

**RECORD RETENTION LOG
LOWER COOK INLET MEEING
BOARD OF FISHERIES
Homer, November 13-15, 2007
Lower Cook Inlet and Supplemental Issues**

RC59

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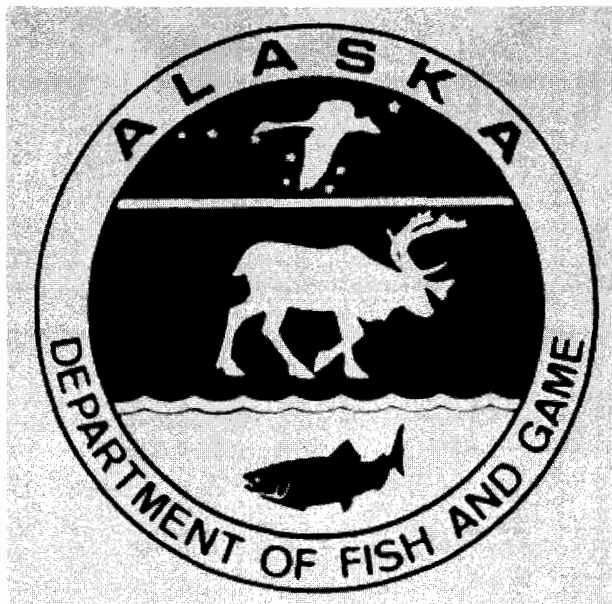
ALASKA DEPARTMENT OF FISH AND GAME

STAFF COMMENTS
ON SUBSISTENCE, PERSONAL USE, AND SPORT
FINFISH REGULATORY PROPOSALS

FOR THE
LOWER COOK INLET AREA

ALASKA BOARD OF FISHERIES MEETING
HOMER, ALASKA

NOVEMBER 13 – 15, 2007



The following staff comments were prepared by the Alaska Department of Fish and Game for use at the Alaska Board of Fisheries meeting, November 13-15, 2007 in Homer, Alaska and are prepared to assist the public and Board. The stated staff comments should be considered preliminary and subject to change, if or when new information becomes available. Final Department positions will be formulated after review of written and oral testimony presented to the Board.

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Summary of Department Positions on the 2007 Lower Cook Inlet Proposals

Proposal #	Dept. Position	Issue
1	O	Open Anchor River king salmon fishery 6 days per week.
2	O	Open Anchor River king salmon fishery 5 days per week.
3	N	Modify king salmon season opening date on the Anchor River.
4	O/N	Increase the annual limit for king salmon on the Anchor River and Deep Creek.
5	O	Allow catch and release fishing after retaining a king salmon on the Anchor River and Deep Creek.
6	N	Reduce the conservation corridor dates in the Early-Run King Salmon Special Harvest Area around the Anchor River.
7	N	Reduce closed area at mouth of Anchor River from 4 miles to 2 miles in the Early-Run King Salmon Special Harvest Area.
8	O/N	Reduce closed area at mouth of Anchor River and Deep Creek in the Early-Run King Salmon Special Harvest Area.
9	O/N	Reduce closed area at mouth of Anchor River and Deep Creek in the Early-Run King Salmon Special Harvest Area.
10	S	Allow fishing for hatchery king salmon in the Ninilchik River 7 days per week.
11	O	Allow harvest of hatchery king salmon 7 days per week on Ninilchik River.
12	O	Reduce king salmon bag limit on Ninilchik River.
13	N	Prohibit use of weighted hooks in the Nick Dudiak Fishing Lagoon.
14	O	Increase bag limit of king salmon under 20 inches in Nick Dudiak Fishing Lagoon.
15	N	Prohibit personal use gill nets within a thousand yards of the Nick Dudiak Fishing Lagoon.
16	N	Prohibit sport fishing in Tutka Bay Lagoon and near the Tutka Bay lagoon hatchery net pens.
17	N	Close sport and personal use sockeye fishing in Tutka Bay Lagoon.
18	O	Remove spiny dogfish from the sport bag limit for sharks.
19	O	Reduce daily possession limit of rockfish between Gore Point to Cape Puget.
20	S	Establish a youth only fishery in the Seward lagoon area.
21	N	Open a sockeye salmon fishery in the Resurrection River.
22	S	Allow retention of rockfish and lingcod in subsistence fisheries.
N = Neutral S = Support O = Oppose O/N = Oppose but Neutral on Allocative Aspects		

SALMON – SPORT

Central Cook Inlet – Anchor, Ninilchik, Deep Creek (12 proposals)

PROPOSAL 1 - 5 AAC 56.122 (a)(2)(E) and (a)(5)(D). Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area.

PROPOSED BY: Gary Simmons

WHAT WOULD THE PROPOSAL DO? This proposal would open the Anchor River to king salmon fishing 6 days per week from May 25 to June 25, except on Mondays.

WHAT ARE THE CURRENT REGULATIONS? The waters of the Anchor River upstream from its mouth to an ADF&G regulatory marker located approximately 2 miles upstream are open to fishing for king salmon 20 inches or greater in length the weekend before Memorial Day weekend and the following four weekends and the Monday following each of those weekends.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would nearly double from 15 to 27 the days that the fishery is open. The resulting increase in harvest, catch, and effort is unknown but could be significant. Catch of non-targeted species (steelhead) would increase by an unknown amount. More foot traffic will occur in the riparian habitat along the Anchor River downstream of the department regulatory markers.

BACKGROUND: The Anchor River supports the largest run of king salmon within the Lower Cook Inlet Management Area (LCIMA). The king salmon sport fishery in the Anchor River has been heavily restricted throughout its history including fishery openings only on 3-day weekends in late May and June. King salmon escapement was indexed with a single annual aerial survey at the peak of spawning from 1976 until 2003. Starting in 2003, a Dual Beam Identification Sonar (DIDSON) was used to estimate king salmon escapement. The sonar has been used in conjunction with a weir since 2004 to estimate king salmon spawning escapement. King salmon escapement to the Anchor River has ranged from 8,945 in 2006 to 12,016 in 2004. Aerial index counts of spawning king salmon averaged 795 between 2004 and 2006 and accounted for only 6 to 10 percent of the average escapement for that period. Freshwater harvests averaged 1,462 and the percent of the total run that was harvested in fresh water from 2004 to 2006 ranged from 11.4 % to 12.6 %.

The department conducted a spawner-recruit analysis using all the available data and estimates that approximately 5,000 king salmon must spawn in the Anchor River to sustain maximum yields to the river over time. The department is proposing this number as the sustainable escapement goal (SEG) threshold for the river. A threshold is proposed rather than a range because the small amount of total escapement data results in

uncertainty about what the range of the goal should be. The Anchor River king salmon stock can support more harvest based on the proposed SEG threshold. The difference between the average escapement from 2004-2006 and the proposed escapement threshold is 5,685.

The biggest obstacle to recommending regulatory options is our inability to predict the consequences that large increases in opportunity may have on the harvest. It is difficult to predict the impact of different regulatory options because past regulations haven't provided the opportunity to see the effects of different regulation changes. Also the impacts of changes aren't instantaneous and are influenced by other factors. It is unknown if doubling fishing time would result in more or less than twice the current average or peak harvests. Currently, the least amount of effort occurs on Mondays, the addition of more days during the week could result in similarly low effort. However, doubling the highest observed harvest of 2,787 in 1993 to 5,574 would exceed the estimated surplus in 2 of the 4 years we have escapement data for. The addition of two days per week during the five regulatory weeks when king salmon fishing is open would more likely result in sustainable harvests.

There are a suite of proposals before the Board to liberalize Anchor River fishing regulations. They are: 1) increase the number of days open to fishing to 5 per week; 2) increase the number of days open to fishing to 6 per week; 3) increase the combined annual limit of Anchor River and Deep Creek king salmon from 2 to the combined Cook Inlet drainage limit of 5; 4) allow anglers to keep fishing on the Anchor River and Deep Creek on the same day after a king salmon 20 inches or greater is harvested; 5) decrease the closed saltwater area around the mouth of the Anchor River and 6) open the saltwater at the mouth of the Anchor River June 25 instead of July 1.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal because the magnitude of the harvest that would result from such a drastic liberalization is unknown and could jeopardize sustainability of the stock. The department supports a cautious, incremental increase to harvest opportunity on Anchor River king salmon stocks, but is neutral on the allocative aspects between the freshwater and marine fisheries.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 2 - 5 AAC 56.122 (2). Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area.

PROPOSED BY: John McCombs

WHAT WOULD THE PROPOSAL DO? This proposal would open the Anchor River to king salmon fishing 5 days per week.

WHAT ARE THE CURRENT REGULATIONS? The waters of the Anchor River from its mouth to an ADF&G regulatory marker located approximately 2 miles upstream are open to fishing for king salmon 20 inches or greater in length the weekend before Memorial Day weekend and the following four weekends and the Monday following each of those weekends.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal does not specify when king salmon fishing would open; therefore it is assumed the king salmon fishery would remain the same general length. In general, the majority of the king salmon migration occurs from May through July therefore this proposal would increase fishing time about four-fold (15 days versus 60 days). The resulting increase in harvest, catch, and effort is unknown but could be significant. The catch of non-targeted species (steelhead trout and Dolly Varden) would increase by an unknown amount. More foot traffic will occur in the riparian habitat throughout the Anchor River drainage.

BACKGROUND: The Anchor River supports the largest run of king salmon within the Lower Cook Inlet Management Area (LCIMA). The king salmon sport fishery in the Anchor River has been heavily restricted throughout its history including fishery openings only on 3-day weekends in late May and June. King salmon escapement was indexed with a single annual aerial survey at the peak of spawning from 1976 until 2003. Starting in 2003, a Dual Beam Identification Sonar (DIDSON) was used to estimate king salmon escapement. The sonar has been used in conjunction with a weir since 2004 to estimate king salmon spawning escapement. King salmon escapement to the Anchor River has ranged from 8,945 in 2006 to 12,016 in 2004. Aerial index counts of spawning king salmon averaged 795 between 2004 and 2006 and accounted for only 6 to 10 percent of the average escapement for that period. Freshwater harvests averaged 1,462 and the percent of the total run that was harvested in fresh water from 2004 to 2006 ranged from 11.4 % to 12.6 %.

The department conducted a spawner-recruit analysis using all the available data and estimates that approximately 5,000 king salmon must spawn in the Anchor River to sustain maximum yields to the river over time. The department is proposing this number as the sustainable escapement goal (SEG) threshold for the river. A threshold is proposed rather than a range because the small amount of total escapement data results in uncertainty about what the range of the goal should be. The Anchor River king salmon stock can support more harvest based on the proposed SEG threshold. The difference between the average escapement from 2004-2006 and the proposed escapement threshold is 5,685.

