAC 21.350. Closed waters. Clarify closed waters around the Kenai and Kasilof Rivers.

Comment Summary:

Department:

- Attempt to not add any waters and write into regulation that was stated in the regulation. Since proposal was written, the department discovered a discrepancy in the coordinates of the Coast Guard channel marker and determined the coordinates in the proposal are inaccurate. Therefore, the department added Figure 84-3 in RC 2, to reflect a small change to waypoints at mouth of Kenai River. North and South Markers were not impacted. 1 KE Buoy location was changed.

Department of Law: None.

Department of Public Safety: None.

Federal Subsistence Representative: None.

Public Panel Comments:

- No comments against the proposal.

Public Panel Recommendation: Consensus to support. The department submitted RC 168 as substitute language with corrected waypoints.

PROPOSAL 131 – 5 AAC 21.200. Fishing districts, subdistricts, and sections. Define commercial fishing statistical areas in the Upper Subdistrict set gillnet fishery.

Comment Summary:

Department:

- This would not change statistical area boundaries. But there is an internal process outside the board process that would define the region. This designation is not needed. In the ESSN fishery, five of six statistical areas are described with subdistricts (5 AAC 21.200). Only the demarcation between statistical areas 244-21 and 244-21 is not described in regulations. The line between statistical areas is well known to fishermen. The Department is opposed to adding these statistical area definitions in regulation, but supports statistical area boundaries being defined in a news release.

Department of Law: None.

Department of Public Safety: None.

Federal Subsistence Representative: None.

Public Panel Comments:

- Fishermen do not know where line is, as there is no number or coordinate to it. It is a technical proposal; no allocation changes.
- There is a dispute regarding the location of what separates statistical areas 244-21 and 244-22; some use the tower and some use the access road.
- Could potentially influence the 1% rule as some fish in both districts.
- Some fishermen fish in this area, often right on the line.
- Could lead to a new “Blanchard Line.”
- May create allocative issues.
- Fishermen are interested in actual lat/long. A news release issued by the department will satisfy them.

Public Panel Recommendation: Consensus to not taking action, proposal will be withdrawn and department will publish a news release defining area.

PROPOSAL 132 – 5 AAC 21.200. Fishing districts, subdistricts, and sections. Move the southwestern-most point of the Expanded Kasilof Section 1.2 nm west so it aligns with the northwestern-most point of the Expanded Anchor Point Section.

Comment Summary:

Department:

- Department supports aligning the areas. This proposal is one way to accomplish this. Anytime you don't have a jog in a line is good.

Department of Law: None.

Department of Public Safety: None.

Federal Subsistence Representative: None.

Public Panel Comments:

- Housekeeping measure.
- No allocative effects.
- Anchor Point Section was developed at 2014 meeting to accommodate drifters coming up from Homer. NW data point was off and discovered after the proposal was adopted. RC 131 adjusts the Anchor Point Section, instead of adjusting the corridor, to align the two sections. The original proposal in 2014 was to establish an Anchor Point Section, not to expand the corridor.
- Small piece of water, but it is an important piece because drifters spend most of their time in the corridor.
- Important to drift fisherman. The need to align points is clear.
- RC 131 is bad for enforcement. Would not like to shrink Anchor point line because public and department have not had time to review new RC. Should either pass proposal or leave it as is. Would be inconsistent with previous action by the board.
- Moving the line out is an allocative issue.
- Flood tides can put you over the line.
- State will not get as many violations. Moving line out will likely be good.

Public Panel Recommendation: No consensus.

PROPOSAL 133 – 5 AAC 21.331. and 5 AAC 21.333. Requirements and specifications for use of 200 fathoms of drift gillnet gear in the Cook Inlet Area. Allow a single person holding two Commercial Fisheries Entry Commission Cook Inlet drift gillnet limited entry permits to operate 200 fathoms of drift gillnet gear.

Comment Summary:

Department: None.

Department of Law: None.

Department of Public Safety: None.

Federal Subsistence Representative: None.

