

To: Alaska Board of Fisheries

**No Action and justification on Proposals 112 and 109 are not relevant to subject or actions taken in proposal 107.**

Please see department summary of Board actions below.

**Proposal 112** asks for deletions under 5 AAC 21.359 with the specific reason as was explained in the Committee of the Whole. The Department has no justification in place for the use of 29 mesh gear as summarized in the Department comments associated with this proposal. The implementation of this restriction in gear depth was originally supposed to have a future report from the Department verifying the effectiveness of this gear restriction. The basic question is after using this gear does it work in reducing king salmon harvests and if so by how much? This author of this proposal does not question the Boards authority to limit the amount of gear, number of nets but questions the use of a restriction that has no verifiable or defensible justification.

**Proposal 109** brings back to the board from an ACR that was denied based on actions that should be taken at a regularly scheduled meeting. It requests for modifications in the use of restricted hours in 21.359. It would allow the Department to manage separately the Kenai and Kasilof sections to maximize the benefit to the setnet fisheries when under restrictive hours. There is a two-hour difference between the southern end and northern end of the ESSN fishing zone which effects the efficiency of a fishing period. The two areas traditionally target different stocks, Kasilof sockeye or Kenai sockeye. Peak periods are different by approximately 7 days apart. The Kasilof peak is from the 14-16. The Kenai peak is from the 20-22. Times vary but fishing on these individual peaks would maximize sockeye harvests while reducing incidental king harvests to a low ratio of the harvest.

The use of this action in one section must be reciprocated in the remaining non-fished section to retain balance. Approximately 2/3 of the permit setnet permit holders harvest in the Kasilof section, 1/3 remain in the Kenai section. We would envision the use of this tool to happen once in the Kasilof section and once in the Kenai section while the restrictions are in place. Other period separations could be justified if parity is maintained and the Commissioner deems it is warranted.

***F (0-7) 107***

***Allow the use of bait and modify maximum size above Slikok Creek when the escapement goal range is projected to be exceeded. (Amended to Change length measurements from 36 to 34 in 5 AAC 57.160)***

***N/A 112***

***Remove gear restrictions in the Upper Subdistrict commercial set gillnet fishery when the use of bait is prohibited in the sport fishery. (Based on action taken on proposal 107.)***

***N/A 109***

***Allow set gillnet fishing periods in the Kenai and Kasilof sections to be managed independently when under "paired" restrictions. (Based on action taken on proposal 107.)***

We asked for the time restrictions in 5 AAC 21.359 to not apply to this 600-foot area, to treat it as an extension of the terminal area as it relates to *Emergency Order (EO)* authority regulated hours.

*What simply needs clarification is when the 600-foot option is justified to conserve Kenai River bound sockeye; to achieve the minimum sockeye escapement goal for the Kenai River; will the EO hours to open this area apply against the specified hours currently stated in the Kasilof River Salmon Management Plan.*

**Reviewing the record established 03.01.17 (log 4:32.29 to 5:06.10) the motion passed 5 -2.** Discussion at one point was centered around the question on when the 600-foot area would be used for sockeye were these hours also exempted as was approved by adopting this proposal for the KRLRK Plan. *Comments by board members would appear to approve this intent for the Kenai River Late-Run Sockeye Salmon Management Plan (KRLRS).*

*Clearly, board members voting in affirmative clarified their intent to use this 600-foot area in place of the Terminal area in whatever manner the Department would be inclined to use it. The Department had stated that they would be less likely to use this area if the current sockeye management hour restrictions in the Kasilof Section would still apply.*

**We understand that the Board has worked diligently for two weeks on proposals and do not wish to further burden the process but we are also very concerned that the Department will not use fully the 600-foot provision in the three-year interim (*board cycle*) without specific clarification of intent.**

Thank you,

Paul A. Shadura II

Spokesperson