The biggest obstacle to recommending regulatory options is our inability to predict the consequences that large increases in opportunity may have on the harvest. It is difficult to predict the impact of different regulatory options because past regulations haven't provided the opportunity to see the effects of different regulation changes. Also the impacts of changes aren't instantaneous and are influenced by other factors. Quadrupling fishing time would likely not quadruple the current average or peak harvests but would likely increase harvest above sustainable levels. Doubling the highest observed harvest

of 2,787 in 1993 to 5,574 nearly exceeds the average estimated surplus so quadrupling fishing time is more likely to exceed the surplus. The addition of two days per week during the five regulatory weeks when king salmon fishing is open would more likely result in sustainable harvests.

There are a suite of proposals before the Board to liberalize Anchor River fishing regulations. They are: 1) increase the number of days open to fishing to 5 per week; 2) increase the number of days open to fishing to 6 per week; 3) increase the combined annual limit of Anchor River and Deep Creek king salmon from 2 to the combined Cook Inlet drainage limit of 5; 4) allow anglers to keep fishing on the Anchor River and Deep Creek on the same day after a king salmon 20 inches or greater is harvested; 5) expand the open area around the mouth of the Anchor River and 6) open the saltwater at the mouth of the Anchor River June 25 instead of July 1.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal because the magnitude of the harvest that would result from such a drastic liberalization is unknown and could jeopardize sustainability of the stock. The department supports a cautious, incremental increase to harvest opportunity on Anchor River king salmon stocks, but is neutral on the allocative aspects between the freshwater and marine fisheries.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 3 - 5 AAC 56.122 (a)(2). Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area.

PROPOSED BY: Gary Sinnhuber

WHAT WOULD THE PROPOSAL DO? This proposal would open the Anchor River to king salmon fishing Memorial Day weekend and the following four weekends and the Mondays following those weekends from its mouth to a marker approximately 2 miles upstream.

WHAT ARE THE CURRENT REGULATIONS? The waters of the Anchor River from its mouth to an ADF&G regulatory marker located approximately 2 miles upstream are open to fishing for king salmon the weekend before Memorial Day weekend and the following four weekends and the Mondays following each weekend.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The length of the season and the number of days open to king salmon fishing would remain at 15, but the season would start one week later. Lower clearer water would be more prevalent but fewer fish would be migrating through the fishery, therefore king salmon harvest, catch and effort would not likely change. The total catch of emigrating steelhead trout may be lower because more would likely have exited the river by Memorial Day weekend. The

opening weekend would align with the nearby king salmon fisheries in Deep Creek and the Ninilchik River.

BACKGROUND: King salmon fishing was open for five 3-day weekends and the first opening was Memorial Day weekend during 1989 to 2001 and in 2004. In 2005 and 2006 king salmon fishing opened before Memorial Day weekend for five 3-day weekends. The harvests in 2005 and 2006 were 1,432 and 1,394, respectively, compared to the average harvest of 1,496 for 1989-2003 and 2004.

This proposal would likely not liberalize the Anchor River king salmon fishery but there are a suite of proposals before the Board that would. They are: 1) increase the number of days open to fishing to 5 per week; 2) increase the number of days open to fishing to 6 per week; 3) increase the annual limit of Anchor River king salmon from 2 to 5; 4) allow anglers to keep fishing on the Anchor River and Deep Creek on the same day after a king salmon 20 inches or greater is harvested; 5) decrease the closed saltwater area around the mouth of the Anchor River and 6) open the saltwater at the mouth of the Anchor June 25 instead of July 1.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal because it will not likely change to the king salmon catch, harvest, and effort.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 4 - 5 AAC 56.122 (a)(2)(E) and (a)(5)(D). Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area. and 5 AAC 56.124 (a)(3). Harvest record required; annual limits for the Kenai Peninsula Area.

PROPOSED BY: Gary Sinnhuber

WHAT WOULD THE PROPOSAL DO? This proposal would repeal the Anchor River and Deep Creek combined annual limit of two king salmon 20 inches or greater in length. King salmon harvested from the Anchor River and Deep Creek would apply towards the Cook Inlet annual limit of five.

WHAT ARE THE CURRENT REGULATIONS? The annual limit of king salmon 20 inches or greater in length from Anchor River and Deep Creek combined is two.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The harvest of king salmon 20 inches or greater in length from the Anchor River and Deep Creek would likely increase by an unknown amount. Fishing effort on both rivers and the catch of king salmon from both rivers might increase. Catch of non-targeted species (steelhead) from both rivers would increase by an unknown amount if effort increased. More foot traffic would occur in the riparian habitat downstream of the department

regulatory markers. The increase in harvest Anchor River king salmon could be sustained by the stock. The increase in harvest of king salmon from Deep Creek might not be sustainable.

BACKGROUND: The Anchor River supports the largest run of king salmon, and Deep Creek the second largest run, within the Lower Cook Inlet Management Area (LCIMA). The king salmon sport fishery in the Anchor River has been heavily restricted throughout its history. King salmon escapement was indexed with a single annual aerial survey at the peak of spawning from 1976 until 2003. A two fish annual limit in combination with Deep Creek, along with a prohibition on fishing after harvesting a king salmon 20 inches or greater and a suite of saltwater king salmon fishing restrictions, were implemented in 1996, when it was thought recent low aerial index counts indicated harvests were unsustainable. Annual king salmon harvests and effort in angler-days from the Anchor River decreased by an average of 338 fish and 6,875 angler-days during the period after the restrictions, 1996-2001, compared to the average from the period prior to the restrictions, 1989-1995.

Starting in 2003, a Dual Beam Identification Sonar (DIDSON) was used to estimate king salmon escapement. The sonar has been used in conjunction with a weir since 2004 to estimate king salmon spawning escapement. King salmon escapement to the Anchor River has ranged from 8,945 in 2006 to 12,016 in 2004. Aerial index counts of spawning king salmon averaged 795 between 2004 and 2006 and accounted for only 6 to 10 percent of the average escapement for that period. Freshwater harvests averaged 1,462 and the percent of the total run that was harvested in fresh water from 2004 to 2006 ranged from 11.4 % to 12.6 %.

The department conducted a spawner-recruit analysis using all the available data and estimates that approximately 5,000 king salmon must spawn in the Anchor River to sustain maximum yields to the river over time. The department is proposing this number as the sustainable escapement goal (SEG) threshold for the river. A threshold is proposed rather than a range because the small amount of total escapement data results in uncertainty about what the range of the goal should be. The Anchor River king salmon stock can support more harvest based on the proposed SEG threshold. The difference between the average escapement from 2004-2006 and the proposed escapement threshold is 5,685. The harvest resulting from passage of this proposal would be considerably less than the number of surplus king salmon escaping the fishery.

King salmon escapement to Deep Creek has been indexed with a single annual aerial survey at the peak of spawning since 1976. The two fish annual limit, a prohibition on fishing after harvesting a king salmon 20 inches or greater in length, a reduction in 3-day weekend king salmon open periods from five to three and a suite of saltwater king salmon fishing restrictions, were implemented in 1996 when recent low king salmon aerial index counts indicated harvests were unsustainable. The average annual Deep Creek king salmon escapement index since 1996 has been within the SEG of 350-800. Deep Creek king salmon escapements since 1998 have been within or above the SEG. It

is unknown which restriction or combination of restrictions, if any, implemented in 1996 is responsible for the improvement of Deep Creek escapement index counts.

There are a suite of proposals before the Board to liberalize Anchor River and Deep Creek fishing regulations. They are: 1) increase the number of days open to fishing to 5 per week; 2) increase the number of days open to fishing to 6 per week; 3) increase the combined annual limit of Anchor River and Deep Creek king salmon from 2 to the combined Cook Inlet drainage limit of 5; 4) allow anglers to keep fishing on the Anchor River and Deep Creek on the same day after a king salmon 20 inches or greater is harvested; 5) decrease the closed saltwater area around the mouth of the Anchor River and 6) open the saltwater at the mouth of the Anchor River June 25 instead of July 1.

DEPARTMENT COMMENTS: The department is **NEUTRAL** to the allocative aspects of this proposal, but supports a cautious, incremental increase to harvest opportunity on Anchor River king salmon stocks. The department **OPPOSES** increasing the Deep Creek annual limit of king salmon 20 inches or greater in length because the Deep Creek king salmon escapement index is regularly within the SEG, under the current regulations.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 5 - 5 AAC 56.122 (a)(2)(E) and (a)(5)(D). Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area.

PROPOSED BY: Gary Sinnhuber

WHAT WOULD THE PROPOSAL DO? The proposal would allow an angler to keep fishing in the Anchor River and Deep Creek after they harvested a king salmon 20 inches or greater in length from either drainage.

WHAT ARE THE CURRENT REGULATIONS? A person who takes and retains a king salmon 20 inches or greater in length from either Deep Creek or the Anchor River may not sport fish in either drainage for the rest of that day.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would not increase the harvest of king salmon from the Anchor River and Deep Creek but it would likely increase the mortality associated with catch and release by an unknown amount. Fishing effort on both rivers and the catch of king salmon from both rivers may decrease if the fishery is crowded and anglers can't cycle into the fishery. Catch of non-targeted species (steelhead) from both rivers would increase by an unknown amount if effort increased. More foot traffic would occur in the riparian habitat downstream of department regulatory markers. The increase in exploitation of Anchor River king salmon could be sustained by the stock. The increase in exploitation of king salmon from Deep Creek may not be sustainable.

BACKGROUND: The Anchor River supports the largest run of king salmon and Deep Creek the second largest king salmon run within the Lower Cook Inlet Management Area (LCIMA). The king salmon sport fishery in the Anchor River has been heavily restricted throughout its history. King salmon escapement was indexed with a single annual aerial survey at the peak of spawning from 1976 until 2003. The prohibition on fishing after harvesting a king salmon 20 inches or greater in length, along with a two fish annual limit in combination with Deep Creek, and a suite of saltwater king salmon fishing restrictions, was implemented in 1996 when it was thought recent low aerial index counts indicated harvests were unsustainable.

King salmon escapement to Deep Creek has been indexed with a single annual aerial survey at the peak of spawning since 1976. The prohibition on fishing after harvesting a king salmon 20 inches or greater in length from Deep Creek and the Anchor River, a two fish annual limit in combination with the Anchor River, a reduction in 3-day weekend king salmon open periods from five to three, and a suite of saltwater king salmon fishing restrictions, were implemented in 1996 when recent low king salmon aerial index counts indicated harvests were unsustainable. The average annual Deep Creek king salmon escapement index since 1996 has been within the SEG of 350-800. Deep Creek king salmon escapements since 1998 have been within or above the SEG. It is unknown which restriction or combination of restrictions, if any, implemented in 1996 is responsible for the improvement of Deep Creek escapement index counts.

