

## **MATANUSKA-SUSITNA BOROUGH**

## Planning and Land Use Department Planning Division

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To: Alaska Board of Fisheries

From: Matanuska-Susitna Borough Fish and Wildlife Commission

Date: February 7, 2024

Re: Comments on 2024 Upper Cook Inlet Finfish Proposals

#### I. Preamble

The following comments are submitted on behalf of the Matanuska-Susitna Borough (MSB) Fish and Wildlife Commission (FWC). The MSB FWC represents the interests of the Borough in the conservation and allocation of fish, wildlife and habitat. Specifically, the FWC advises borough officials, state or federal agencies and other organizations with interests that may affect conservation of fish, wildlife, and habitat across an area the size of West Virginia. Within this area, residents fish commercially, personal use dip net, sport fish, and four indigenous communities were long-time subsistence users — Chickaloon, Knik, Eklutna Village, and Tyonek. The members of the FWC combined bring well over 100 years of experience managing fish and wildlife resources within Alaska.

Proposals were evaluated, and comments generated, based on six (6) goals the FWC established for the upcoming Board of Fisheries UCI meeting:

- 1. Long-term salmon conservation and protection of salmon habitat.
- 2. Maintain and enhance the Conservation Corridor in the drift gillnet fishery management plan.
- 3. Clarify or strengthen conservative management practices which provide protection for current and formerly identified Stocks of Concern.
- 4. Increase inriver returns of coho and sockeye salmon to Northern Cook Inlet systems.
- 5. Adjust existing king salmon management plan and strategies to more adequately address conservation concerns for king salmon returning to Northern Cook Inlet drainages.
- 6. Maintain or extend Personal Use fishing opportunity for Alaskan residents fishing Northern Cook Inlet drainages.

These goals are detailed in the attached publication entitled "It Takes Fish to Make Fish 2024"

#### MSB Fish and Wildlife Commission Proposal Positions

Process: BOF proposals of interest were evaluated in a designated FWC work group. The recommendations from this work group were then returned to the full commission, where final positions were agreed to by commission consent.

We have ordered our comments to follow the published UCI BOF Agenda dated 1/24/24. The agenda provides the organizational approach the Board will take. In the case of the 2024 UCI BOF Road map, we anticipate some procedural difficulties.

Specifically, until the impacts of Federal management in the EEZ are accounted for within the Central Drift Gillnet Management Plan, it is very difficult to assess the benefits/threats of other proposals affecting Northen bound stocks. The uncertainty and potential threat posed by the EEZ cannot be understated. Current discussions regarding Total Allowable Catch (TAC) within the EEZ is shocking, and when coupled with a lack of timely inseason responsiveness within the Federal management system leaves the Board with little alternative except to apply the precautionary principle to fisheries within their management authority. With that in mind, the MSB Fish and Wildlife Commission recommends:

- 1) Area 1. Close ALL state managed waters in the Anchor Point Section and all state waters west of the expanded Kasilof section to commercial drift gillnet fishing.
- Confine all state managed drift gillnet fisheries to the harvest corridor using one or more of the following: the Kasilof section, Expanded Kasilof Section, Kenai Section, and/or the Expanded Kenai Section of the Harvest Corridor.
- 3) Consider the possibility of placing state managed waters as defined in 2 above under a Super Exclusive fishery management system. Meaning that a vessel registered for fishing in State waters cannot participate in the Federal EEZ fishery.

Further, we urged in a letter to Board Chairman Wood to consider managing the meeting such that Committee of the Whole Group 6 Central District Drift Fishery Management Plan is placed ahead of Group 2 Northern District Fisheries Management first on the Boards agenda.

## II. Matanuska-Susitna Borough Fish and Wildlife Commission Comments on Proposals

## Committee of the Whole – Group 1: Kenai River Late-Run King Salmon Action Plan

The MSB FWC encourages the Board to consider limiting pink salmon hatchery production, as called for in Proposal 43, as a means to reduce competition with juvenile king salmon. There is uncertainty in the driver behind the decline of western Alaska king salmon stocks, however, many suggest it is an ocean-related event in the early stages of development. Dramatic declines, as we have seen in Cook Inlet stocks, calls for conservative management actions and application of the precautionary principle. A July 12, 2023 report in Fisheries Management and Ecology, in which a global literature search of peer-reviewed publications (1970–2021) evaluated how hatchery salmonids affected wild salmonids, found that hatcheries commonly have adverse impacts on wild salmonids in freshwater and marine environments. We believe reducing competition by reducing pink salmon hatchery releases, may assist with king salmon recovery.

The MSB Fish and Wildlife Commission elected to not address this group of proposals.

