

Submitted at the request of Board Member John Wood by the Alaska Department of Fish and Game

February 10, 2020

Substitute language for proposal 78:

5 AAC 21.363(a)(4) is amended by adding a new subparagraph to read:

5 AAC 21.363. Upper Cook Inlet Salmon Management Plan

(a) The department should receive long-term direction in management of upper Cook Inlet salmon stocks and salmon species. Divisions within the department must receive long-term direction in order to accomplish their missions and plan management, research, administrative, and other programs. Upper Cook Inlet stakeholders should be informed of the long-term management objectives of the Board of Fisheries (board). Therefore, the board establishes the following provisions for the management and conservation of upper Cook Inlet salmon stocks:

(1) consistent with the statutory priority for subsistence, the harvest of upper Cook Inlet salmon for customary and traditional subsistence uses will be provided for specific species in appropriate areas, seasons, and periods to satisfy subsistence needs; other beneficial uses, to the extent they are consistent with the public interest and overall benefit of the people of Alaska, will be allowed in order to maximize the benefits of these resources;

(2) to provide for the management and allocation of the upper Cook Inlet salmon resources, the harvest of the upper Cook Inlet salmon will be governed by specific and comprehensive management plans adopted by the board for salmon stocks and species, on a Cook Inlet basin wide basis, for different areas, and drainages and for different types of fisheries;

(3) in adopting the specific management plans described in (2) of this subsection the board will consider:

(A) the need for sustainable fisheries for all salmon stocks and salmon species throughout the Cook Inlet basin;

(B) the protection of the fisheries habitat both in the fresh water and the marine environment throughout the Cook Inlet basin; and

(C) the various needs and demands of the user groups of the salmon resources of upper Cook Inlet;

(4) in these management plans, the board may, as appropriate, address the following considerations:

(A) the need to allocate the harvestable surplus among commercial, sport, guided sport and personal use fisheries; and

(B) the need to allocate the harvestable surplus within user groups;

(C) when allocating fishery resources within the Upper Cook Inlet area the Board shall consider the following factors giving appropriate consideration to each criteria in the order provided as follows:

(i) identify impacts of a harvest that will originate from an existing stock of concern or any stocks designated as a stock of concern within the past 10 years as determined by the department;

(ii) the importance of each fishery for providing residents the opportunity to harvest fish for personal and family consumption;

(iii) the importance of each fishery to the economy of the state;

(iv) the importance of each fishery to the economy of the region and local area in which the fishery is located;

(v) the number of residents and nonresidents who have participated in each fishery in the past and the number of residents and nonresidents who can reasonably be expected to participate in the future;

(vi) the history of each personal use, sport, guided sport, and commercial fishery;

(vii) the importance of each fishery in providing recreational opportunities for residents and nonresidents.

(viii) the availability of alternative fisheries resources of similar characteristics;

(5) in the absence of a specific management plan, it is the intent of the board that salmon be harvested in the fisheries that have historically harvested them, according to the methods, means, times, and locations of those fisheries;

(6) consistent with 5 AAC 39.220(b), it is the intent of the board that, in the absence of a specific management plan, where there are known conservation problems, the burden of conservation shall, to the extent practicable, be shared among all user groups in close proportion to their respective harvest on the stock of concern.

(b) Repealed 6/13/99.

(c) In this section, "upper Cook Inlet salmon stocks" means those salmon that move through the Northern and Central Districts as defined in 5 AAC 21.200(a) and (b) and spawn in waters draining into those districts.

(d) Repealed 6/11/2005.

(e) Notwithstanding any other provision of this chapter, it is the intent of the board that, while in most circumstances the department will adhere to the management plans in this chapter, no provision within a specific management plan is intended to limit the commissioner's use of emergency order authority under AS 16.05.060 to achieve established escapement goals for the management plans as the primary management objective. For the purpose of this subsection, "escapement goals" includes inriver goal, biological escapement goal, sustainable escapement goal, and optimal escapement goal as defined in 5 AAC 39.222.