There are a suite of proposals before the Board to liberalize Anchor River and Deep Creek fishing regulations. They are: 1) increase the number of days open to fishing to 5 per week; 2) increase the number of days open to fishing to 6 per week; 3) increase the combined annual limit of Anchor River and Deep Creek king salmon from 2 to the combined Cook Inlet drainage limit of 5; 4) allow anglers to keep fishing on the Anchor River and Deep Creek on the same day after a king salmon 20 inches or greater is harvested; 5) decrease the closed saltwater area around the mouth of the Anchor River and 6) open the saltwater at the mouth of the Anchor River June 25 instead of July 1.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal, but supports a cautious, incremental increase to harvest opportunity on Anchor River king salmon stocks. This proposal will not increase harvest, it may exacerbate crowding in these fisheries, and it would be inconsistent with the majority of Cook Inlet streams. In addition, allowing fishing in Deep Creek after a king salmon 20 inches or greater length has been harvested may jeopardize the sustainability of this stock.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 6 - 5 AAC 58.055 (d). Upper Cook Inlet Salt Water Early-run King Salmon Management Plan.

PROPOSED BY: Clive Talkington

WHAT WOULD THE PROPOSAL DO? This proposal would open the salt waters within one mile from shore and 2 miles north and south of the Anchor River mouth on June 25 instead of July 1.

WHAT ARE THE CURRENT REGULATIONS? Most of the restrictions contained in the Upper Cook Inlet Salt Water Early-run King Salmon Management Plan are in effect from April 1 through June 30. The plan designates a conservation zone that is closed to all fishing from the latitude of a marker 2 miles north of the Anchor River to the latitude of a marker 2 miles south of the Anchor River and 1 mile from shore. Outside the conservation zone, a Special Harvest Area is designated in waters within 1 mile of shore, from the Ninilchik River mouth south to the latitude of Bluff Point where: 1) guides may not fish while accompanying paid clients, except to provide assistance to a disabled client and; 2) anglers may not continue to fish for any species on the same day after taking a king salmon 20 inches or greater in length. The plan also specifies a guideline harvest level of 8,000 king salmon 20 inches or greater in length may be taken from January 1-June 30 from the marine waters of Cook Inlet north of the latitude of Bluff Point.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The harvest of king salmon stocks bound for the Anchor River would likely increase by a small but unknown amount because some migrants are still in saltwater although the peak of the migration is passed. The harvest of other king salmon stocks of Cook Inlet origin would also increase by a small amount, particularly those bound for Stariski and Deep creeks and the Ninilchik River. The harvest of early-run stocks in general is very small during June 25 through July 30. The harvest of late-run king salmon bound for the Kenai and Kasilof and northern Cook Inlet rivers would increase by a small amount because the late-run normally begins to arrive during this time period. The harvest of other species, including halibut, within one mile of shore in the salt waters at the Anchor River mouth might also increase by a small quantity.

Regulatory complexity would increase because waters beyond 2 miles north and south from the Anchor River mouth and 1 mile from shore would still be subject to the restrictions outlined in the management plan until July 1. In addition, the freshwaters of the Anchor River are closed to fishing in the later part of June from Tuesday after the final regulatory 3-day opening until July 1. Confusion about the location of the saltwater and freshwater boundary could lead to fishing in the closed waters of the Anchor River from June 25 until July 1.

BACKGROUND: The Board of Fisheries passed the Upper Cook Inlet Marine Early Run King Salmon Management Plan in 1996. The plan was intended to stabilize the growing king salmon fishery on fully utilized mixed stocks in the nearshore marine waters from Ninilchik to Bluff Point and to prevent overexploitation of stocks thought to be intercepted in the fishery which were experiencing below average returns including Deep Creek and the Anchor River as well as the Kenai River and some northern Cook Inlet tributaries. Record harvests were occurring in the Anchor River and Deep Creek

concurrently with below average escapements. Besides creating the management plan, the Board restricted the freshwater king salmon fisheries in the Anchor River and Deep Creek as an additional conservation measure. The plan increased the closed area around the mouth of the Anchor River from 1 mile north and south to 2 miles north and south. The marine waters within one mile of stream mouths, including the Anchor River, Deep Creek and the Ninilchik River, have been closed from January 1-July 1 since 1979.

The early-run marine king salmon harvest north of Bluff Point peaked at 8,230 in 1995. Upon implementation of the management plan in 1996, the annual early run marine king salmon sport harvest stabilized at an average of 4,505. The peak harvest between 1996 and 2006 was 5,783 in 1998. The reported harvests are king salmon of any size, including those less than 20 inches.

A department study to estimate the contribution of coded-wire tagged king salmon stocks to the marine fishery was conducted from 1996-2002 and found that the marine fishery between Bluff Point and Deep Creek harvests a mixture of king salmon stocks from Cook Inlet and the western United States. Cook Inlet stocks dominate the harvest but non-local stocks make up a significant proportion of the harvest some years. No single Cook Inlet stock dominates the harvest but rather many Cook Inlet stocks contribute. Deep Creek king salmon and Ninilchik River hatchery-produced king salmon were the only local stocks that were implanted with coded wire tags and were found to contribute less than 300 and 200 fish, respectively, to the annual marine harvest in the years of the study that all year classes of the two stocks were tagged. The marine harvest of Anchor River king salmon is likely slightly higher, but of a similar small magnitude, compared to the harvest from Deep Creek. Cook Inlet stocks were found to dominate the harvest taken within 3/4 mile from shore and non-local stocks dominated the harvest from beyond 3/4 mile of shore.

Harvest in the marine fishery peaks in mid May to early June. Harvest is very low after June 12 until approximately June 26 when the harvest of late-run kings begins to increase. Peak entry of king into the lower Peninsula streams occurs from late May through June with small numbers of fish continuing to enter the streams into early July.

There are a suite of proposals before the Board to liberalize Anchor River and Deep Creek fishing regulations. They are: 1) increase the number of days open to fishing to 5 per week; 2) increase the number of days open to fishing to 6 per week; 3) increase the combined annual limit of Anchor River and Deep Creek king salmon from 2 to the combined Cook Inlet drainage limit of 5; 4) allow anglers to keep fishing on the Anchor River and Deep Creek on the same day after a king salmon 20 inches or greater is harvested; 5) decrease the closed saltwater area around the mouth of the Anchor River and 6) open the saltwater at the mouth of the Anchor River June 25 instead of July 1.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal, but supports a cautious, incremental increase to harvest opportunity on Anchor River king salmon stocks.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 7 - 5 AAC 58.055 (d)(3). Upper Cook Inlet Salt Water Early-run King Salmon Management Plan.

PROPOSED BY: Clive Talkington and Doug Peterson

WHAT WOULD THE PROPOSAL DO? This proposal would change the saltwater closed area around the mouth of the Anchor River from 2 miles to 1 mile north and south of the Anchor River mouth.

WHAT ARE THE CURRENT REGULATIONS? Most of the restrictions contained in the Upper Cook Inlet Salt Water Early-run King Salmon Management Plan are in effect from April 1 through June 30. The plan designates a conservation zone that is closed to all fishing from the latitude of a marker 2 miles north of the Anchor River to the latitude of a marker 2 miles south of the Anchor River and 1 mile from shore. Outside the conservation zone, a Special Harvest Area is designated in waters within 1 mile of shore, from the Ninilchik River mouth south to the latitude of Bluff Point where: 1) guides may not fish while accompanying paid clients, except to provide assistance to a disabled client and; 2) anglers may not continue to fish for any species on the same day after taking a king salmon 20 inches or greater in length. The plan also specifies a guideline harvest level of 8,000 king salmon 20 inches or greater in length may be taken from January 1-June 30 from the marine waters of Cook Inlet north of the latitude of Bluff Point.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The harvest of king salmon stocks bound for the Anchor River would likely increase by an unknown amount. The harvest of other king salmon stocks of Cook Inlet origin would also increase by an unknown amount. The harvest of other species including halibut between 1 and 2 miles north and south of the Anchor River mouth may also increase.

BACKGROUND: The Board of Fisheries passed the Upper Cook Inlet Marine Early Run King Salmon Management Plan in 1996. The plan was intended to stabilize the growing king salmon fishery on fully utilized mixed stocks in the nearshore marine waters from Ninilchik to Bluff Point and to prevent overexploitation of stocks thought to be intercepted in the fishery which were experiencing below average returns including Deep Creek and the Anchor River as well as the Kenai River and some northern Cook Inlet tributaries. Record harvests were occurring in the Anchor River and Deep Creek concurrently with below average escapement. Besides creating the management plan, the Board restricted the freshwater king fisheries in the Anchor River and Deep Creek as a further conservation measure. The plan increased the closed area around the mouth of the Anchor River from 1 mile north and south to 2 miles north and south. The marine waters within one mile of stream mouths, including the Anchor River, Deep Creek and the Ninilchik River, have been closed from January 1-July 1 since 1979.

The early-run marine king salmon harvest north of Bluff Point peaked at 8,230 in 1995. Upon implementation of the management plan starting in 1996, the annual early run marine king salmon sport harvest stabilized at an average of 4,505. The peak harvest between 1996 and 2006 was 5,783 in 1998. The reported harvests are king salmon of any size, including those less than 20 inches.

A department study to estimate the contribution of coded-wire tagged king salmon stocks to the marine fishery was conducted from 1996-2002 and found that the marine fishery between Bluff Point and Deep Creek harvests a mixture of king salmon stocks from Cook Inlet and the western United States. Cook Inlet stocks dominate the harvest but non-local stocks make up a significant proportion of the harvest some years. No single Cook Inlet stock dominates the harvest but rather many Cook Inlet stocks contribute. Deep Creek king salmon and Ninilchik River hatchery-produced king salmon were the only local stocks that were implanted with coded wire tags and were found to contribute less than 300 and 200 fish, respectively, to the annual marine harvest in the years of the study that all year classes of the two stocks were tagged. The marine harvest of Anchor River king salmon is likely slightly higher, but of a similar small magnitude, compared to the harvest from Deep Creek. Cook Inlet stocks were found to dominate the harvest taken within 3/4 mile from shore and non-local stocks dominated the harvest from beyond 3/4 mile of shore.

The Anchor River supports the largest run of king salmon within the Lower Cook Inlet Management Area (south of the Kasilof). Starting in 2003, a Dual Beam Identification Sonar (DIDSON) was used to estimate king salmon escapement. The sonar has been used in conjunction with a weir since 2004 to estimate king salmon spawning escapement. King salmon escapement to the Anchor River has ranged from 8,945 in 2006 to 12,016 in 2004.

The department conducted a spawner-recruit analysis using all the available data and estimates that approximately 5,000 adult king salmon must spawn in the Anchor River to sustain maximum yields to the river over time. The department is proposing this number as the sustainable escapement goal (SEG) threshold for the river. A threshold is proposed rather than a range because the small amount of total escapement data results in uncertainty what the range of the goal should be. The difference between the average escapement from 2004-2006 and the proposed escapement threshold is 5,685. The harvest resulting from passage of this proposal would be considerably less than the number of surplus king salmon escaping the fishery.

