

5 AAC 21.359 Kenai River Late-Run King Salmon Management Plan. (a) The purposes of this management plan are to ensure an adequate escapement of late-run king salmon into the Kenai River system and to provide management guidelines to the department. The department shall manage the late-run Kenai River king salmon stocks primarily for sport and guided sport uses in order to provide the sport and guided sport fishermen with a reasonable opportunity to harvest these salmon resources over the entire run, as measured by the frequency of in-river restrictions.

(b) The department shall manage the [LATE RUN OF KENAI RIVER KING SALMON] **sport, personal use and commercial fisheries in the Kenai River and the Upper Subdistrict of the Central District of Upper Cook Inlet** to achieve a **sustainable** [BIOLOGICAL] escapement goal of **15,000 – 30,000** [17,800–35,700] **late-run Kenai River** king salmon, as follows:

(1) in the sport fishery,

(A) if the **sustainable** [BIOLOGICAL] escapement goal is projected to be exceeded, the commissioner may, by emergency order, **increase the harvest potential of the in-river sport fishery by establishing periods by emergency order during which time, season, area, gear and/or bag and possession limits are liberalized** [EXTEND THE SPORT FISHING SEASON UP TO SEVEN DAYS DURING THE FIRST WEEK OF AUGUST];

(B) From July 1 through July 31, a person may not use more than one single hook in the Kenai River downstream from Skilak Lake;

(2) in the sport fishery, that portion of the Kenai River downstream from Skilak Lake is open to unguided sport fishing from a non-motorized vessel on Mondays in July; for purposes of this section a non-motorized vessel is one that does not have a motor on board;

(3) if the projected **escapement** [INRIVER RETURN] is less than **22,000 but greater than 15,000** [17,800] king salmon, the

department shall conduct the sport, personal use and commercial fisheries in the Kenai River and in the Upper Subdistrict of the Central District of Upper Cook Inlet as follows:

(A) in the in-river sport fishery, the commissioner shall, by emergency order, establish periods during which bait is prohibited and/or retention is prohibited [CLOSE THE SPORT FISHERIES IN THE KENAI RIVER AND IN THE SALT WATERS OF COOK INLET NORTH OF THE LATITUDE OF BLUFF POINT TO THE TAKING OF KING SALMON];

(B) close the commercial drift gillnet fishery in the Central District within one mile of the Kenai Peninsula shoreline north of the Kenai River and within one and one-half miles of the Kenai Peninsula shoreline south of the Kenai River ;

(C) in the commercial set gillnet fishery in the Upper Subdistrict of the Central District, the commissioner shall, by emergency order, limit fishing time to no more a total of 24 hours per week, and the 36-hour closure as specified in 5 AAC 21.360 (2)(C) and (3)(C) remains in effect [CLOSE THE COMMERCIAL SET GILLNET FISHERY IN THE UPPER SUBDISTRICT OF THE CENTRAL DISTRICT];

(D) in the marine sport fishery, the commissioner shall, by emergency order, establish periods during which bait is prohibited when fishing for king salmon in the salt waters of Upper Cook Inlet north of the latitude of the south boundary marker of the Anchor Point closed waters located within one mile of the shoreline of the Kenai Peninsula;

(E) in the personal use fishery, the commissioner shall, by emergency order, prohibit the retention of king salmon and;

(F) It is the intent of the Board that the lower the projected escapement is within the range of 22,000 to 15,000 king

salmon, the more restrictive that management measures will be in the in-river sport and commercial set net fisheries and that restrictions shall be paired as follows:

(x) the department shall pair no bait in the in-river sport fishery with no more than 24 hours per week for the commercial set gillnet fishery in the Upper Subdistrict of the Central District;

(x) the department shall pair no retention in the sport fishery with no more than 8 hours per week in the commercial set gillnet fishery in the Upper Subdistrict of the Central District.

(G) after July 31,

(x) if the projected escapement is greater than 22,000 king salmon, the commercial set net fishery will fish as specified 5 AAC 21.360.

((2)) if the projected escapement is less than 22,000 but greater than 15,000 king salmon, the commercial set net fishery will continue to be governed by the restriction in place on July 31 until the season closes on August 10.

(4) if the projected escapement of is less than 15,000 king salmon, the department shall

(A) prohibit sport fishing for king salmon in the Kenai River;

(B) close the commercial set net fishery in the Upper Subdistrict of the Central District;

(C) close the commercial drift gillnet fishery in the Central District within one mile of the Kenai Peninsula shoreline

north of the Kenai River and within one and one-half miles of the Kenai Peninsula shoreline south of the Kenai River ;

(D) in the marine sport fishery, the commissioner shall, by emergency order, close to fishing for king salmon the salt waters of Upper Cook Inlet north of the latitude of Bluff Point located within one mile of the shoreline of the Kenai Peninsula;

(E) in the personal use fishery, the commissioner shall, by emergency order, prohibit the retention of king salmon and;

[(c) FROM JULY 20 THROUGH JULY 31,]

(1) repealed 6/22/2002;

[(2) IF THE PROJECTED INRIVER RETURN OF LATE-RUN KING SALMON IS LESS THAN 40,000 FISH AND THE INRIVER SPORT FISHERY HARVEST IS PROJECTED TO RESULT IN AN ESCAPEMENT BELOW 17,800 KING SALMON, THE DPEARTMENT MAY RESTRICT THE INRIVER SPORT FISHERY;]

(3) repealed 6/22/2002;

[(4) IF THE INRIVER SPORT FISHERY IS CLOSED UNDER (2) OF THIS SUBSECTION, THE COMMERCIAL SET GILLNET FISHERY IN THE UPPER SUBDISTRICT SHALL BE CLOSED;]

(5) repealed 6/11/2005.

(d) repealed 6/22/2002.

(e) Consistent with the purposes of this management plan and 5 AAC 21.360, [IF THE PROJECTED INRIVER RETURN OF KING SALMON IS LESS THAN 40,000 FISH,] the department may not reduce the closed waters at the mouth of the Kenai River described in 5 AAC 21.350(b).

(f) The provisions of the Kasilof River Salmon Management Plan (5 AAC 21.365 **(f)**) are **not** exempt from provisions of this section. **The Kasilof River**

Special Harvest Area shall remain closed if the escapement of Kenai River late-run king salmon is projected to be less than 22,000.

(g) The department will, to the extent practicable, conduct habitat assessments on a schedule that conforms to the Board of Fisheries (board) triennial meeting cycle. If the assessments demonstrate a net loss of riparian habitat caused by noncommercial fishermen, the department is requested to report those findings to the board and submit proposals to the board for appropriate modification of this plan.

(h) The commissioner may depart from the provisions of the management plan as provided in 5 AAC 21.363 (e).

(i) This plan will sunset after the 2013 fishing season.

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