

Fishing Seasons (11 proposals)

PROPOSAL 175

5 AAC 21.310. Fishing seasons.

Allow commercial fishing with set gillnets in the North Kalifonsky Beach area starting July 1, as follows:

ON July 1, until the Kenai Section set net fishery opens by regulation, NKB may open for regular periods and up to 24 emergency hours per week. Gillnets will be allowed within 600 ft of mean high tide.

Gillnets must be no more than 29 meshes in depth and mesh size will not be larger than 4 ¾ in.

What is the issue you would like the board to address and why? The issue here is lack of traditional and historic harvest of Kasilof River stocks on North Kalifornsky Beach (NKB), statistical area 244-32.

ADF&G staff has stated that Kasilof stocks are predominately "beach orientated". The ESSN fishery catches 58% of the Kasilof harvest, while the Drift fleet harvests 27%.

NKB since before Statehood was a traditional and historic harvester of Kasilof sockeye. With management changes that went into place in 1999, the opportunity to harvest Kasilof stocks was greatly diminished for NKB.

At the 2017 BOF meeting, the BOF by regulation put in a fishery to fish NKB within 600 ft of mean high tide (MHT), fishing up to 29 beach nets. In 2018 this directed Kasilof stock fishery was fished July 19 and 21. Genetics from these two days showed that over 50% of the harvest was of Kasilof origin.

If the NKB fishery was to start on July 1, with gear restrictions, the Kasilof component would be considerably higher. A 2009 report from ADF&G- Genetic Stock Identification of Upper Cook Inlet Sockeye Salmon Harvest, showed that the harvest of Kenai and Kasilof sockeye on ALL NKB was close to a 50/50 split between the two stocks (page 52). This study was taken from samples of the entire NKB section, from the MHT out to 9000 ft. If samples were taken only from nets fishing 600 ft of MHT, with restricted gear, Kasilof stocks would be considerably higher.

From 1999 the Kasilof River sockeye salmon has exceeded its BEG, 17 out of 20 years. ADF&G data from 2008-2015, showed in the Kasilof section setnet fishery, two ocean and younger age classes (smaller fish) comprise 33% of the harvest. While at the same time, these two ocean and younger age classes make up 61% of the Kasilof River escapement. In the Kasilof River Special Harvest Area (KRSHA) data showed 73% of the harvest is comprised of two ocean and younger age classes, in certain years.

This proposal would help many ways. It would help keep the Kasilof from exceeding its BEG, OEG, and thus staying out of the KRSHA.

Using restricted gear, 4 ¾ in mesh size or smaller will target the smaller age class fish that make up the 61% of the Kasilof River escapement.

Additionally a study done by KINTAMA, Chinook and Sockeye Salmon Migration Patterns in Cook Inlet (author David Welch), a few years backed showed that tagged King Salmon off the Kenai River swam at an average depth of 16 ft. A traditional 45 mesh deep set net fishes about 18 ft deep at slack tide. A 29 mesh deep net at slack tide fishes about 12 ft deep. King salmon off the Kenai River swim in deep water off shore, rarely in shallow water closer to the beach.

Fishing this restricted gear will target abundant Kasilof stocks and will greatly reduce the harvest of any Kenai River King Salmon.

It is the intent of this proposal that this NKB fishery may open on July 1, even if that date does not fall on a regular scheduled period.

PROPOSED BY: Gary Hollier (HQ-F19-010)

PROPOSAL 176

5 AAC 21.310. Fishing Seasons.

Allow commercial fishing with set gillnets in the North Kalifonsky Beach area starting July 8, as follows:

5 AAC 21.310. (ii)

.....south of the Kenai River mouth at 60 degrees 30.49'N .lat; **this 600 ft fishery on 244-32 may open July 8, regardless if it is a regular scheduled period.**

What is the issue you would like the board to address and why? At the 2017 BOF, the BOF passed amended proposal 136. This proposal asked to may open North Kalifornsky Beach (NKB), which is statistical area 244-32, on July 8. This fishery could occur if the Kasilof section was fishing on or after the July 8 date. As the original proposer of 136, that was my intent.

The BOF passed amended 136, but there was no discussion, if 244-32 could open prior to a regular period, on or after July 8. Without clear direction from the BOF, ADF&G interpreted that this fishery could not start until the first regular scheduled period on or after July 8. In 2017, the first regular scheduled period was Monday July 9. The Kasilof section fished Sunday July 8. NKB was excluded from fishing on July 8, due to uncertainty of intent form the BOF.

This proposal is asking for the BOF to give ADF&G the authority to open 244-32 on or after July 8, if any portion of the Kasilof section is fishing, regardless if July 8 is a regular scheduled period.

