

**PROPOSAL 139 – 5 AAC 21.310. Fishing seasons.** Repeal the one-percent rule, as it applies to the Upper Subdistrict set gillnet fishery so that the set gillnet fishery will close August 15, as follows:

Amend and delete (b) (C) (iii) after the words: the season will close August 15<sup>th</sup>, unless closed earlier by emergency order [**after July 31, if ... until 11:59 p.m.**]

**What is the issue you would like the board to address and why?** The 1% “rule” was attached to the Kenai River Coho conservation plan which has been repealed for nearly a decade. The ESSN Harvest of Kenai bound coho is less than 3% of the total average runs. There is no conservation concerns over this stock and the ESSN foregone millions in annual salmon harvests under the former Coho plan due to one poor return year in the mid 1990’s.

The 1% rule makes no sense in mandating a CFEC permit holder to no salmon harvest while all sockeye salmon escapement goals have been met or exceeded due to prescriptive closures. Sport fishermen remain opened for a number of stocks year round, including months of coho fishing opportunity to November. Conservation is not defined by a 3 or 4% exploitation rate limited solely upon commercial fisheries alone when no Guideline Harvest Levels exist when coho stocks can be exploited at 63% with Sustained Yields. Run timing has proven over 17% of the sockeye run occurs in August and there is no reason to assume the department or anyone can predict what happens in August during any given year from one day to the next or one week to the next.

This is nothing more than an anti commercial fishing provision and fishery conflict proviso to create economic harm. The Board and the Department have a responsibility to reduce fishery conflicts and promote fishing that support fishing communities who depend on the salmon resources of this state.

**PROPOSED BY:** Mark Ducker

(HQ-F16-096)

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