There are a suite of proposals before the Board to liberalize Anchor River and Deep Creek fishing regulations. They are: 1) increase the number of days open to fishing to 5 per week; 2) increase the number of days open to fishing to 6 per week; 3) increase the combined annual limit of Anchor River and Deep Creek king salmon from 2 to the combined Cook Inlet drainage limit of 5; 4) allow anglers to keep fishing on the Anchor River and Deep Creek on the same day after a king salmon 20 inches or greater is harvested; 5) decrease the closed saltwater area around the mouth of the Anchor River and 6) open the saltwater at the mouth of the Anchor River June 25 instead of July 1.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal, but supports a cautious, incremental increase to harvest opportunity on Anchor River king salmon stocks

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 8 - 5 AAC 58.055 (d)(1) & (3). Upper Cook Inlet Salt Water Early-run King Salmon Management Plan.

PROPOSED BY: Deep Creek Charter Boat Association

WHAT WOULD THE PROPOSAL DO? This proposal would change the saltwater closed area from 2 miles to 1 mile north and south of the Anchor River mouth. It would also decrease the closed saltwater area south from the Deep Creek mouth from 2 miles to 1 mile.

WHAT ARE THE CURRENT REGULATIONS? Most of the restrictions contained in the Upper Cook Inlet Salt Water Early-run King Salmon Management Plan are in effect from April 1 through June 30. The plan designates a conservation zone that is closed to all fishing 1 mile from shore from the latitude of a marker 2 miles north of the Anchor River to the latitude of a marker 2 miles south of the Anchor River and from the Ninilchik River mouth to 2 miles south of Deep Creek. Outside the conservation zones, a Special Harvest Area is designated in waters within 1 mile of shore, from the Ninilchik River mouth south to the latitude of Bluff Point where: 1) guides may not fish while accompanying paid clients, except to provide assistance to a disabled client and; 2) anglers may not continue to fish for any species on the same day after taking a king salmon 20 inches or greater in length. The plan also specifies a guideline harvest level of 8,000 king salmon 20 inches or greater in length may be taken from January 1-June 30 from the marine waters of Cook Inlet north of the latitude of Bluff Point.

The salt water within 1 mile of the Ninilchik River mouth is closed to sport fishing for king salmon from January 1 through June 30.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The harvest of king salmon stocks bound for the Anchor River and Deep Creek would likely increase by an unknown amount. The harvest of other king salmon stocks of Cook Inlet origin would also increase by a small amount, particularly those bound for Stariski and Deep creeks and the Ninilchik River. The harvest of other species including halibut outside the waters within 1 to 2 miles north and south of the Anchor River mouth and between 1 and 2 miles south of the Deep Creek mouth may also increase.

BACKGROUND:

The Board of Fisheries passed the Upper Cook Inlet Marine Early Run King Salmon Management Plan in 1996. The plan was intended to stabilize the growing king salmon fishery on fully utilized mixed stocks in the nearshore marine waters from Ninilchik to Bluff Point and to prevent overexploitation of stocks thought to be intercepted in the fishery which were experiencing below average returns including Deep Creek and the Anchor River as well as the Kenai River and some northern Cook Inlet tributaries. Record harvests were occurring in the Anchor River and Deep Creek concurrently with below average escapement. Besides creating the management plan, the Board restricted the freshwater king salmon fisheries in the Anchor River and Deep Creek as an additional conservation measure. The plan increased the closed area around the mouth of the Anchor River from 1 mile north and south to 2 miles north and south and extended the southern boundary of the Deep Creek closed area from 1 mile to two miles south of the river. The marine waters within one mile of stream mouths, including the Anchor River, Deep Creek and the Ninilchik River, have been closed from January 1-July 1 since 1979.

The early-run marine king salmon harvest north of Bluff Point peaked at 8,230 in 1995. Upon implementation of the management plan in 1996, the annual early run marine king salmon sport harvest stabilized at an average of 4,505. The peak harvest between 1996 and 2006 was 5,783 in 1998. The reported harvests are king salmon of any size, including those less than 20 inches.

A department study to estimate the contribution of coded-wire tagged king salmon stocks to the marine fishery was conducted from 1996-2002 and found that the marine fishery between Bluff Point and Deep Creek harvests a mixture of king salmon stocks from Cook Inlet and the western United States. Cook Inlet stocks dominate the harvest but non-local stocks make up a significant proportion of the harvest some years. No single Cook Inlet stock dominates the harvest but rather many Cook Inlet stocks contribute. Deep Creek king salmon and Ninilchik River hatchery-produced king salmon were the only local stocks that were implanted with coded wire tags and were found to contribute less than 300 and 200 fish, respectively, to the annual marine harvest in the years of the study that all year classes of the two stocks were tagged. The marine harvest of Anchor River king salmon is likely slightly higher, but of a similar small magnitude, compared to the harvest from Deep Creek. Cook Inlet stocks were found to dominate the harvest taken within 3/4 mile from shore and non-local stocks dominated the harvest from beyond 3/4 mile of shore.

The Anchor River supports the largest run of king salmon within the Lower Cook Inlet Management Area (south of the Kasilof). Starting in 2003, a Dual Beam Identification Sonar (DIDSON) was used to estimate king salmon escapement. The sonar has been used in conjunction with a weir since 2004 to estimate king salmon spawning escapement. King salmon escapement to the Anchor River has ranged from 8,945 in 2006 to 12,016 in 2004.

The department conducted a spawner-recruit analysis using all the available data and estimates that approximately 5,000 adult King salmon must spawn in the Anchor River to

sustain maximum yields to the river over time. The department is proposing this number as the sustainable escapement goal (SEG) threshold for the river. A threshold is proposed rather than a range because the small amount of total escapement data results in uncertainty what the range of the goal should be. The difference between the average escapement from 2004-2006 and the proposed escapement threshold is 5,685. The harvest resulting from passage of this proposal would be considerably less than the number of surplus king salmon escaping the fishery.

The average annual king salmon escapement to Deep Creek since 1996 has been within the SEG of 350-800. Deep Creek king salmon escapements since 1998 have been within or above the SEG.

There are a suite of proposals before the Board to liberalize Anchor River and Deep Creek fishing regulations. They are: 1) increase the number of days open to fishing to 5 per week; 2) increase the number of days open to fishing to 6 per week; 3) increase the combined annual limit of Anchor River and Deep Creek king salmon from 2 to the combined Cook Inlet drainage limit of 5; 4) allow anglers to keep fishing on the Anchor River and Deep Creek on the same day after a king salmon 20 inches or greater is harvested; 5) decrease the closed saltwater area around the mouth of the Anchor River and 6) open the saltwater at the mouth of the Anchor River June 25 instead of July 1.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal, but supports a cautious, incremental increase to harvest opportunity on Anchor River king salmon stocks. The department **OPPOSES** increasing the area open to fishing at the mouth of Deep Creek because the Deep Creek king salmon escapement index is regularly within the SEG.

COST ANALYSIS:

The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 9 - 5 AAC 58.055 (d)(1) and (3). Upper Cook Inlet Salt Water Early-run King Salmon Management Plan. and 5 AAC 58.022 (b)(A)(ii) and (iii). Waters; seasons; bag, possession, and size limits; and special provisions for Cook Inlet – Resurrection Bay Saltwater Area.

PROPOSED BY: Mel Erickson

WHAT WOULD THE PROPOSAL DO? This proposal would change the saltwater closed areas from 2 miles to 1 mile north and south of the Anchor River and Deep Creek mouths. The northern boundary of the closed area would be the saltwater confluence of the Ninilchik River.

WHAT ARE THE CURRENT REGULATIONS? Most of the restrictions contained in the Upper Cook Inlet Salt Water Early-run King Salmon Management Plan are in effect

from April 1 through June 30. The plan designates a conservation zone that is closed to all fishing 1 mile from shore from the latitude of a marker 2 miles north of the Anchor River to the latitude of a marker 2 miles south of the Anchor River and from the Ninilchik River to 2 miles south of Deep Creek. Outside the conservation zones, a Special Harvest Area is designated in waters within 1 mile of shore, from the Ninilchik River mouth south to the latitude of Bluff Point where: 1) guides may not fish while accompanying paid clients, except to provide assistance to a disabled client and; 2) anglers may not continue to fish for any species on the same day after taking a king salmon 20 inches or greater in length. The plan also specifies a guideline harvest level of 8,000 king salmon 20 inches or greater in length may be taken from January 1-June 30 from the marine waters of Cook Inlet north of the latitude of Bluff Point.

The salt water within 1 mile of the Ninilchik River mouth is closed to sport fishing for king salmon from January 1 through June 30.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The harvest of king salmon stocks bound for the Anchor River and Deep Creek would likely increase by an unknown amount. The harvest of other king salmon stocks of Cook Inlet origin would also increase by an unknown amount. The harvest of other species including halibut outside the waters within 1 mile north and south of the Anchor River and Deep Creek mouths might also increase.

Anglers could harvest king salmon from the Ninilchik River seaward of the mean low tide line (0 ft) during periods closed to king salmon fishing in the Ninilchik River.

BACKGROUND: The Board of Fisheries passed the Upper Cook Inlet Marine Early Run King Salmon Management Plan in 1996. The plan was intended to stabilize the growing king salmon fishery on fully utilized mixed stocks in the nearshore marine waters from Ninilchik to Bluff Point and to prevent overexploitation of stocks thought to be intercepted in the fishery which were experiencing below average returns including Deep Creek and the Anchor River as well as the Kenai River and some northern Cook Inlet tributaries. Record harvests were occurring in the Anchor River and Deep Creek, concurrently with below average escapement. Besides creating the Management Plan, the Board restricted the freshwater king fisheries in the Anchor River and Deep Creek as a further conservation measure. The plan increased the closed area around the mouth of the Anchor River from 1 mile north and south to 2 miles north and south and extended the southern boundary of the Deep Creek closed area from 1 mile to two miles south of the river.

The early-run marine king salmon harvest north of Bluff Point peaked at 8,230 in 1995. Upon implementation of the management plan in 1996, the annual early run marine king salmon sport harvest stabilized at an average of 4,505. The peak harvest between 1996 and 2006 was 5,783 in 1998. The reported harvests are king salmon of any size, including those less than 20 inches.

A department study to estimate the contribution of coded-wire tagged king salmon stocks to the marine fishery was conducted from 1996-2002 and found that the marine fishery between Bluff Point and Deep Creek harvests a mixture of king salmon stocks from Cook Inlet and the western United States. Cook Inlet stocks dominate the harvest but non-local stocks make up a significant proportion of the harvest some years. No single Cook Inlet stock dominates the harvest but rather many Cook Inlet stocks contribute. Deep Creek king salmon and Ninilchik River hatchery-produced king salmon were the only local stocks that were implanted with coded wire tags and were found to contribute less than 300 and 200 fish, respectively, to the annual marine harvest in the years of the study that all year classes of the two stocks were tagged. The marine harvest of Anchor River king salmon is likely slightly higher, but of a similar small magnitude, compared to the harvest from Deep Creek. Cook Inlet stocks were found to dominate the harvest taken within 3/4 mile from shore and non-local stocks dominated the harvest from beyond 3/4 mile of shore.

