

**ALASKA BOARD OF FISHERIES**  
**FINDINGS ON UPPER COOK INLET**  
**99 - 191 - FB**

After meeting for two (2) days in Wasilla and for eighteen (18) days in Soldotna on Upper Cook Inlet Salmon fisheries, hearing staff reports, taking public testimony, working with the public and the advisory committee representatives in the committee process and deliberating extensively, the Board of Fisheries makes the following findings:

1) The Upper Cook Inlet salmon fisheries are complex, mixed stock, mixed species, salmon fisheries involving many divergent users. While the department has some detailed information about the abundance of some salmon stocks and species (e.g. late run Kenai River sockeye, early and late run Kenai River kings), there are many species and stocks about which the Department and, as a result, the Board, are totally lacking good, reliable, long term information upon which to base management decisions except in the grossest of terms (e.g. Northern District sockeye, all chum, all pink and most coho salmon). This lack of information and the overlapping spacial and temporal locations of the various mixed stocks and mixed species of salmon, as well as substantial differences in salmon stock abundance and salmon species abundance and in the productivity of these stocks and species, create substantial and significant management difficulties for both the

Board and the Staff of the Alaska Department of Fish and Game.

2) The fisheries in Upper Cook Inlet have been managed under various plans. The Upper Cook Inlet Salmon Management Plan (hereinafter "Plan") is the oldest. This Plan is frequently referred to by the Board and the staff of the Department as the "Umbrella Plan." Various other managements plans have been adopted by the Board for specific stocks and species and specific drainages. These various plans are frequently referred to by the Board and the staff, collectively, as the "Step Down Plans."

3) Over the past 20 years, since the adoption of the first Upper Cook Inlet Salmon Management Plan, there has been a substantial and significant change in the composition of the Cook Inlet stakeholders and their demands on the salmon resources. There have also been substantial and significant changes in the salmon abundance in Upper Cook Inlet. There is currently a wide diversity of stakeholders (subsistence, commercial, sport, guided sport and personal use fishers) whose interests in and demands on the salmon resources regularly bring them into allocation conflicts. These often contentious allocation disputes between Upper Cook Inlet stakeholders further complicate management of the salmon resources.

4) It is impossible to manage mixed stock, mixed species, salmon fisheries for Maximum Sustained Yield (MSY) on all salmon stocks and all salmon species in circumstances where the composition, abundance and productivity of the salmon stocks and

species in those fisheries is both unknown and varies substantially from salmon stock to salmon stock and salmon species to salmon species. A corollary of this fact is that managing a strong/dominant salmon stock on the basis of maximum sustained yield in a mixed stock, mixed species salmon fishery, can result in the overharvest of the weak/non-dominant salmon stocks and salmon species. The Board finds that this potential exists given the previous management practices of the past 20 years.

### **DISCUSSION**

The primary constitutional and statutory responsibility of the Board of Fisheries is to conserve the salmon resources of the state for the maximum benefit of the people of Alaska. Secondly, the Board is charged with the responsibility to develop the fisheries of the state for the same purpose. In order to balance these conflicting responsibilities in the context of Cook Inlet, the Board of Fisheries has developed an Upper Cook Inlet Salmon Management Plan and several (16) drainage and/or stock specific management plans.

The Upper Cook Inlet Salmon Management Plan (hereinafter "Plan") was first adopted in 1978. Its predecessor was contained in a management policy, but this practice failed to meet the requirement that long established management practices should be adopted as regulations. The Plan has been amended several times over the past 20 years.

The precautionary principle is defined simply as "[I]f you don't know, act cautiously." This is consistent with other Board actions in other fisheries where those who seek to benefit from the public resources of the State of Alaska are required to demonstrate that they will do no long-term harm to those resources. This concept is intended to prevent harvest of a fishery resource absent a determination by the Department or the Board that a harm would result to the resource from such harvest. It is the intent of the Board that the burden of showing the absence of harm to the fisheries resources be clearly and unequivocally on the shoulders of the person seeking to obtain private benefits from a public resource.

Once the Board completed its work on the Upper Cook Inlet Salmon Management Plan, it then addressed various "Step Down" plans for specific fisheries. Its decisions with regard to those plans are documented in the specific regulatory actions taken by the Board. Generally, however, the Board attempted to first insure the conservation of the resources and subsequently allocate the harvest of the resources in a manner consistent with the goal of maximizing the benefit to all Alaskans.

DATED: 10/29/99  
Fairbanks, Alaska

  
Dan Coffey, Chairman  
Alaska Board of Fisheries

VOTE: 7-0