

## *Fresh Water (5 proposals)*

### **PROPOSAL 13**

#### **5 AAC 56.XXX. New Section.**

Create a management plan for the Anchor River, Deep Creek, and Ninilchik River king salmon sport fisheries as follows:

- (a) **The purpose of this plan is to direct the department in the management of the sport fisheries for the king salmon stocks in the Anchor River, Deep Creek, and Ninilchik River using the Anchor River preseason forecast and inseason projections from the Anchor River and Ninilchik River salmon monitoring projects.**
- (b) **The department shall manage the sport fisheries in each drainage to achieve the sustainable escapement goal established for each of the three stocks, while providing sustainable harvest and fishing opportunities, and maximizing the harvest of hatchery king salmon. The Ninilchik River will also be managed to prioritize collecting naturally-produced and hatchery broodstock.**
- (c) **In the Anchor River and Deep Creek,**
  - (1) **the area, seasons, bag, possession, annual and size limits, and methods and means for king salmon are outlined in 5 AAC 56.122;**
  - (2) **if the Anchor River preseason forecast is less than the lower end of the sustainable escapement goal of 3,200 – 6,400 king salmon, the Anchor River and Deep Creek shall be closed to sport fishing during the season specified in 5 AAC 56.122 (a)(2)(E) and (a)(5)(D); and**
  - (3) **if the Anchor River preseason forecast is greater than the lower end of the sustainable escapement goal of 3,200 – 6,400 and less than the threshold of 4,800, the sport fishery for king salmon in the Anchor River and Deep Creek shall be closed to the retention of king salmon and gear shall be restricted to only one unbaited, single-hook, artificial lure;**
  - (4) **if the Anchor River preseason forecast is greater than 4,800, the sport fishery for king salmon in the Anchor River and Deep Creek may start as described in 5 AAC 56.122;**
  - (5) **if the Anchor River inseason projection is less than the lower end of the sustainable escapement goal of 3,200 – 6,400 after June 1, the Anchor River and Deep Creek shall be closed to sport fishing during the season specified in 5 AAC 56.122 (a)(2)(E) and (a)(5)(D);**
  - (6) **if the Anchor River inseason projection is greater than the lower end of the sustainable escapement goal of 3,200 – 6,400 and less than the threshold of 4,800 after June 1, the Anchor River and Deep Creek shall be closed to the retention of king salmon and gear shall be restricted to only one unbaited, single-hook, artificial lure;**
  - (7) **if the Anchor River inseason projection is greater than the threshold of 4,800 after June 1, the sport fishery for king salmon in the Anchor River and Deep Creek may proceed as described in 5 AAC 56.122;**
- (d) **In the Ninilchik River,**
  - (1) **the area, seasons, bag, possession, annual and size limits, and methods and means for king salmon are outlined in 5 AAC 56.122;**

- (2) if the Anchor River preseason forecast is less than the threshold of 4,800, the Ninilchik River shall,
  - (A) be closed to the retention of naturally-produced king salmon, and
  - (B) gear shall be restricted to only one baited, single-hook, artificial lure;
- (3) if the Anchor River preseason forecast is greater than 4,800, the Ninilchik River sport fishery for king salmon may start as described in 5 AAC 56.122;
- (4) if the Ninilchik River inseason projection is less than 900 naturally-produced king salmon after June 1, the Ninilchik River shall be closed to sport fishing during the season specified in 5 AAC 56.122;
- (5) if the Ninilchik River inseason projection is greater than 900 but less than 1,200 naturally-produced king salmon after June 1, the Ninilchik River shall, during the season specified in 5 AAC 56.122,
  - (A) be closed to the retention of naturally-produced king salmon, and
  - (B) gear shall be restricted to only one unbaited, single-hook, artificial lure;
- (6) if the Ninilchik River inseason projection is greater than 1,200 but less than 1,500 naturally-produced king salmon after June 1, the Ninilchik River shall, during the season specified in 5 AAC 56.122,
  - (A) be closed to the retention of naturally-produced king salmon, and
  - (B) gear shall be restricted to only one baited, single-hook, artificial lure;
- (7) if the Ninilchik River inseason projection is greater than 1,500 naturally-produced king salmon after June 1, the Ninilchik River sport fishery may proceed as described in 5 AAC 56.122;
- (8) if the Ninilchik River inseason projection for hatchery king salmon exceeds the need for broodstock collection, and the inseason projection of naturally-produced king salmon is also sufficient to meet the sustainable escapement goal of 900 – 1,600 and broodstock collection needs, then the department may further liberalize the fishery to maximize the harvest of hatchery king salmon.