The Anchor River supports the largest run of king salmon within the Lower Cook Inlet Management Area (south of the Kasilof). Starting in 2003, a Dual Beam Identification Sonar (DIDSON) was used to estimate king salmon escapement. The sonar has been used in conjunction with a weir since 2004 to estimate king salmon spawning escapement. King salmon escapement to the Anchor River has ranged from 8,945 in 2006 to 12,016 in 2004.

The department conducted a spawner-recruit analysis using all the available data and estimates that approximately 5,000 adult King salmon must spawn in the Anchor River to sustain maximum yields to the river over time. The department is proposing this number as the sustainable escapement goal (SEG) threshold for the river. A threshold is proposed rather than a range because the small amount of total escapement data results in uncertainty what the range of the goal should be. The difference between the average escapement from 2004-2006 and the proposed escapement threshold is 5,685. The harvest resulting from passage of this proposal would be considerably less than the number of surplus king salmon escaping the fishery.

The average annual Deep Creek king salmon escapement index since 1996 has been within the SEG of 350-800. Deep Creek king salmon escapements since 1998 have been within or above the SEG.

Ninilchik River escapements upstream of the egtake weir between July 3 and July 31 have been within the SEG of 550-1,300 king salmon, since 1999, except in 2007. The 2007 wild king salmon escapement was 545 fish; 5 fish below the goal. The reduced escapement might be explained by the prolonged king salmon run observed in other Lower Cook Inlet area streams so more fish escaped upstream after weir operation. The middle 50% of the cumulative Anchor River king salmon run was 17 days longer than the 2004 through 2006 average. Also, the educational fishery king salmon harvest within 1 mile of the Ninilchik River mouth increased from an average of 143 during 2001-2006 to 365 in 2007 due to an increase in the 2007 harvest quota. The Board will consider a department

proposal to liberalize the regulations on hatchery-produced king salmon in the Ninilchik River.

There are a suite of proposals before the Board to liberalize Anchor River and Deep Creek fishing regulations. They are: 1) increase the number of days open to fishing to 5 per week; 2) increase the number of days open to fishing to 6 per week; 3) increase the combined annual limit of Anchor River and Deep Creek king salmon from 2 to the combined Cook Inlet drainage limit of 5; 4) allow anglers to keep fishing on the Anchor River and Deep Creek on the same day after a king salmon 20 inches or greater is harvested; 5) decrease the closed saltwater area around the mouth of the Anchor River and 6) open the saltwater at the mouth of the Anchor River June 25 instead of July 1.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal, but supports a cautious, incremental increase to harvest opportunity on Anchor River king salmon stocks. The department **OPPOSES** increasing the Deep Creek open areas at the mouth of Deep Creek and the Ninilchik River because Deep Creek and Ninilchik River king salmon escapements are regularly within the respective SEGs.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 10: - 5 AAC 56.122(6). Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area.

PROPOSED BY: Alaska Department of Fish and Game

WHAT WOULD THE PROPOSAL DO? This proposal would open the Ninilchik River to fishing for hatchery-produced king salmon continuously beginning Memorial Day weekend through December 31.

WHAT ARE THE CURRENT REGULATIONS? The waters of the Ninilchik River upstream from its mouth upstream to an ADF&G regulatory marker located 2 miles upstream are open to sport fishing for king salmon 20 inches or greater in length beginning Memorial Day weekend and the following two weekends and the Monday following each of those weekends. The bag and possession limit is two king salmon 20 inches or greater in length, of which only one fish may be a naturally-produced king salmon. An annual limit of five king salmon can be harvested from the Ninilchik River.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Opportunity to harvest surplus hatchery-produced king salmon would be increased. Catch and release mortality on wild king salmon would likely increase but at a level that would not jeopardize the sustainability of the wild escapement or increase the likelihood of inseason harvest restrictions. Catch of non-targeted species (steelhead) would increase by an

unknown, but likely limited amount. More foot traffic would occur in the riparian habitat downstream of the department regulatory markers.

BACKGROUND: King salmon have been stocked in the Ninilchik River since 1988 to provide additional harvest opportunity for sport anglers. Concern about unsustainable harvests of wild king salmon in the Ninilchik River, negative hatchery-wild smolt interactions and straying of hatchery fish resulted in a reduction in stocking levels from approximately 180,000 king salmon smolts to 50,000 in 1995. At the same time, the percentage of coded wire tagged hatchery smolts was increased from approximately 20% to 100%.

Wild and hatchery-produced Ninilchik River king salmon escapement has been monitored at a weir operated during part of the king salmon run in July and early August. The weir is located approximately 4 miles from the mouth and is also utilized to collect fish for brood stock. The Ninilchik River king salmon Sustainable Escapement Goal (SEG) of 550-1,300 fish is an index of spawning escapement based upon counts of wild fish passed upstream of the weir during July 3 to July 31 from 1999-2007. The SEG has been met each year during that period except in 2007. The 2007 wild king salmon escapement was 545 fish; 5 fish below the goal. The reduced escapement might be explained by the prolonged king salmon run observed in other Lower Cook Inlet area streams resulting in more fish passing upstream after weir operations. The central 50% of the cumulative Anchor River king salmon run was 17 days longer than the 2004 through 2006 average. Also, the educational fishery king salmon harvest within one mile of the Ninilchik River mouth increased from an average of 143 during 2001-2006 to 365 in 2007 due to an increase in the 2007 harvest quota.

From 1999 through 2005 the weir was operated over the entire king salmon run. On average, 500 hatchery-produced king salmon escaped annually during 1999 through 2005. In 2006 and 2007 the weir was operated only during July and early August; not over the total run. Based on the 1999-2005 total weir counts, roughly 80% of the total run of hatchery-produced fish passed through the weir during the index monitoring period. Also during this time, hatchery-produced fish arrived at the weir on average 11 days later than the wild fish.

The 1999 through 2006 statewide harvest survey estimated average annual harvest of king salmon from the Ninilchik River was roughly 1,400 fish. Harvest sampling was conducted throughout the area open to sport fishing in 2006. Excluding jack king salmon, the total king salmon harvest ranged from 24% to 34% hatchery-produced fish for all three weekends. In 2007, weekly beach seine surveys were conducted from mid-May through mid-July in the area open to sport fishing to estimate the hatchery-produced percentage in the sport fishery area. The mean hatchery-produced percentage was 15% and ranged from 0% to 28% for all surveys. The last survey was conducted on July 11 and the hatchery-produced percentage was 21%. The results of this survey suggest that hatchery-produced fish are still available for harvest in mid-July.

The Ninilchik River sport fishery regulations have been liberalized each year since 2001 to increase the harvest of hatchery-produced fish. In 2001-2004 and 2006-2007 the

fishery was extended by emergency order for the harvest of hatchery-produced king salmon. In 2005, the BOF increased the bag limit to two king salmon, both of which could be hatchery fish but only one could be wild. The lowest number of hatchery-produced fish counted at the weir during July 3-31 so far has coincided with the increased bag limit implemented by the BOF in concurrence with a continuous opening for hatchery fish in 2007. In 2006, the fishery was extended after the three regulatory weekends from June 14 through July 14. In 2007, the fishery was extended from May 29 through July 15, which included the weeks between the regulatory weekend openings. Two hundred sixty and 81 hatchery-produced king salmon were counted during the index period in 2006 and 2007, respectively. These weir counts were a 47% and 83% reduction from the previous seven year average (1999-2005).

Fishing effort has been relatively low during all fishery extensions when only hatchery fish may be taken. Annual harvest and effort during 2004-2006, have been relatively stable and has not deviated significantly from the 1999-2006 average harvest of 1,400 king salmon and 11,000 angler-days, even with significant liberalization of the fishing times for hatchery-produced fish during those years.

DEPARTMENT COMMENTS: The department **SUPPORTS** this staff proposal. This proposal provides additional opportunity to harvest hatchery king salmon in the Ninilchik River without negatively impacting our ability to meet the escapement goal for wild king salmon.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 11 - 5 AAC 56.122(6). Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area.

PROPOSED BY: Gary Sinnhuber

WHAT WOULD THE PROPOSAL DO? This proposal would open the Ninilchik River to fishing for hatchery-produced king salmon continuously beginning Memorial Day weekend through July 15.

WHAT ARE THE CURRENT REGULATIONS? The waters of the Ninilchik River upstream from its mouth upstream to an ADF&G regulatory marker located 2 miles upstream are open to sport fishing for king salmon 20 inches or greater in length beginning Memorial Day weekend and the following two weekends and the Monday following each of those weekends. The bag and possession limit is two king salmon 20 inches or greater in length, of which only one fish may be a naturally-produced king salmon. An annual limit of five king salmon can be harvested from the Ninilchik River.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Opportunity to harvest surplus hatchery-produced king salmon would be increased. Catch and release mortality on wild king salmon would likely increase but at a level that would not jeopardize the sustainability of the wild escapement or increase the likelihood of inseason harvest restrictions. Catch of non-targeted species (steelhead) would increase by an unknown, but likely limited amount. More foot traffic would occur in the riparian habitat downstream of the department regulatory markers. There would be no opportunity to harvest hatchery king salmon migrating upstream after July 15.

BACKGROUND: King salmon have been stocked in the Ninilchik River since 1988 to provide additional harvest opportunity for sport anglers. Concern about unsustainable harvests of wild king salmon in the Ninilchik River, negative hatchery-wild smolt interactions and straying of hatchery fish resulted in a reduction in stocking levels from approximately 180,000 king salmon smolts to 50,000 in 1995. At the same time, the percentage of coded wire tagged hatchery smolts was increased from approximately 20% to 100%.

Wild and hatchery-produced Ninilchik River king salmon escapement has been monitored at a weir operated during part of the king salmon run in July and early August used to artificially spawn fish for stocking. The weir is located approximately 4 miles upstream from the mouth. The Ninilchik River king salmon Sustainable Escapement Goal (SEG) is an index of escapement based upon counts of wild fish released upstream of the weir during July 3 to July 31 from 1999-2007. The SEG range of 550-1,300 has been met each year during that period except in 2007. The 2007 wild king salmon escapement was 545 fish; 5 fish below the goal. The reduced escapement might be explained by the prolonged king salmon run observed in other Lower Cook Inlet area streams so more fish than usual escaped upstream of the weir after operation. The middle 50% of the cumulative Anchor River king salmon run was 17 days longer than the 2004 through 2006 average. Also, the educational fishery king salmon harvest from within one mile of the Ninilchik River mouth increased from an average of 143 during 2001-2006 to 365 in 2007 due to an increase in the 2007 harvest quota.