PROPOSED BY: Gary Hollier (EF-F19-038)

PROPOSAL 177

5 AAC 21.310. Fishing seasons.

Open the North Kalifornsky Beach set gillnet fishery with the Kasilof section and limit the fishery to within 600 feet of the mean high tide, as follows:

5 AAC 21.310(b)(2)(C)(i) and (ii)

I propose allowing the set gillnet fishery in the North Kalifornsky Beach (NKB) area within 600 feet of the mean high tide mark to be managed like it was part of the Kasilof Section. Previous genetic stock identification data shows that the harvest of Kasilof River sockeye salmon can be quite high in this statistical area (244-32). By limiting the fishery to within 600 feet of the mean high tide mark, there would be very minimal impact on Kenai River king salmon, while allowing additional harvest of Kasilof River sockeye salmon.

5 AAC 21.310 (b)(2)(C)(i) and (ii) are amended to read

(i) Kasilof Section **and that portion of the Kenai Section north of the latitude of the Blanchard Line at 60° 27.10' N. lat., and south of the latitude of the ADF&G regulatory marker located south of the Kenai River mouth at 60° 30.49' N. lat. and within 600 feet of the mean high tide mark;** from June 25 through August 15, unless closed earlier by emergency order under (iii) of this subparagraph; however if the department estimates that 50,000 sockeye salmon are in the Kasilof River before June 25, but on or after June 20, the commissioner may immediately, by emergency order, open the fishery; from August 11 through August 15, the fishery is open for regular periods only;

(ii) Kenai and East Forelands Sections: from July 8 through August 15, unless closed earlier by emergency order under (iii) of this subparagraph; from August 11 through August 15, the fishery is open for regular periods only; [ON OR AFTER JULY 8, WHEN THE KASILOF SECTION IS OPEN TO COMMERCIAL FISHING WITH SET GILLNETS AND THE KENAI AND EAST FORELANDS SECTIONS ARE CLOSED TO COMMERCIAL FISHING WITH SET GILLNETS, COMMERCIAL FISHING WITH SET GILLNETS MAY BE ALLOWED WITHIN 600 FEET OF THE MEAN HIGH TIDE MARK IN THAT PORTION OF THE KENAI SECTION NORTH OF THE LATITUDE OF THE BLANCHARD LINE AT 60° 27.10' N. LAT., AND SOUTH OF THE LATITUDE OF THE ADF&G REGULATORY MARKER LOCATED SOUTH OF THE KENAI RIVER MOUTH AT 60° 30.49' N. LAT.];

What is the issue you would like the board to address and why? Sonar counts of sockeye salmon escapement in the Kasilof River have shown that the BEG for this system has been exceeded in 17 of the past 20 years (BEG = 150,000-250,000 from 1999-2010; 160,000-340,000 from 2011-2018). This not only represents significant foregone harvest opportunity, but it leads to an increased likelihood of smaller future yields. ADF&G has set a BEG on this system, which is the most scientifically defensible goal the department sets. Something needs to be done to allow more harvest on this stock so that the BEG can be met more frequently.

PROPOSED BY: Chris Every (HQ-F19-023)

PROPOSAL 178

5 AAC 21.310. Fishing seasons.

Permanently close drift gillnetting in the Upper Subdistrict within one mile of mean high tide north of the Kenai River and within one and one-half miles of mean high tide south of the Kenai River, as follows:

A permanent boundary line from one and one-half miles of mean high tide mark of the Kenai Peninsula Shoreline in the area of the Kenai and Kasilof sections of the Upper Subdistrict south of the Kenai River, and a one mile of the mean high tide mark of the Kenai Peninsula shoreline in that area of the Kenai and East Forelands Sections of the Upper Subdistrict north of the Kenai River will protect any open waters that may be created by a fleet reduction.

5 AAC 21.310. Fishing seasons

3) Central District, for drift gillnet: from the third Monday in June or June 19, whichever is later, until closed by emergency order, except that fishing with drift gillnets may not occur within

(A) two miles of the mean high tide mark on the eastern side of the Upper Sub- district until those locations have opened for fishing with set gillnets;

(B) one and one-half miles of the mean high tide mark of the Kenai Peninsula shoreline

(i) in that area of the Kenai and Kasilof Sections of the Upper Subdistrict south of the Kenai River, [IF FISHING WITH SET GILLNETS IN THAT AREA IS CLOSED] ***Remove***

(ii) the Anchor Point Section, if fishing with drift gillnets is open in the Anchor Point Section under 5 AAC 21.353;

(C) one mile of the mean high tide mark of the Kenai Peninsula shoreline in that area of the Kenai and East Forelands Sections of the Upper Subdistrict north of the Kenai River, [IF FISHING WITH SET GILL NETS IN THAT AREA IS CLOSED] ***Remove***

What is the issue you would like the board to address and why? Eastside setnetters are actively working with the Alaska Legislature for a voluntary fleet reduction through a fairly compensated buyback of permits and locations. We are striving to create a more economically viable and sustainable set net fishery, by reducing the number of Upper Cook Inlet setnet permits on the Eastside by 45% and with a gear reduction of about 600 nets. With permanently closed waters we will allow more fish for in-river users while providing opportunity for harvest by user groups.

