

PROPOSAL 94

5 AAC 21.359. Kenai River Late-Run King Salmon Management Plan

Modify allowable gear when the set gillnet commercial fishery is restricted to achieve the Kenai River late-run king salmon optimal escapement goal as follows:

"up to three set gillnets that are each not more than 35 fathoms in length, 70 fathoms in aggregate length, and 29 meshes in depth"

I am exactly copying the language in section (i) for 105 fathoms and adapting it to 70. If in fact the board finds this language confusing (historically it has) then I am perfectly open to them updating the terminology/phrasing. (ie. Merely say "70 fathoms aggregate length of gear not more than 29 meshes in depth")

I also am inserting the exact same language in the second half of section (i) immediately preceding. The intent here is to represent the historical ability to fish shorter nets with the same aggregate length as 35 fathom nets. In the case where the regulation restricts to a singular 35 fathom net, my experience in the fishery dictates that it would not really be feasible to break this up and as a result I have left that situation unchanged. I would like to emphasize that this does nothing but let people fish their 70 fathoms of gear within their current operational setups. It does not add any amount of legal gear to the fishery. It is the exact same.

5 AAC: 21.359(e)(3)(G)

...

(i) up to four set gillnets that are each not more than 35 fathoms in length, 105 fathoms in aggregate length, and 29 meshes in depth, **up to three set gillnets that are each not more than 35 fathoms in length, 70 fathoms in aggregate length, and 45 meshes in depth** [OR TWO SET GILLNETS THAT ARE EACH NOT MORE THAN 35 FATHOMS IN LENGTH AND 45 MESHES IN DEPTH]; set gillnets used that are not more than 29 meshes in depth must be identified at the end of the gillnet with an attached blue buoy that is not less than nine and one-half inches in diameter; or

(ii) **up to three set gillnets that are each not more than 35 fathoms in length, 70 fathoms in aggregate length, and 29 meshes in depth** [UP TO TWO SET GILLNETS THAT ARE EACH NOT MORE THAN 35 FATHOMS IN LENGTH AND 29 MESHES IN DEPTH] or one set gillnet that is not more than 35 fathoms in length and 45 meshes in depth; set gillnets used that are not more than 29 meshes in depth must be identified at the end of the gillnet with an attached blue buoy that is not less than nine and one-half inches in diameter.

What is the issue you would like the board to address and why? When gear restrictions are in place on the setnet fishery under 21.359(e)(3)(G)(i or ii) in the Kenai River Late Run King Salmon Management plan and the more restrictive gear option is used (All of 2022 and 2021, and most of 2020), no allowance is being made for operations that utilize net lengths shorter than 35 fathoms. It reads "up to two set gillnets that are each not more than 35 fathoms in length and 29 meshes in

depth..." Compare this to the immediately preceding section 21.359(e)(3)(G)(i) where it reads "up to 4 set gillnets that are each not more than 35 fathoms in length, 105 fathoms in aggregate length, and 29 meshes in depth..." (Read as: Three 35 fathom nets or 4 shorter nets with the same aggregate length.) The issue here is that while it is true that the majority of participants in the fishery fish "standard" 35 fathom long nets there is in fact regulatory allowance in the general gear definitions to break your 105 fathoms of aggregate length into 4 shorter nets and 35 fathoms is in fact just the maximum legal length of a net. (See 5AAC 21.331(d)). I do not believe there was any intention when restricting gear to 70 fathoms per permit in the King Salmon Plan to disproportionately harm people who fished shorter nets. For very many practical reasons it is extremely difficult to make either nets or locations longer especially in this current age of heavily restrictive management and financial uncertainty in the fishery. It is much easier to shorten them slightly. I would like to see uniformity throughout the language in this section regulating to aggregate length of gear.

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