From 1999 through 2005 the weir was operated over the entire king salmon run. On average, 500 hatchery-produced king salmon escaped annually during 1999 through 2005. In 2006 and 2007 the weir was operated only during July and early August; not over the total run. Based on the 1999-2005 total weir counts, roughly 80% of the total run of hatchery-produced fish passed through the weir during the index monitoring period. Also during this time, hatchery-produced fish arrived at the weir on average 11 days later than the wild fish.

The 1999 through 2006 statewide harvest survey estimated average annual harvest of king salmon from the Ninilchik River was roughly 1,400 fish. Harvest sampling was conducted throughout the area open to sport fishing in 2006. Excluding jack king salmon, the total king salmon harvest ranged from 24% to 34% hatchery-produced fish for all three weekends. In 2007, weekly beach seine surveys were conducted from mid-May through mid-July in the area open to sport fishing to estimate the hatchery-produced

percentage in the sport fishery area. The mean hatchery-produced percentage was 15% and ranged from 0% to 28% for all surveys. The last survey was conducted on July 11 and the hatchery-produced percentage was 21%. The results of this survey suggest that hatchery-produced fish are still available for harvest in mid-July.

The Ninilchik River sport fishery regulations have been liberalized each year since 2001 to increase the harvest of hatchery-produced fish. In 2001-2004 and 2006-2007 the fishery was extended by emergency order for the harvest of hatchery-produced king salmon. In 2005, the BOF increased the bag limit to two king salmon, both of which could be hatchery fish but only one could be wild. The lowest number of hatchery-produced fish counted at the weir during July 3-31 so far has coincided with the increased bag limit implemented by the BOF in concurrence with a continuous opening for hatchery fish in 2007. In 2006, the fishery was extended after the three regulatory weekends from June 14 through July 14. In 2007, the fishery was extended from May 29 through July 15, which included the weeks between the regulatory weekend openings. Two hundred sixty and 81 hatchery-produced king salmon were counted during the index period in 2006 and 2007, respectively. These weir counts were a 47% and 83% reduction from the previous seven year average (1999-2005).

Fishing effort has been relatively low during all fishery extensions when only hatchery fish may be taken. Annual harvest and effort during 2004-2006, have been relatively stable and has not deviated significantly from the 1999-2006 average harvest of 1,400 king salmon and 11,000 angler-days, even with significant liberalization of the fishing times for hatchery-produced fish during those years.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal because it terminates the opportunity to harvest hatchery fish after July 15 when hatchery fish are still present in the fishery. The department **SUPPORTS** the provision of additional opportunity to harvest hatchery king salmon in the Ninilchik River and has proposed a similar regulation with a closure date of December 31.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 12 - 5 AAC 56.122(6). Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area.

PROPOSED BY: Gary Sinnhuber

WHAT WOULD THE PROPOSAL DO? This proposal would reduce the king salmon bag limit in the Ninilchik River from two fish per day, only one of which may be a naturally-produced fish, to one fish per day.

WHAT ARE THE CURRENT REGULATIONS? The bag and possession limit is two king salmon 20 inches or greater in length, of which only one fish may be a naturally-produced king salmon. An annual limit of five king salmon can be harvested from the Ninilchik River.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Opportunity to harvest hatchery-produced king salmon from the Ninilchik River would decrease.

BACKGROUND: King salmon have been stocked in the Ninilchik River since 1988 to provide additional harvest opportunity for sport anglers. Concern about unsustainable harvests of wild king salmon in the Ninilchik River, negative hatchery-wild smolt interactions and straying of hatchery fish resulted in a reduction in stocking levels from approximately 180,000 king salmon smolts to 50,000 in 1995. At the same time, the percentage of coded wire tagged hatchery smolts was increased from approximately 20% to 100%.

Wild and hatchery-produced Ninilchik River king salmon escapement has been monitored at a weir operated during part of the king salmon run in July and early August. The weir is located approximately 4 miles from the mouth and is also utilized to collect fish for brood stock. The Ninilchik River king salmon Sustainable Escapement Goal (SEG) of 550-1,300 fish is an index of spawning escapement based upon counts of wild fish passed upstream of the weir during July 3 to July 31 from 1999-2007. The SEG has been met each year during that period except in 2007. The 2007 wild king salmon escapement was 545 fish; 5 fish below the goal. The reduced escapement might be explained by the prolonged king salmon run observed in other Lower Cook Inlet area streams resulting in more fish passing upstream after weir operations. The central 50% of the cumulative Anchor River king salmon run was 17 days longer than the 2004 through 2006 average. Also, the educational fishery king salmon harvest within one mile of the Ninilchik River mouth increased from an average of 143 during 2001-2006 to 365 in 2007 due to an increase in the 2007 harvest quota.

From 1999 through 2005 the weir was operated over the entire king salmon run. On average, 500 hatchery-produced king salmon escaped annually during 1999 through 2005. In 2006 and 2007 the weir was operated only during July and early August; not over the total run. Based on the 1999-2005 total weir counts, roughly 80% of the total run of hatchery-produced fish passed through the weir during the index monitoring period. Also during this time, hatchery-produced fish arrived at the weir on average 11 days later than the wild fish.

The 1999 through 2006 statewide harvest survey estimated average annual harvest of king salmon from the Ninilchik River was roughly 1,400 fish. Harvest sampling was conducted throughout the area open to sport fishing in 2006. Excluding jack king salmon, the total king salmon harvest ranged from 24% to 34% hatchery-produced fish for all three weekends. In 2007, weekly beach seine surveys were conducted from mid-May through mid-July in the area open to sport fishing to estimate the hatchery-produced percentage in the sport fishery area. The mean hatchery-produced percentage was 15% and ranged from 0% to 28% for all surveys. The last survey was conducted on July 11

and the hatchery-produced percentage was 21%. The results of this survey suggest that hatchery-produced fish are still available for harvest in mid-July.

The Ninilchik River sport fishery regulations have been liberalized each year since 2001 to increase the harvest of hatchery-produced fish. In 2001-2004 and 2006-2007 the fishery was extended by emergency order for the harvest of hatchery-produced king salmon. In 2005, the BOF increased the bag limit to two king salmon, both of which could be hatchery fish but only one could be wild. The lowest number of hatchery-produced fish counted at the weir during July 3-31 so far has coincided with the increased bag limit implemented by the BOF in concurrence with a continuous opening for hatchery fish in 2007. In 2006, the fishery was extended after the three regulatory weekends from June 14 through July 14. In 2007, the fishery was extended from May 29 through July 15, which included the weeks between the regulatory weekend openings. Two hundred sixty and 81 hatchery-produced king salmon were counted during the index period in 2006 and 2007, respectively. These weir counts were a 47% and 83% reduction from the previous seven year average (1999-2005).

The regulatory increase in the bag limit beginning in 2005 resulted from a compromise with two public participants at the board meeting opposed to the department proposal to open fishing on the Ninilchik River for hatchery-produced king salmon Memorial Day weekend through December 31, intended to increase the harvest of hatchery-produced fish and fishing opportunity. The department agreed that the bag limit increase, suggested by the public participants, was also a viable alternative to boost the harvest of hatchery-produced fish and the board passed the bag limit increase.

Fishing effort has been relatively low during all fishery extensions when only hatchery fish may be taken. Annual harvest and effort during 2004-2006, have been relatively stable and has not deviated significantly from the 1999-2006 average harvest of 1,400 king salmon and 11,000 angler-days, even with significant liberalization of the fishing times for hatchery-produced fish during those years.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal because it reduces the likelihood that hatchery-produced king salmon will be harvested from the Ninilchik River.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

Lower Cook Inlet Saltwater (6 proposals)

PROPOSAL 13 - 5 AAC 58.022(b)(2). Waters; seasons; bag, possession, and size limits; and special provisions for Cook Inlet – Resurrection Bay Saltwater Area.

PROPOSED BY: Nick Varney

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit the use of weighted hooks, hooks that follow weights, and bobbers that follow hooks or weights during times that snagging is prohibited in the Nick Dudiak Fishing Lagoon (Fishing Lagoon).

WHAT ARE THE CURRENT REGULATIONS? Sport fishing may be conducted only by the use of a single line having attached to it not more than one plug, spoon, spinner, or series of spinners, or two flies, or two hooks. The use of fixed or weighted hooks or lures is prohibited by regulation in freshwater but not in saltwater. Fixed or weighted hook use is considered snagging gear by enforcement personnel and their use in salt waters closed to snagging is a citable offense.

“Snag” is defined as hooking a fish elsewhere than in the mouth of the fish.

The Fishing Lagoon is closed to snagging except during periods opened by emergency order when the stocked salmon that return there become too sexually mature to strike at lures.

The Fishing Lagoon includes the waters from the Homer City Dock near the entrance to the Homer Boat Harbor northwest along the east side of the Homer Spit to the department marker placed approximately 200 yards northwest of the entrance to the Fishing Lagoon, to a distance of 300 feet from the shore.

The daily bag and possession limits in the Fishing Lagoon are two king salmon and six silver salmon. King salmon 20 inches or greater in length count toward the annual limit for Cook Inlet of five and must be recorded.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would eliminate gear configurations that have become popular in the Fishing Lagoon to hook fish, including weights following hooks and bobbers following hooks. By removing an effective method of hooking fish, fish in the Fishing Lagoon would likely be available longer for harvest by conventional methods. It would also lead to more fish being available for legal snagging during emergency order openings. The proposal would likely reduce the incidence of fish being hooked elsewhere than in the mouth and therefore the opportunity for fish to be retained illegally.

BACKGROUND: The Fishing Lagoon has been stocked with salmon since 1987 to provide sport fishing opportunity and relieve pressure on local wild salmon stocks. Currently early-run king salmon and early- and late-run silver salmon are stocked in the Fishing Lagoon. In 1988, the Alaska Board of Fisheries adopted a regulation closing the Fishing Lagoon area to snagging except after June 23 and only by emergency order when stocked fish quit biting and could not be adequately harvested by conventional fishing methods. The regulation was to provide the opportunity to harvest fish by conventional means until the fish no longer struck at lures. The Fishing Lagoon has typically been opened to snagging by emergency order twice each summer; around July 4 and in mid-September.

The popularity of fishing with weights following single hooks at the Fishing Lagoon increased from 1997 to 2001 along with public complaints about the incidence of fish being snagged and snagged fish being kept by anglers using that gear configuration. The technique, called "tight lining", allows the suspension of the fishing line and hook in midwater where a passing salmon would encounter the line and the angler sets the hook. Ideally, the line intercepted the fish's open mouth and the angler lodged the hook in the area around the fish's mouth. Weighted hooks or hooks with trailing or following weights were the most common tackle of anglers with snagged fish observed by department personnel during the peak of their use. In 2001, the department issued an emergency order prohibiting the use of weighted hooks and trailing weights to reduce the incidence of fish being snagged and kept. The use of hooks trailing bobbers rather than weights is currently a popular gear at the Fishing Lagoon. The technique, whether the hook trails a bobber or a weight, is similar.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the social aspects of this proposal but supports regulations that discourage illegal activities. If this proposal is to pass, the term "bobber" will need to be defined and the language describing what configuration of gear will need to be precise to be enforceable.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 14 - 5 AAC 58.022(b)(2). Waters; seasons; bag, possession, and size limits; and special provisions for Cook Inlet – Resurrection Bay Saltwater Area.