Current regulations allow a drift gillnet boat to come within 600 feet of a setnet if the setnets are open to fishing. There is a one and one-half mile boundary line in the Kenai and Kasilof section south of the Kenai River and a one mile boundary line in the Kenai and East Forelands Sections north of the Kenai river that Drift gillnet boats must remain outside of ONLY if fishing with the setnets is closed.

With a 45% permit reduction there will be more open water that a drift gillnetter could potentially have room to come in and fish while set nets are open. A migration of drifters inside the one and one-half mile boundary line would defeat the effort Eastside setnetters have made to allow more sockeye and kings to get to the Kenai and Kasilof Rivers.

PROPOSED BY: Ken Coleman

(EF-F19-081)

PROPOSAL 179

5 AAC 21.310. Fishing seasons.

Extend the commercial salmon fishery season closing date in the Kenai and East Forelands Sections August 15 – September 15, as follows:

Kenai and East Forelands sections season dates from July 8 to September 15, unless closed earlier by emergency order. (August 15)

What is the issue you would like the board to address and why? Kenai and East Forelands Sections season dates from July 8 to August 15

Change the closing date to September 15th, unless closed earlier by emergency order. This will give the biologists the flexibility to manage a late run salmon without an arbitrary, inflexible deadline.

PROPOSED BY: Karen McGahan (HQ-F19-012)

PROPOSAL 180

5 AAC 21.310. Fishing seasons.

Allow regular weekly fishing periods after August 15 in the Upper Subdistrict sockeye salmon set gillnet fishery based on abundance, as follows:

5 AAC 21.310(a)(2)(C)(i) and (ii) will be amended to read:

- (i) Kasilof Section: from June 25 through August 15, unless closed earlier by emergency order under (iii) of this subparagraph; however if the department estimates that 50,000 sockeye salmon are in the Kasilof River before June 25, but on or after June 20, the commissioner may immediately, by emergency order, open the fishery; from August 11 through August 15, the fishery is open for regular periods only; **the fishery may be extended beyond August 15 for regular periods only, if the Kasilof River sockeye salmon BEG has been exceeded and sockeye salmon escapement is still being enumerated by the department; subparagraph (iii) does not apply to fishing time beyond August 15;**
- (ii) Kenai and East Forelands Sections: from July 8 through August 15, unless closed earlier by emergency order under (iii) of this subparagraph; from August 11 through August 15, the fishery is open for regular periods only; on or after July 8, when the Kasilof Section is open to commercial fishing with set gillnets and the Kenai and East Forelands Sections are closed to commercial fishing with set gillnets, commercial fishing with set gillnets may be allowed within 600 feet of the mean high tide mark in that portion of the Kenai Section north of the latitude of the Blanchard Line at 60° 27.10' N. lat., and south of the latitude of the ADF&G regulatory marker located south of the Kenai River mouth at 60° 30.49' N. lat.; **the fishery may be extended beyond August 15 for regular periods only, if the Kenai River sockeye salmon inriver goal**

has been exceeded and sockeye salmon passage is still being enumerated by the department; subparagraph (iii) does not apply to fishing time beyond August 15;

What is the issue you would like the board to address and why? In the preamble to the Kenai River Late-Run Sockeye Salmon Management Plan (5 AAC 21.360), it states that the department shall manage the Kenai River late-run sockeye salmon stocks primarily for commercial uses based on abundance. The Kasilof River Salmon Management Plan (5 AAC 21.365) states that it is the intent of the Board of Fisheries that Kasilof River salmon be harvested in the fisheries that have historically harvested them, including the methods, means, times, and locations of those fisheries. Both of these plans provide provisions for ADF&G to follow to meet these mandates. However, per 5 AAC 21.310, the Upper Subdistrict set gillnet (ESSN) fishery closes on or before August 15, even if sockeye salmon escapement objectives have been exceeded. In the past 10 years (2009-2018), both the inriver goal in the Kenai River and the BEG in the Kasilof River were exceeded in 8 out of 10 years. This proposal seeks to allow additional fishing time for the ESSN fishery past the August 15 “hard” closing date in years when sockeye salmon escapement objectives in the Kenai and Kasilof rivers have been exceeded in order to meet board intent for harvesting these stocks.