Public Panel Comments:

- See RC 39 for written comments and RC 115 from CFEC.
- There is a conflict of liability on boat with two permit holders. Could reduce gear by $\frac{1}{3}$ and fleet by $\frac{1}{2}$.
- KRSA would like to remove opposition after hearing the details of proposal (PC 39).
- It is economical to families.
- Skipper takes risks for a second permit.
- Benefit to reduce gear in the fishery, sees proposal as way to reduce gear.
- Would possibly allow gear to reenter the fishery when production increases.
- May limit new entrants to this fishery.
- Would allow for the number of permits and those fishing to expand and contract.
- KPFA supports proposal, no gear conflict concerns.
- Not a huge impact. Not a big change.
- If fleet is reduced, possible that surplus salmon will not be harvested.

Public Panel Recommendation: Consensus to support.

PROPOSAL 123 – 5 AAC 21.354. Cook Inlet Pink Salmon Management Plan. Repeal and readopt the management plan to allow for the commercial harvest of surplus pink salmon in the Upper Subdistrict with set and drift gillnet gear.

Comment Summary:

Department:

- There is an error in staff comments that reference old regulations. This fishery is not limited to fishing within 600 feet of shore; set gill net fishermen can fish all the way to shore. Proposal does not specify provisions. No escapement or monitoring currently on pink salmon stocks and unsure of stock numbers. There are concerns with increasing harvest rate on coho salmon stocks. Harvest rates on coho salmon are now at 60%. Federal subsistence fishery on Kenai River has been authorized to use gillnets for coho salmon. Currently, there is a harvest cap of 3,000 coho salmon for the federal fishery. USFWS plans to allow 20 coho salmon per head of household plus 5 for each household member with no harvest cap. This new user will increase harvest rates annually. In the commercial fishery, current provisions provide for a maximum of two fishing periods from August 11-15. Both periods have not been opened for pink salmon fishing since the plan was readopted in 2011.

Department of Law: None.

Department of Public Safety: None.

Federal Subsistence Representative: None.

Public Panel Comments:

- Many fishermen would like to harvest pinks and believe that 96-98% of pink salmon go unharvested. 10-30 million pink salmon go unharvested.
- Proposal would give flexibility to department. Will give regular fishing periods and fish on abundance.
- Some are concerned for harvest of coho salmon in fishery. Stock assessment on coho salmon and exploitation rate information is old. New pieces of information: 1% rule is now gone in ESSN fishery, extra districtwide period (instead of Drift Area 1) and East Forelands Section excluded from paired restrictions in late run king salmon plan.
- Reallocation of coho and adds to harvest. Exvessel value over last 25 years; about 94% has been sockeye salmon. Coho salmon are the money fish for sport fishery. Tremendous economic value.
- Commercial fishermen have had to deal with coho conservation efforts and now want to fish on pink salmon.
- Two 12-hour periods would not meet salmon stock management. Cook Inlet pink salmon are high quality.
- Commercial fishermen are able to fish more based on the proposal.
- Processors will also benefit from by being able to buy more fish.
- Current pink salmon plan was never designed to catch pink salmon.
- Past pink salmon fisheries have a lot of pink salmon and a lot less coho salmon.

- Commercial priority on pink salmon.
- Challenge is incremental addition to coho harvests.
- Responsibility to manage for all stocks. Not doing that with pink salmon

Public Panel Recommendation: No consensus.

PROPOSAL 124 – 5 AAC 21.354. Cook Inlet Pink Salmon Management Plan. Amend the Cook Inlet Pink Salmon Management Plan to remove or lower the daily harvest triggers.

Comment Summary:

Department: None.

Department of Law: None.

Department of Public Safety: None.

Federal Subsistence Representative: None.