PROPOSED BY: Gary Sinnhuber

WHAT WOULD THE PROPOSAL DO? This proposal would increase the bag limit of king salmon less than 20 inches in length to 10 fish in the Nick Dudiak Fishing Lagoon.

WHAT ARE THE CURRENT REGULATIONS? The bag and possession limits in all waters south of the latitude of Bluff Point, including the Fishing Lagoon, are two king salmon of any size. King salmon 20 inches or greater in length harvested between April 1 and September 30 count toward the annual limit of five fish for all of Cook Inlet and must be recorded.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Since this is a terminal fishery, all the fish are eventually harvested. This proposal would likely reduce fishing opportunity as a result of fewer anglers taking more fish.

BACKGROUND: The saltwater bag and possession limits of two king salmon of any size was implemented in 1966. In 1991, the bag limit north of Bluff Point was reduced to one king salmon of any size to protect migrating Cook Inlet spawners from overharvest in the saltwater. The bag limit of two south of Bluff Point was retained to provide sport

harvest opportunity on fish returning to stocked terminal harvest areas in Kachemak Bay: the Fishing Lagoon, Seldovia and Halibut Cove Lagoon.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The current bag limit helps to spread the harvest out at this popular fishery thereby increasing the opportunity for anglers to harvest a fish. Although the department has emergency order authority to increase bag limits, the department typically opens this fishery to snagging by emergency order to harvest all of the stocked fish in this terminal fishery.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 15: 5 AAC 77.549. Personal Use Coho Salmon Fishery Management Plan.

PROPOSED BY: Nick C. Varney

WHAT WOULD THE PROPOSAL DO? Prohibit personal use set gillnets within one thousand yards of the Nick Dudiak Fishing Lagoon outlet.

WHAT ARE THE CURRENT REGULATIONS? Salmon may be taken for personal use from August 16 through September 15, from 6:00 a.m. Monday until 6:00 a.m. Wednesday and from 6:00 a.m. Thursday until 6:00 a.m. Saturday. Legal gear is limited to a single set gillnet not exceeding 35 fathoms in length, 45 meshes in depth, with a maximum mesh size of six inches. Nets are not allowed more than 500 feet from the mean high water mark, and a net cannot be set offshore of another net. A permit from the Homer ADF&G office is required, and an Alaska resident sport fishing license is necessary to obtain a permit. The seasonal limit is 25 salmon per head of household and 10 additional salmon per each dependent. The fishery is closed by emergency order, usually when a catch within the guideline harvest range (GHR) of 1,000 - 2,000 coho salmon is achieved or can be projected. Salmon may not be taken from the north entrance to the Homer Small Boat harbor northwest along the Homer Spit to a department marker located approximately 200 yards northwest of the entrance to the enhancement lagoon on the Homer Spit; or west of a line from an ADF&G regulatory marker at "Green Timbers" near the base of the Homer Spit to an ADF&G regulatory marker approximately 300 yards east of the Homer airport access road.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal could decrease the personal use gillnet harvest of coho salmon stocked at the Nick Dudiak Fishing Lagoon on the Homer Spit and may increase the personal use harvest of wild stock coho salmon returning primarily to the Fox River system at the head of Kachemak Bay. Adoption of this proposal may also increase the length of time required to achieve a harvest within the current GHR. This proposal would also reduce the available personal use fishing area on the Homer Spit, displacing some personal use fishers to alternative locations within Kachemak Bay.

BACKGROUND: The Southern District (Kachemak Bay) fall coho salmon gillnet fishery dates back prior to statehood under varying names, being known as a “personal use” fishery during the years 1986-1990, 1993, and 1995–present, and as a “subsistence” fishery in 1991, 1992, and 1994. Numerous court rulings affected the status of this fishery during the 1980s and 1990s, causing it to change in status between the two categories. The most recent court action, after the 1994 fishery, reestablished the “subsistence” and “non-subsistence” areas originally created by the Alaska Board of Fisheries (BOF) in 1992, and because most of Kachemak Bay was included in a “non-subsistence” classification, the subsistence fishery and the regulations governing it were no longer valid. The BOF re-adopted personal use regulations governing this fishery into permanent regulation for the 1995 season and rescinded the subsistence regulations formerly governing the fishery. The personal use designation, and regulations applying to it, have remained in effect since that time.

The target species in the Kachemak Bay personal use gillnet fishery is coho salmon, with the harvest being a mixture of wild stocks primarily bound for the Fox River drainage at the head of Kachemak Bay and stocked fish bound for the Nick Dudiak Fishing Lagoon, located on the Homer Spit. Two separate coho enhancement projects, one at Fox Creek/Caribou Lake near the head of Kachemak Bay and the second at Fritz Creek just east of Homer, provided additional fish for harvest in the 1980s and 1990s, but those programs were discontinued and no adults from those projects returned after 1997. The BOF last addressed this fishery during its 1998 meeting in Homer. After hearing the staff’s concerns regarding the harvest of wild stocks of coho, the BOF adopted a change to the regulatory GHR, from a former range of 2,500 to 3,500 coho salmon to a new range of 1,000 to 2,000 coho. The lower GHR was first implemented in the 1999 season and has been in place ever since. Incorporated into the management plan is a requirement that coho salmon taken during the earlier Seldovia area subsistence salmon fishery be included as part of the personal use guideline.

Stocked adult coho salmon first started returning to the Nick Dudiak Fishing Lagoon in 1989. When stocked coho salmon began returning, effort in the personal use fishery began to shift towards Homer Spit, peaking there in 1996. Both effort and coho salmon harvest in the personal use fishery on the Homer Spit declined steadily thereafter.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. Department staff believes that the present GHR is reasonable at protecting wild stocks.

COST STATEMENT: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 16 - 5 AAC 58.022(b)(2). Waters; seasons; bag, possession, and size limits; and special provisions for Cook Inlet – Resurrection Bay Saltwater Area.

PROPOSED BY: Cook Inlet Aquaculture Association

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit sport fishing for salmon within 100 yards of the Tutka Bay Lagoon hatchery net pens from July 1 through September 15.

WHAT ARE THE CURRENT REGULATIONS? The waters of Tutka Bay Lagoon are currently open all year to sport fishing for salmon. Cook Inlet saltwaters south of Bluff Point are open to snagging from June 24 through December 31.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Interference with hatchery broodstock and equipment by anglers fishing would be prevented. Anglers could continue to fish for other species within 100 yards of the net pens, however it is likely little, if any, fishing would occur in the closed area.

BACKGROUND: The Tutka Bay Lagoon Hatchery operated from 1975-2004. Pink salmon from Tutka Bay Lagoon Creek were spawned and reared in the hatchery from 1975-2003. Sockeye salmon broodstock from Tustemena and Packers lakes were remotely spawned and the progeny experimentally reared at the hatchery in 1991 and 1994-1997. Net pens have been in place and in use throughout hatchery operations. Net pen floats have remained in place since discontinuation of the pink salmon enhancement program and suspension of hatchery operations after the 2004 season.

A small sport fishery targeting the hatchery-produced pink salmon evolved in Tutka Bay near the mouth of the lagoon and in Tutka Bay Lagoon itself until 2006. Historically, a few sport anglers have sporadically targeted naturally-produced salmon and Dolly Varden in Tutka Bay Lagoon Creek and in the saltwater of Tutka Bay Lagoon.

Sport anglers have not previously been restricted from fishing on or near the net pens by sport fishing regulation although the net pens have been posted with "No Trespassing" signs by hatchery staff during pen use.

Cook Inlet Aquaculture Association has begun to develop a sockeye salmon run to Tutka Bay Lagoon through a remote release program at that location with the first adult return of stocked sockeye salmon occurring in 2007. If successful, the run will provide broodstock for ongoing Lower Cook Inlet enhancement projects at Leisure, Hazel and Kirschner lakes that support commercial fisheries and, incidentally, support sport and personal use sockeye salmon fisheries in China Poot Bay.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. The board has adopted regulations in other areas that closed angling activities in small areas adjacent to hatchery operations.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 17 - 5 AAC 58.022(b)(2). Waters; seasons; bag, possession, and size limits; and special provisions for Cook Inlet – Resurrection Bay Saltwater Area.

PROPOSED BY: Leroy Cabana

WHAT WOULD THE PROPOSAL DO? This proposal would close the saltwaters of Tutka Bay Lagoon to sport and personal use fishing for sockeye salmon by preventing use of sport and personal use fishing gear for the harvest of sockeye salmon.

WHAT ARE THE CURRENT REGULATIONS? All waters of Tutka Bay Lagoon are currently open to sport and personal use fishing for all species.

In Alaskan waters, including Tutka Bay Lagoon, sport fishing may be conducted only by the use of a single line having attached to it not more than one plug, spoon, spinner, or series of spinners, or two flies, or two hooks. Fixed or weighted hooks or lures may be used in saltwater.

Cook Inlet saltwaters south of Bluff Point are open to snagging from June 24 through December 31. “Snag” is defined as hooking a fish elsewhere than in the mouth of the fish.

Salmon may be taken for personal use in Tutka Bay Lagoon under the provisions of 5 AAC 77.549 Personal Use Coho Salmon Fishery Management Plan between August 16 through September 15 during 2 48-hour periods per week until a harvest guideline of between 1000-2000 salmon is taken. A permit is required and each permittee is limited to the use of one set gillnet not to exceed 35 fathoms in length, six inches in mesh size and 45 meshes deep. Individual limit is 25 salmon with an additional 10 salmon allowed for each family member.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Sport anglers and personal use harvesters could not harvest sockeye salmon in Tutka Bay Lagoon. Sport and personal use gear could be used to fish for other species in Tutka Bay Lagoon, however, creating difficulty enforcing the proposed regulation.

BACKGROUND: The Tutka Bay Lagoon Hatchery operated from 1975-2004. Pink salmon from Tutka Bay Lagoon Creek were spawned and reared in the hatchery from 1975-2003. Sockeye salmon broodstock from Tustemena and Packers lakes were remotely spawned and the progeny experimentally reared at the hatchery in 1991 and 1994-1997.

A small sport fishery targeting the hatchery-produced pink salmon evolved in Tutka Bay near the mouth of the lagoon and in Tutka Bay Lagoon itself until 2006. Historically, a few sport anglers have sporadically targeted naturally-produced salmon and Dolly Varden in Tutka Bay Lagoon Creek and in the saltwater of Tutka Bay Lagoon.