I propose that in years where the upper end of the sockeye salmon inriver goal has been exceeded (for the appropriate management tier) in the Kenai River or when the BEG has been exceeded in the Kasilof River that the ESSN fishery will remain open for regular Monday and Thursday 12-hour fishing periods after August 15 until the Kenai or Kasilof river sockeye salmon sonar projects cease enumeration activities. Specifically, this is what I propose. If the Kenai River sockeye salmon inriver goal has been exceeded, the Kenai and East Foreland sections set gillnet fishery will remain open for regular 12-hour Monday/Thursday fishing periods beyond August 15 until the Kenai River sockeye salmon sonar project ceases enumeration. If the Kasilof River sockeye salmon BEG has been exceeded, the Kasilof Section set gillnet fishery will remain open for regular 12-hour Monday/Thursday fishing periods beyond August 15 until the Kasilof River sockeye salmon sonar project ceases enumeration. If sonar enumeration ceases in either river prior to August 15, then there will be no extension to the fishing season, even if escapement objectives have been exceeded.

PROPOSED BY: Chris Every (HQ-F19-019)

PROPOSAL 181

5 AAC 21.310. Fishing seasons.

Delay all Upper Cook Inlet set and Central District drift gillnet commercial fishing opening dates, as follows:

Drift Gillnet Fishery: **June 27** [June 22].

All remaining set gillnet fisheries, except the Upper Subdistrict: **July 1** [June 25].

Upper Subdistrict Set Gillnet Fishery: **July 1** [June 25] for the Kasilof Section (that portion south

of the Blanchard Line), unless opened earlier by EO (based on an inriver estimate of 50,000 Kasilof River sockeye salmon before the **July 1** [June 25] opener), but will not open before June 25 [20]. The Kenai and East Forelands Sections (that portion of the Upper Subdistrict north of the Blanchard Line) may open on or after **July 15** [July 8]. All Sections of the Upper Subdistrict will close for the season on or before August 15.

What is the issue you would like the board to address and why? The upper Kenai River has suffered a steady decline in salmon return numbers. This disturbing trend has been observed by all user groups on the upper Kenai River. Upper Kenai River salmon return to Cook Inlet and the Kenai River earlier than lower river spawners. Commercial fishing opener dates contribute to the commercial scale harvest of these earlier arriving fish.

PROPOSED BY: Mike Adams (HQ-F19-051)

PROPOSAL 182

5 AAC 21.310. Fishing seasons.

Open the Kasilof Section commercial set gillnet fishery June 20 instead of June 25, as follows:

5 AAC 21.310 would be amended to read:

(b) Salmon may be taken only as follows:

(2) Central District, for set gillnet:

(C) Upper Subdistrict:

(i) Kasilof Section: from June **20** [25] through August 15, unless closed earlier by emergency order under (iii) of this subparagraph; **from June 20 through June 24, the fishery is open for regular fishing periods only**, however, if the department estimates that 50,000 sockeye salmon are in the Kasilof River [BEFORE JUNE 25, BUT ON OR AFTER] **between June 20 and June 24**, [JUNE 20], the commissioner may immediately, by emergency order, open the fishery; from August 11 through August 15, the fishery is open for regular periods only;

What is the issue you would like the board to address and why? The Kasilof Section set gillnet fishery opens by regulation on or after June 25, unless 50,000 sockeye salmon are estimated to be in the Kasilof River prior to June 25 which allows the department to open the fishery by emergency order, but no earlier than June 20. Drift gillnetting opens by regulation on the first regular period on or after June 19. This proposal seeks to open the Kasilof Section set gillnet fishery for regular Monday/Thursday fishing periods on or after June 20, while retaining the 50,000 fish trigger that would allow extra fishing time by emergency order. For example, if the season opened on Monday, June 20, and the department estimated that 50,000 sockeye salmon were in the Kasilof River on Wednesday, June 22, they could use emergency order time to fish that day. The primary reason for this request is that the Kasilof River sockeye salmon BEG has been exceeded in 16 of the last 20 years (1999-2018). Having an earlier opening with the Kasilof Section set gillnet fishery would provide the department with an additional timed opening in order to meet the BEG goal.

PROPOSED BY: Jeff Beaudoin (HQ-F19-116)

PROPOSAL 183

5 AAC 21.310. Fishing seasons.

Extend the Upper Subdistrict commercial set gillnet season to August 20, as follows:

Extend the Upper Subdistrict Set Gillnet season to Aug 20.