**What is the issue you would like the board to address and why?** Due to low productivity of Cook Inlet king salmon stocks, the lower Kenai Peninsula roadside streams king salmon sport fisheries have been restricted and/or closed by emergency order (EO) in 12 of the last 15 years. These sport fisheries have been managed inseason by EO with a run projection based on king salmon escapement monitoring in the Anchor River. Additionally, a preseason forecast for Anchor River king salmon has been used since 2020 for preseason restrictions for these streams, and an inseason projection for the Ninilchik River has been used since 2021. By specifying the actions in a management plan, the public and the Alaska Board of Fisheries have the opportunity to provide input on the fishery structure. Based on recent review of the Anchor River king salmon sustainable escapement goal (SEG), the SEG range should be lowered to reflect a level of escapement that is likely to produce sustained yield under current conditions. Given the recent low productivity of these king salmon stocks, a management plan provides more structure to these fisheries to protect the stocks in times of low productivity, maximize the harvest of hatchery king salmon, and provide sustainable fishing opportunities when appropriate.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F23-002)

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**PROPOSAL 14**

**5 AAC 56.122. Special provisions for the seasons, bag, possession, annual, and size limits, and methods and means for the Kenai Peninsula Area.**

Modify the Ninilchik River hatchery king salmon limits and season as follows:

5 AAC 56.122(a)(6) is amended to read:

...

(D)(i) on Memorial Day weekend and the following two weekends and the Monday following each of those weekends; bag and possession limit of [ONE] **two** king salmon, 20 inches or greater in length, **of which only one fish may be a naturally-produced king salmon**; a person who takes and retains [A] **two** king salmon 20 inches or greater in length from the Ninilchik River, Deep Creek, or the Anchor River may not sport fish in any of those drainages for the rest of that day;

(ii) from June 16 – **July 15** [OCTOBER 31]; bag and possession limit of [ONE] **two** hatchery king salmon, 20 inches or greater in length; naturally-produced king salmon may not be retained; a person who takes and retains [ONE] **two** king salmon 20 inches or greater in length from the Ninilchik River drainage may not sport fish in the Ninilchik River drainage for the rest of the day;

(G) the Ninilchik River from the outlet of the Ninilchik small boat harbor to ADF&G regulatory markers just upstream of the Sterling Highway Bridge is open to sport fishing to a person under 16 years of age during the designated youth fishery which occurs on the second Wednesday after Memorial Day between the hours of 6:00 am and 9:59 pm; king salmon bag and possession limit is [ONE] **two** king salmon of any size, **of which only one fish may be a naturally produced king salmon**; annual limit and other restrictions specified in (a)(6)(D)(iii) of this section apply; a harvest record is required as specified in 5 AAC 75.006; a person who takes and retains [A] **two** king salmon may not sport fish in the Ninilchik River for the rest of the day;

**What is the issue you would like the board to address and why?**

Over the last six years, the Ninilchik River king salmon supplementation program has made several improvements that have resulted in an increased hatchery return to the Ninilchik River. Since 2019, the department has issued preseason and inseason emergency orders to provide additional harvest opportunity for hatchery fish. Hatchery fish not harvested in the sport fishery and in excess of broodstock collection needs have been culled during eggtakes in an effort to minimize the hatchery contribution to the Ninilchik River escapement. In the last three years, there has been more than 1,000 extra hatchery fish after broodstock collection. Increasing the bag limit will provide consistent additional sport fishing opportunity, while minimizing the hatchery contribution to the escapement.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F23-021)

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**PROPOSAL 15**

**5 AAC 56.122. Special provisions for the seasons, bag, possession, annual, and size limits, and methods and means for the Kenai Peninsula Area.**

Extend the area open to hatchery king salmon on the Ninilchik River as follows:

Upstream from the ADF&G markers:

- Closed year-round to all salmon fishing, **Except the area from the ADFG 2 mile markers to 200' below the ADF&G weir from June 16-July 15 for hatchery King Salmon only.**
- November 1-July 31: Closed to all fishing in flowing waters, **Except the area from the ADFG 2-mile markers to 200' below the ADF&G weir from June 16-July 15 for hatchery King Salmon only.**
- August 1-October 31: open to sport fishing, **including hatchery king salmon**, except for **all other** salmon, August 1-October 31 upstream of the ADF&G regulatory markers located approximately two miles upstream from the mouth species except salmon.
- only one unbaited, single-hook, artificial lure may be used (ii) from [August 1 ] **June 16-** October 31, **above the ADF&G 2 mile marker year-round**
- All other species (except salmon): Follow the General Regulations on pages 66 and 67.