Cook Inlet Aquaculture Association has begun to develop a sockeye salmon run to Tutka Bay Lagoon through a remote release program at that location with the first adult return of stocked sockeye salmon occurring in 2007. If successful, the run will provide broodstock for ongoing Lower Cook Inlet enhancement projects at Leisure, Hazel and Kirschner lakes that support commercial fisheries and, incidentally, support sport and personal use sockeye salmon fisheries in China Poot Bay.

No personal use fishing is known to have taken place historically in Tutka Bay Lagoon.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 18 - 5 AAC 58.022 (8). Waters; seasons; bag, possession, and size limits; and special provisions for Cook Inlet – Resurrection Bay Saltwater Area.

PROPOSED BY: Seward Charter Boat Association

WHAT WOULD THE PROPOSAL DO? This proposal would reclassify the spiny dogfish (*Squalus acanthias*) from a shark to “other finfish,” and remove the bag, possession, and annual limits for them.

WHAT ARE THE CURRENT REGULATIONS? The bag and possession limit is one shark of any species per day, with an annual limit of two sharks per year and a harvest record is required. Species of fish for which no daily or possession limits are specified may be used for bait or other purposes.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The harvest of spiny dogfish would increase by allowing unlimited harvest.

BACKGROUND: The Cook Inlet and Resurrection Bay sport fisheries have experienced relatively high dogfish catch rates since about 2001, especially in late July and August. However, there is little recreational demand for dogfish. About 37,500 sharks were caught in the Cook Inlet-Resurrection Bay Regulatory Area in 2006, but only about 450 were kept. Since 2000, anglers in this area have released 95%-99% of sharks they caught.

Spiny dogfish are a long-lived, slow to mature species that require long recovery times when stocks are overexploited. Large and abrupt increases in the spiny dogfish population are unlikely because of their low reproductive rate. That, along with the wide diversity of ages in the population, suggests that the high catch rates in recent years are a result of shifts in the spatial distribution of dogfish. Dogfish are highly migratory.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Current regulations allow for a much larger harvest of these fish than what currently occurs.

Increasing the bag limit is not likely to increase the harvest of spiny dogfish taken home by anglers since most anglers are not aware of their table value or how to preserve and prepare the meat.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

Resurrection Bay and Outer Gulf Coast Sport, Subsistence, and Personal Use (4 proposals)

PROPOSAL 19 - 5 AAC 58.022 (6). Waters; seasons; bag, possession, and size limits; and special provisions for Cook Inlet – Resurrection Bay Saltwater Area.

PROPOSED BY: Seward Fish and Game Advisory Committee

WHAT WOULD THE PROPOSAL DO? This proposal would reduce the bag limit of rockfish in Cook Inlet and North Gulf waters to the first four rockfish caught, of which only one may be a non-pelagic species.

WHAT ARE THE CURRENT REGULATIONS? The bag limit is five rockfish per day, ten in possession, of which only one per day, two in possession may be non-pelagic species.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Anglers would be prohibited from releasing rockfish until their bag limit of four was reached, or until they had harvested one non-pelagic rockfish. By requiring retention of the first four rockfish caught, anglers not targeting rockfish would be forced to retain pelagic species that might otherwise be released with a high probability of survival. Passage of this proposal would also have implications for the subsistence rockfish regulations, which mirror sport fish regulations for bag and possession limits. If this were to pass, the BOF, with the same reasoning, might consider the same change to the subsistence regulations.

BACKGROUND: The 10-year (1997-2006) average catch for rockfish in the North Gulf is about 55,000 fish, with a harvest of 32,000. The catch in recent years has been higher, with a peak of 81,000 fish in 2004. In that 10-year period anglers reported releasing 26%-42% of the rockfish they caught. The catch and release mortality is considered very high for some rockfish species due to barotrauma to internal organs caused by pressure changes when bringing rockfish to the surface.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Rockfish stocks are difficult to monitor and manage, but data suggest that current harvest levels of North Gulf rockfish stocks are sustainable. Rockfish age structure from both charter and private anglers appears to be stable and older age classes are still present in rockfish stocks. Reducing the bag limit from five to four rockfish alone would result in a decrease in the rockfish harvest of an estimated 4%, but adding the requirement to keep the first

four rockfish caught could confuse anglers, increase harvest, and generate waste of rockfish. The current rockfish bag limit of five per day, ten in possession is consistent with Prince William Sound limits for May 1 through Sept 15 (Prince William Sound limits increase to ten per day from September 16 through April 30).

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 20 -5 AAC 56.122(9). Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area.

PROPOSED BY: Seward Fish and Game Advisory Committee

WHAT WOULD THE PROPOSAL DO? This proposal would create a Youth-Only fishery in the Seward Lagoon and the Seward Lagoon outfall stream for king salmon (two 3-day weekends) and coho salmon (two 3-day weekends) fishing. It would allow bait, but prohibit snagging. The limit for king salmon would be 2 per day and the limit for coho salmon would be 3 per day. Anglers would not be required to record king salmon harvested in the waters of the North Gulf Coast, and they would not count toward the five fish annual limit.

WHAT ARE THE CURRENT REGULATIONS? The Seward Lagoon and lagoon outflow stream are closed to all fishing. Fishing is open on the ocean side of the Lagoon Outfall culverts with a bag limit of six salmon per day, all of which can be coho salmon, and two can be king salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This fishery would create a terminal fishery and allow anglers 15 years and younger the opportunity to harvest surplus hatchery king and coho salmon returning to their stocking location. There are currently no Youth-Only salmon fisheries in the Seward area.

BACKGROUND: The Seward Lagoon and outfall stream are closed to all fishing. ADF&G has stocked the lagoon with coho salmon every year since 1968, and the current stocking goal is 120,000 smolt each year. King salmon were first stocked there in 1985, and have been stocked every year since 1988. The current stocking goal is 105,000 king salmon smolt each year. Typically more than 100 king salmon and many more coho salmon escape the marine fishery, move into the outfall stream and then into the Lagoon where they were imprinted as smolt. There are no escapement goals or brood stock goals for either king or coho salmon into the lagoon as these fish are considered to be surplus hatchery returns and are available for harvest.

The BOF only recently obtained the legislative authority to create Youth-Only fisheries. These fisheries are designed to allow young anglers, aged 15 and younger, an opportunity to fish without having to compete with the more skilled adult anglers. Youth-Only

salmon fisheries are now in regulation on Campbell Creek in Anchorage for king salmon, at the Nick Dudiak Fishing Lagoon in Homer for both king and coho salmon, and at First Lake in Seward for stocked trout. These fisheries are successful family oriented events.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal. A Youth-Only fishery in the Lagoon and outfall stream would be a good way harvest excess hatchery fish returning to their stocking location. Targeting two 3-day weekends for each species give young anglers a better chance to fish during the peak timing of this run. For king salmon, the department recommends the last Friday, Saturday, and Sunday in June, and the second weekend in July. The suggested dates for the coho salmon fishery: the first weekend in August and the first weekend in September may need some revision. For regulatory consistency with the other freshwater coho fishery in the Seward area we recommend a bag and possession limit of two coho salmon per day. The lagoon and outfall stream should remain closed to all other fishing.

COST ANALYSIS: The department does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 21 - 5 AAC 56.122(9)(D). Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area.

PROPOSED BY: Seward Fish and Game Advisory Committee

WHAT WOULD THE PROPOSAL DO? Open the Resurrection River drainage, downstream of the Seward Highway and downstream of Nash Road, to sockeye salmon fishing after June 15. The bag limit would be 3 fish per day, 3 in possession. Only a single-hook artificial lure would be allowed.

WHAT ARE THE CURRENT REGULATIONS? The waters downstream of the Seward highway and downstream from Nash road are open to sport fishing for salmon, except king salmon, from August 1 – December 31; only single-hook, artificial lures may be used; the bag and possession limit is three salmon per day, of which only two may be coho salmon. All other freshwater drainages in Resurrection Bay are closed to salmon fishing year round.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Anglers would target hatchery-produced sockeye salmon returning to Bear Lake. There is currently a recreational fishery on these salmon in the marine waters as defined by ADF&G markers off the mouth of Resurrection River. This is primarily a snag fishery. This proposal would increase the size of the area open to anglers fishing for sockeye salmon and allow them to target them in fresh water and likely increase the harvest of sockeye salmon.

BACKGROUND: Freshwater drainages in Resurrection Bay have been closed to salmon fishing since 1960. At the last BOF meeting the board considered a similar proposal and decided to open the Resurrection River drainage, downstream of the Seward Highway and downstream of Nash Road to salmon fishing from August 1 – December 31. Access to the fishery is through private property along this reach of river. This new coho salmon fishery has not had much participation since anglers have plenty of opportunity for coho in Resurrection Bay saltwater. Freshwater salmon fishing opportunity in Resurrection Bay is very limited.

The saltwater sockeye salmon fishery that has developed at the mouth of the Resurrection River is the earliest salmon fishery available to local residents. The most recent 5-year (2001-2005) average of sockeye salmon harvest from Resurrection Bay is 3,000 fish. The harvest in 2005 was 5,460 fish and the estimate for harvest in 2006 was 4,372 fish. It is assumed that most of this harvest is taken off the mouth of Resurrection River during June and early July. Because this fishery takes place in saltwater, snagging is legal and the favored method of harvest. If this section of river is opened on June 15th to sockeye, anglers fishing the freshwater side of the mouth may only use one single hook artificial lure.

The recent increase of sockeye salmon sport fishing harvest coincides with increased stocking levels into Bear Lake by Cook Inlet Aquaculture Association (CIAA). CIAA currently stocks Bear Lake with 2.4 million sockeye salmon fry, an average of 750,000 pre-smolt, and as many as 400,000 smolt. Since the sockeye stocking project is partially supported by commercial fishing enhancement taxes, the adult sockeye returning from these releases are primarily harvested in a small commercial seine fishery in Resurrection Bay and by CIAA for cost recovery, and secondarily by the sport fishery at the mouth of the river. Bear Lake has an SEG of 700 – 8,300 sockeye, and because CIAA collects hatchery broodstock from lake escapement, the return is managed to achieve a “desired inriver return” of approximately 12,000 sockeyes into the lake.

The Resurrection Bay Management Plan (5 AAC 21.376) allocates coho and king salmon primarily for the sport fishery and the pink and chum salmon primarily to the commercial fishery. It also states that the commercial fishery must be managed in a manner so that it does not interfere with the recreational fishery. The Bear Lake Management Plan (5 AAC 21.375) states that any sockeye salmon enhancement in Bear Lake will cause no net loss of coho salmon smolt production from the lake, and must maintain the early run timing similar to the native Bear Lake sockeye stocks. The prime objective of any Bear Lake sockeye enhancement is to produce a commercially viable fishery with minimal impact on the recreational fishery. The department’s management objective for the enhanced commercial sockeye salmon fishery is to achieve an equal allocation of the harvestable surplus between the commercial fishermen and CIAA for cost recovery.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal between sport anglers and CIAA’s ability to achieve its sockeye salmon cost recovery objective as mandated by regulation.