Public Panel Comments:

- This plan has been in effect since 2011. Only been fished once in six years.
- Wants daily harvest trigger lowered to 25,000 pink salmon and 50,000 for the cumulative. Also wants 25,000 pink salmon for the second period to provide opportunity.
- Supports keeping the 2,500 coho salmon harvest trigger that closes the fishery.
- Harvest of pink salmon goes down because of reduced participation.
- Some fishermen want to limit coho harvest
- Probably be best to keep mesh size restriction to protect coho salmon.
- Would like to know if 1% rule is affected by this regulation.
- Oct 12, 2012 had 55k harvest in ESSN. Caught minimal coho in first pink salmon opening.
- 1% rate will kick Kasilof section out of the fishery which makes the 50,000 trigger impossible to reach.
- If changes are considered, do what you can to reduce coho harvest. Keep gear small.

Public Panel Recommendation: No consensus.

PROPOSAL 125 – 5 AAC 21.354. Cook Inlet Pink Salmon Management Plan. Remove mesh size restrictions on set and drift gillnet gear in the commercial pink salmon fishery.

Comment Summary:

Department: None.

Department of Law: None.

Department of Public Safety: None.

Federal Subsistence Representative: None.

Public Panel Comments:

- Impossible to reach 2nd opener because of gear restriction. A lot of fishermen don't own 4 3/4 inch mesh.
- Reality, five or six fishing days a decade with current plan.
- Re-gearing is expensive. Seems important to fish normal sockeye gear which is effective at catching pinks (close to 5 inch).
- Cook Inlet supports some of the biggest pink salmon in state.
- Limited pink openings are not economically feasible to buy drift gear.
- Value for pinks is increasing. Size of pink salmon has created niche market.
- This fishery is in off cycle with other places in the state.

Public Panel Recommendation: No consensus.

PROPOSAL 126 – 5 AAC 21.354. Cook Inlet Pink Salmon Management Plan. Increase maximum mesh size for set gillnets to 5-inches and expand the fishing season to August 6–15 in the commercial pink salmon fishery.

Comment Summary:

Department: None.

Department of Law: None.

Department of Public Safety: None.

Federal Subsistence Representative: None.

Public Panel Comments:

- 5 inch gear will improve quality and value of the product. ESSN could harvest 0.5 million pink salmon if the ESSN were allowed to fish.
- Drift fleet usually fishes over 5 inch mesh. Would still need to buy new nets, but some fishermen use smaller 5 inch gear for sockeye salmon.
- Most drift fishermen use 5 1/8 or 5 1/4 inch gear.

Public Panel Recommendation: No consensus.

PROPOSAL 127 – 5 AAC 21.363. Upper Cook Inlet Salmon Management Plan and 21.360. Kenai River Late-Run Sockeye Salmon Management Plan. Remove inriver goals from the list of escapement goals in the Upper Cook Inlet Salmon Management Plan and realign inriver and escapement goals in the Kenai River Late-Run Sockeye Salmon Management Plan.

Comment Summary:

Department:

- Sockeye salmon inriver goals in the Kenai River were addressed by the board at this meeting.

Department of Law: None.

Department of Public Safety: None.

Federal Subsistence Representative: None.

Public Panel Comments:

- The question still remains: Do inriver goals warrant going outside of a management plan when the SEG will be met?
- The department shouldn't be able to go outside management plans to meet inriver goals. Still in favor of removing inriver goals.
- Spent whole day on Kenai Sockeye Plan and gave up sockeye by increasing inriver goals on 2nd and 3rd tiers. Inriver goals should stay in plan.
- Goals will now be reached throughout the escapement range.
- The OEG has been removed earlier in this meeting for Kenai sockeye.
- Some think other management plans should dictate this run.
- SSFP and EGP include inriver goals in definitions. Shouldn't take inriver goal out of UCI Plan.

Public Panel Recommendation: No consensus.

PROPOSAL 128 – 5 AAC 21.363. Upper Cook Inlet Salmon Management Plan. Amend plan to prioritize the need to harvest all surplus salmon stocks and to maximize economic yield and the overall benefits from salmon stocks managed under the plan.

Comment Summary:

Department: None.

Department of Law: See submitted RC 59

Department of Public Safety: None.

Federal Subsistence Representative: None.