**What is the issue you would like the board to address and why?** After the normal king salmon fishery closure (3<sup>rd</sup> open weekend), the Ninilchik River opens to 24/7 fishing of salmon with retention of hatchery king salmon permitted. Unfortunately, there is a “zone” from the ADF&G 2 mile marker up to the ADF&G weir where king salmon “hang out” not migrating up to the weir. This area is about 1 ¾ miles long. Once at the weir, hatchery fish are killed to deter spawning and wild fish are harvested for hatchery (smolt) production. In this zone some hatchery fish are able to spawn, which is not ideal. Additionally, some wild fish “hang out” not making the move up the weir for utilization for row and smelt needs. Opening this area for the period of June 16-July 15 to fishing and retention on hatchery king salmon only would offer many benefits with very few consequences. The fishing pressure in this area would allow more harvest of hatchery fish for Alaskan dinner tables vs the killing of them at the weir with donation to dog mushers. Additionally, it would also help ADF&G with their goal of minimizing the number of hatchery fish spawning anywhere in the Ninilchik River. Furthermore, wild fish in this area would be encouraged to move up the ADF&G weir for smelt and row collection. The only downside of this regulatory change would be wild fish mortality due to catch and release. This would be minimized and negligible by this area continuing to be only one, unbaited, single-hook artificial lure or fly. Any risk/benefit analysis of this regulatory change leans heavily in favor to the positivity of the fishery.

**PROPOSED BY:** Jim Stubbs

(HQ-F23-058)

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### **PROPOSAL 16**

#### **5 AAC 56.122. Special provisions for the seasons, bag, possession, annual, and size limits, and methods and means for the Kenai Peninsula Area.**

Expand the boundary of the Ninilchik River Youth-Only fishery as follows:

From the mouth of the Ninilchik River upstream [to the Sterling Highway Bridge Marker] **approximately 2 miles to the ADF&G markers**

**What is the issue you would like the board to address and why?** The current boundary of the Ninilchik River Youth-Only Fishery should be expanded. The current fishery forces participants to fish in a small area downstream from Sterling Highway Bridge. This should be changed to

mirror the fishing area currently allowed for all other King Salmon Fisheries on the Ninilchik River. Not only will this create parity and clarity to the current regulations it will give participants more room to fish in a non-combat atmosphere. Additionally, the change will help fulfill the ADFG strategic goal of increasing interest, enjoyment, and participation of fisheries by Alaskan youth. Some additional benefits would be elimination of need for staff to post needed signage for 2<sup>nd</sup> boundary. And to address issues of concern- this change would not require additional enforcement as the area is same as weekends. Furthermore, there is no change suggested in allowable harvest, means, or methods. Only to increase the area to the current size of all other openings of King Salmon on Ninilchik River.

**PROPOSED BY:** Jim Stubbs

(HQ-F23-105)

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**PROPOSAL 17**

**5 AAC 56.122. Special provisions for the seasons, bag, possession, annual, and size limits, and methods and means for the Kenai Peninsula Area.**

Expand the boundary of the Ninilchik River Youth-Only fishery as follows:

**5 AAC 56.122 (a)(6) Ninilchik River Drainage:**

(G) the Ninilchik River from **its mouth upstream to ADF&G regulatory markers located approximately two miles upstream** [THE OUTLET OF THE NINILCHIK SMALL BOAT HARBOR TO ADF&G REGULATORY MARKERS JUST UPSTREAM FROM THE STERLING HIGHWAY BRIDGE] is open to sport fishing to a person under 16 years of age during the designated youth fishery which occurs on the second Wednesday after Memorial Day between the hours of 6:00 a.m. and 9:59 p.m.; king salmon bag and possession limit is one king salmon of any size; annual limit and other restrictions specified in (a)(6)(D)(iii) of this section apply; a harvest record is required as specified in 5 AAC 75.006; a person who takes and retains a king salmon may not sport fish in the Ninilchik River for the rest of that day

**What is the issue you would like the board to address and why?** As a parent of two grade-school aged kids, I am very appreciative of the youth only fishing days that Alaska sets aside for children under 16. I believe this is a great way to get young kids interested in fishing and provides them with a real opportunity to catch a fish. With that said, I'd like to see the restrictions on where you can fish during the Ninilchik River youth-only fishing day (June 7th this year) removed. There are currently no restrictions (from mouth to 2 miles upstream) on where adults can fish during the 23 days that the river is open to King Salmon fishing during the primary run (Memorial Day weekend thru June). However, for the one day that fishing is set aside for kids, the regulations limit where you can fish to downstream of the Sterling Highway Bridge. I think this is a shame. Kids are not nearly as capable as adults, and effort should be taken on this one day to make access more available, not less available. Is the concern that kids are going to take away opportunities from the adults? Additionally, the primary camping site is on the upstream side of the bridge, so the current regulation prevents a family from being able to camp at the campground and walk their children down to the river to fish. Instead, you'd have to pack your kids back up in the car, pack up fishing gear, drive to a new place and park, then walk down and hope to find a place to fish. By the time you do all that, everyone's tired and ready to be done. I'd ask that you please consider

revising the regulation for the youth only fishing day by opening the river to fishing from the mouth of the Ninilchik to the ADF&G markers two miles upstream. Thank you for your consideration.

**PROPOSED BY:** Seth Anderson

(EF-F23-015)

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