

PROPOSAL 179

5 AAC 57.123. Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Upper Section of the Kenai River Drainage Area.

Close additional waters to sport fishing in the upper Kenai River as follows:

Amend 5 AAC 57.123 (9) to read as follows:

(9) the following waters of the Upper Section are closed to sport fishing as follows:

(A) from January 1- June 10, the flowing waters of the Upper Section from the Sterling Hwy bridge at the outlet of Kenai Lake, downstream to Mile 53 bridge.

[from May 1 - June 10, all flowing waters of the Upper Section];

(B) from May 1 - June 10, the flowing waters of the Upper Section from the Mile 53 bridge downstream to the Skilak Lake Inlet.

[from May 1 - June 10, and from September 15 - October 31, the Quartz Creek drainage upstream of the Sterling Highway Bridge, including Devils Creek, Johns Creek, Jerome Creek, Summit Creek, Slate Creek, and the South Fork of the Snow River.];

(C) from May 1 - June 10, and from September 15 - October 31, the Quartz Creek drainage upstream of the Sterling Highway Bridge, including Devils Creek, Johns Creek, Jerome Creek, Summit Creek, Slate Creek, and the South Fork of the Snow River.

Another option considered was extending the winter closure beyond the historical boundary of the Mile 53 bridge downstream to Skilak Lake. This would make it easier for anglers to remember which section of river is closed, however, this option was rejected as it provided no opportunity for any winter angling on the Upper Kenai.

Works Cited

Board, Riley. "Kenai anglers cited for fishing violations committed in YouTube video." *KDLL News*, March 9, 2023, <https://www.kdll.org/local-news/2023-03-09/kenai-anglers-cited-for-fishing-violations-committed-in-youtube-video>. Access date April 1, 2023.

Hayes, S. R., and J. J. Hasbrouck. 1996. Stock assessment of rainbow trout in the upper Kenai River, Alaska, in 1995. Alaska Department of Fish and Game, Fishery Data Series No. 96-43, Anchorage. <http://www.sf.adfg.state.ak.us/FedAidPDFs/fds96-43.pdf>

Massengill, Robert. "Fishery Data Series No. 0-21 Smolt Abundance and Summary Statistics for Kenai River Coho Salmon, 2006."

Massengill, Robert. "Fishery Data Series No. 13-06 Smolt Abundance and Summary Statistics for Kenai River Coho Salmon, 2007."

Massengill, Robert. "Fishery Data Series No. 13-42

Smolt Abundance and Summary Statistics for Kenai River Coho Salmon", 2007.

What is the issue you would like the board to address and why? The issue to be addressed is closing the loophole used by anglers to target out of season spawning coho salmon on the Upper Kenai River after the date of season closure of November 1.

The first reach of the Upper Kenai from the outlet of Kenai Lake just upstream of the Russian River is a spawning area for populations of coho salmon. The Upper Kenai River lacks much study and data regarding coho populations, as the breadth of the published research and datasets regarding coho populations focuses on the Lower Kenai and Moose Rivers (Massengill 2006-ADFG Fishery Data Series No. 08-21, Massengill 2007- ADFG Fishery Data Series No. 13-42). However, late run coho can be visibly observed in this area throughout the winter months and into late March and early April.

During the early 2000's the Upper Kenai River was closed for sport fishing from the Sterling Hwy bridge at the outlet of Kenai Lake, downstream to Mile 53 bridge from January 1- June 10 (open June 11-Dec 31). Later that closure was removed and the entire Upper Kenai was closed to sport fishing from May 1- June 10 (open June 11-April 30). The prior closure from bridge to bridge existed to protect spawning rainbow trout populations on the Upper Kenai River. The closure also inadvertently protected coho salmon populations. As we've encountered much warmer winters during the period that this stretch of water has been open for fishing all winter, the liberation of the closure has had the unintended consequence of undue and unnecessary pressure on coho salmon on their spawning beds.

Studies evaluating the rainbow trout populations in the Upper Kenai River by Hayes and Hasbrouck (1996) and Lafferty (1989) found that these populations migrate to either Kenai and Skilak Lakes for overwintering by December and that return migration from winter to summer areas is complete by the end of June. Because of these migration patterns, there is low angling opportunity for rainbow trout in the Upper Kenai River during the overwintering months.

Although the angling opportunity for legal species is low during the winter months, anglers are aware that they can target spawning coho salmon on the Upper Kenai in Cooper Landing and say it is inadvertent "bycatch" as the result of rainbow trout and dolly varden fishing. Anglers are specifically targeting silvers, using flies and techniques generally accepted and visibly obvious as those used for coho salmon fishing.

5 AAC 57.170 (Kenai River coho Salmon Management Plan) directs that

(1) coho salmon fishing is closed in the Middle and Upper Sections from November 1 through June 30, and in the Lower Section from December 1 through June 30; any coho salmon caught incidentally must be released immediately without further harm.

Anglers are not immediately releasing incidentally caught coho without further harm. Anglers exploiting this loophole proceed to land the fish, remove it from the water, and take a lengthy

photo or video session. This is visible on the social media platforms where the anglers are posting. The use of social media spreads trends and ideas like a contagion, and it has become popular to fish for Coho salmon on the Upper Kenai between November 1 and April 30.

Recently a group of anglers from Kenai were cited for doing just this. According to KDLL News in an article from March 9, 2023 (see URL above), “Alaska Wildlife Troopers caught three Kenai anglers in a fishing violation posted on their own YouTube channel — but let them go with some fines. In the video, troopers say the men removed Coho salmon from the water on the Upper Kenai River, which is not allowed during the closed season from November to June.” Although the level of enforcement has been low in relation to the frequency these violations are occurring, this recent enforcement brings attention to the issue.

If nothing is changed and the pressure on sensitive spawning Coho populations in this area remains unchecked during the closed season, the result could be lower smolt abundance, diminished Coho returns, and ultimately reduced harvest opportunity for all sport anglers targeting Upper Kenai River Coho Salmon, where there is already a limited harvest opportunity.

PROPOSED BY: John Pearson

(EF-F23-062)