Public Panel Comments:

- In 2014, 80% harvestable surplus was not harvested. 23 million salmon were not harvested in Cook Inlet. Doesn't comply with applicable laws. Should be harvesting stocks to result in escapements that produce 90% of MSY.
- Proposal is generic and broad to give department and board to remain in compliance with law in managing harvestable surplus.
- Some are unsure where this harvestable surplus went.
- Proposal states all users can benefit.
- Resources are valued and should not be wasted. The value of commercial fish is underestimated.
- Some are concerned about constitutionality of lost yield from salmon stocks not harvested.
- In favor of utilizing whatever salmon can be utilized.
- Aligns with state constitution to maximize benefits to users.
- Maximizing harvest of one stock while over harvesting a second stock.
- Sport fishing has higher economic value than all commercial fisheries combined.
- The maximum economic value doesn't require harvesting 95% of the fish (relative to the economic value of the sport fishery).

Public Panel Recommendation: No consensus.

PROPOSAL 129 – 5 AAC 21.363. Upper Cook Inlet Salmon Management Plan. Amend plan to prioritize the need to harvest all surplus salmon stocks and to maximize economic yield and the overall benefits from salmon stocks managed under the plan.

Comment Summary: SEE ALL COMMENTS FROM PROPOSAL 128.

Department: None.

Department of Law: None.

Department of Public Safety: None.

Federal Subsistence Representative: None.

Public Panel Comments:

- Discussed simultaneously with Proposal 128.

Public Panel Recommendation: No consensus.

PROPOSAL 130 – 5 AAC 21.363. Upper Cook Inlet Salmon Management Plan. Amend Upper Cook Inlet Salmon Management Plan so that fishery restrictions on fully allocated stocks of concern are shared among all user groups in proportion to the respective user group harvest of that stock.

Comment Summary:

Department: None.

Department of Law: None.

Department of Public Safety: None.

Federal Subsistence Representative: None.

Public Panel Comments:

- This proposal leaves out the management plan and would allow those who use the most to harvest at a significant rate.

Public Panel Recommendation: No consensus.

PROPOSAL 142 – 5 AAC 21.350. Closed waters. Close waters within one statute mile of the terminus of Kustatan, Drift, and Big rivers, and Bachatna Creek; as measured from mean lower low water, to commercial fishing.

Comment Summary:

Department: None.

Department of Law: None.

Department of Public Safety: None.

Federal Subsistence Representative: None.

Public Panel Comments:

- Issued back in 1990s. Works now, to change would be arbitrary. Took unorderly fishery and made orderly.
- Low volume, low participation fishery.
- To define low mean tide, it is difficult. Impractical to enforce.
- Difficult to surmise where area is.
- It's difficult to implement a 1 mile buffer for regulatory enforcement.
- Bachatna Creek does not have closure around the mouth.

Public Panel Recommendation: No consensus.

PROPOSAL 143 – 5 AAC 21.505. Cook Inlet Smelt Fishery Management Plan. Increase the amount of smelt that may be taken in the Cook Inlet commercial smelt fishery from 100 tons to 200 tons annually.

Comment Summary:

Department:

- RC 4 - Tab 15 contains information relating to smelt (Eulachon) assessment in 2016.

Department of Law: None.

Department of Public Safety: None.

Federal Subsistence Representative: None.

Public Panel Comments:

- Some fishermen have been fishing for many years in this fishery and can testify to abundance of stock.
- Would like to see fishery in regulation rather than by commissioner's permit.
- Picked a low number to start fishery out. 100 tons was randomly picked.
- Fishery is eight miles above river.
- Stock assessment done only on Susitna River system. Smelt are present in many rivers in Cook Inlet. Amount of harvest is small.
- Requesting modest increase in harvest. Fisherman claims to fill boat with 50 inch dip net in one tide.
- Some fishermen want more information from department.
- NOAA believes this area is known to be critical habitat for beluga whales.
- Highly valuable niche fishery. Allows fishermen to fish other times of the year. Only 0.5% harvest rate.
- Beluga studies conclude lack of forage fish is not a factor, should not be concerned.
- Fishery occurs in area upstream of where beluga whales are found.

Public Panel Recommendation: No consensus.