

**PROPOSAL 26**

**5 AAC 21.350. Closed waters.**

Close waters near the head of Tutka Bay to commercial salmon fishing, as follows:

Request that the BOF adopt a regulation to return the current closed to commercial fishing boundary line at the head of Tutka Bay in Cook Inlet (within the ADF&G-mapped Tutka Hatchery Special Harvest Area 241-07 and set out in 5 AAC 21.350), to its prior location, which was roughly on a west-east line from latitude 59 25 140 N longitude 151 19 480 W, the location of an old ADF&G closed to commercial fishing boundary sign.

**What is the issue you would like the board to address and why?** A number of years ago the closed to commercial fishing boundary line was moved about a mile south to shallower waters at the head of Tutka Bay in Kachemak Bay State Park The current boundary is problematical for a number of reasons.

In low precipitation years, the streams coming into the head of the bay have such low water that spawning salmon (mainly wild pinks and some wild chums and silvers) will ride the low tide out of the streams and congregate in shallower waters, returning to the spawning beds in the streams as the rising tide permits. When in shallower waters the salmon are very easy to seine, especially near the big waterfall at the southeast head of the bay, roughly latitude 59 25.281 N longitude 151 18.123 W. A seiner at the right time and place could easily wipe out the entire wild salmon escapement stock of some of these streams.

In addition, because the fishable waters at the head of the bay are shallow, seine nets can easily drag and degrade the substrate, damaging salmon spawning areas and other fauna species. Anecdotally, there is one report of a seiner saying that he inadvertently netted Dungeness crab while fishing for pink salmon at the head of the bay.

For these reasons, the commercial fishing boundary should be returned to its old location or to a location at least 1/2 mile or more from the head of Tutka Bay.

**PROPOSED BY:** Mike Frank

(EF-F19-123)

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