5 AAC 21.310(b)(2)(C)

...

(i) Kasilof Section: from June 25 through August **20**, unless closed earlier by emergency order under (iii) of this subparagraph; ...

(ii) Kenai and East Forelands Sections: from July 8 through August **20**, unless closed earlier by emergency order under (iii) of this paragraph; ...

What is the issue you would like the board to address and why? 2017 and 2018 saw extremely late run timings for both Kasilof and Kenai River sockeye. To the extent where in 2017, an opening was given outside the management plan on Aug 15; and in 2018 an opening was seriously considered as late as Aug 23rd. Particularly in light of concerns over Kenai River Late-Run Chinook and allocations to other user groups during July, it seems likely that set gill-net harvest may continue to be disproportionately weighted to after Aug 1. Extending the season in order to give managers more flexibility at allowing some opportunity after escapement situations have made themselves clear seems appropriate. Particularly since we have 5 AAC 23.310(b)(2)(C)(iii), the so called ‘1% rule’ already in place to insure an early closure if there are insufficient sockeye in the district.

PROPOSED BY: Joseph Person

(HQ-F19-118)

PROPOSAL 184

5 AAC 21.320. Weekly fishing periods.

Open extra commercial fishing periods at a set time of 7 a.m. in the Upper Subdistrict set net fishery, as follows:

ESSN commercial fishing openings shall start at 7 AM during the month of July.

(i) when the decision to fish is made by ADF&G the calendar day before an opening, 7 AM will be the start time.

(ii) When there is a decision to fish by ADF&G the day of the opening, the starting time is at their discretion.

What is the issue you would like the board to address and why? The ESSN fishing opening time should be set at 7 o’clock am. Set nets along the beach have a specific time of the tide that is best fishing for the nets. By switching the start times to 5 AM, 6 AM, 8 AM, 9 AM, 10 AM, 11 AM the department is allocating Fish by the use of the commercial opening start time. Recently in my stat area start times seem to be two hours before low tide, which is a very nonproductive time of the tide. This is a very productive time for a different stat area. If the start time was 7 o'clock throughout the summer when openings are given, productive and nonproductive times of the tide

would be more equally shared, rather than one stat area fishing their sweet spot opening after opening. To my knowledge there is no scientific data to support this allocative process.

PROPOSED BY: Chris Every (HQ-F19-022)

PROPOSAL 185

5 AAC 21.310. Fishing seasons.

Open the Kasilof Section set gillnet fishery June 20 instead of June 25 provided an estimated 20,000 sockeye salmon are in the Kasilof River, as follows:

Open the Kasilof section set gillnet fishery on June 20, however if less than 20,000 fish are estimated to be in the river on any opening before June 25 than that opening shall be closed by emergency order.

5 AAC 21.310(b)(2)(C)

...

(i) Kasilof Section: from June **20** through August 15, unless closed earlier by emergency order under (iii) of this subparagraph; however if the department estimates that **fewer than 20,000 sockeye salmon are in the Kasilof River on any day before June 25 on which an opening would occur than that opening shall be closed by emergency order;** from August 11 through August 15, the fishery is open for regular periods only;

What is the issue you would like the board to address and why? For many years there have been issues with over escaping the Kasilof River Sockeye goal. The reduction from the current escapement goal proposed by the department will increase the difficulty of successfully meeting the range even further. The primary obstacle to managers meeting this goal has been the inherent 'mixed stock' nature of the targeted Kasilof section fisheries. Currently the Kasilof Section set gillnet fishery opens on the 25th of June with possible openings as early as the 20th dependent upon a trigger of 50,000 fish in the river. This fishing time in June is by far the most focused of the entire season, with extremely minimal impacts on any other stocks besides Kasilof Sockeye, consequently it seems evident that the easiest way to increase Kasilof harvest while minimizing impact on other stocks would be to conservatively increase fishing time very early in the season.

The current trigger of 50,000 fish has clearly been insufficient at providing enough of this early season fishing time to allow managers to maintain escapements within the desired range. The lower range of this goal is exceedingly unlikely to ever be missed due to the severe restrictions placed on fishing in July to protect both chinook and sockeye stocks in the Kenai River and the continued escapement in the upper range and in excess of the goal have harmed returns as evidenced by the department's new escapement recommendations. Harvesting surplus Kasilof salmon early in the season is beneficial from many angles. It increases value of the fishery as prices are higher, eliminates impact on other stocks present later in the season, and it reduces pressure on managers to open the Kasilof section in July when all fishing time given is highly contentious.

PROPOSED BY: Joseph Person (HQ-F19-119)