Committee of the Whole – Group 2: Northern Cook Inlet Subsistence, Northern District Commercial, Smelt, and Susitna River Sport and Personal Use Fisheries (29 proposals)

Any action taken by the Board in Northern District fisheries can only reasonably be considered after addressing the combined impact of the Federally Managed EEZ and the Central District Driftnet fishery. The emergence of the EEZ and associated estimates of Total Allowable Catch (TAC) cast an unprecedented

level of uncertainty on the sustainability of salmon stocks now subject to two commercial fishing management systems. The situation demands application of the precautionary principle that guides the Board to err on the side of conservation. Therefore, the MSB FWC will generally be opposed to any expansion of harvest potential in the Northern District fisheries and will seek additional conservation-based actions in the state-managed sockeye and coho salmon fisheries within the Central District to counteract the impacts of the federally managed EEZ.

Additionally, we are seeking measures to ensure fish (primarily kings and cohos) that make it into the Northern District are allocated in accordance with Management Plan purposes, providing a full season of reasonable harvest opportunity for sport, guided sport, and other inriver users.

#### Northern Cook Inlet Subsistence

#### 204 Yentna Subsistence Salmon allow use of sport gear

**No Action** 

Rationale: Under state law, subsistence has a priority over other users, however this does not mean that all methods are applicable under a subsistence harvest. What does need to be provided is a reasonable opportunity to harvest and does not mean a guaranteed harvest.

If adopted by the Board, a season closure should occur for king salmon conservation based on a Board-identified metric trigger that should be consistently applied to all Northern Cook Inlet subsistence fisheries targeting king salmon during times of shortage. There is also a question regarding the enforceability of a 3 king per family permit.

#### Northern District Commercial Salmon

#### 205 Close stream mouths to commercial set net fishing in the Northern District

Support

Rationale: This proposal will help clarify regulatory language by identifying waters closed to commercial fishing for salmon in the Northen District King Salmon Management Plan permanently rather than by emergency order. Prior actions by the Board to close the sport fisheries in waters of the Theodore, Lewis, and Chuitna rivers in response to them being identified (2011) as SOC. Because the sport fishery is closed under regulation and cannot be opened, the Alaska Department of Fish & Game (ADF&G) is forced to issue an emergency order every year to close these marine waters. Cleaning up the regulatory language by eliminating unnecessary language will benefit the public, ADF&G, and enforcement. This area would only be closed during the directed Northern District king salmon fishery.

## 206 Reduce from 12.5k to 2,000 the maximum number of king salmon that may be taken annually Support

Rationale: The current cap of 12,500 king salmon (established in 1986) is inconsistent with the current condition of king salmon production and abundance. Current annual directed harvests average only 2,000 per year with an incidental harvest of another 200 – 500 per year taken in the sockeye salmon commercial fishery. This proposal will "right size" management targets to reflect actual stock conditions.

## 207 Shared Harvests and Paired Restrictions in Northern District King Salmon Management Plan Support Concept

Rationale: The specific allocation directive of the Northern District king salmon management plan calling for a full season of reasonable harvest opportunity for sport, guided sport, and other in river users is not being met. This proposal set a maximum allowable commercial harvest of 15% of the total combined sport

and commercial king salmon harvest and creates paired restrictions on the commercial fishery should conservative actions be taken in the sport fishery.

We recognize the inseason difficultly, however, this would establish a post season report card that helps define the allocative target found within the management plans. We fully support the sharing of the burden of conservation through the paired restrictions.

## 208 Paired King Salmon Closure of Sport Fishery(s) / Northern District Commercial Fishery (Mat-Su AC Proposal) Support

Rationale: The current management practices are not meeting the standard for managing in accordance with Management Plan purposes, providing a full season of reasonable harvest opportunity for sport, guided sport, and other inriver users. Prior years of lost opportunity for inriver sport users have not been met with commensurate restrictions in the commercial fishery. Institution of paired restrictions is a time-tested method to attain balance between users, share the burden of conservation, and address allocative decisions by the Board.

#### 209 Close commercial set net fishery by regulation

Oppose

Rationale: Management plans, if followed, provide sustainable management and afford a directed allocation established by the Board among beneficial users. We do not favor elimination of a single group when and if salmon abundance allows for a shared benefit. Rather, we are actively supporting Board action to fully implement stated Management Plan purposes; "providing a full season of reasonable harvest opportunity for sport, guided sport, and other inriver users" as is CLEARLY established in the Northen District King Salmon Management Plan through additional restrictions (not closure) of the Northern District king salmon commercial fishery.

## Adopt an abundance-based model for managing the Northern District commercial fishery and additional conservative measures into the management plans for commercial set net fishing Support

Rationale: This proposal elevates the standards for managing the Northen District commercial fishery by adding the Little Susitna River weir to the mix of indicators that ADF&G is obligated to consider and provides specific management targets. It establishes commercial fishing management direction at the mouth of the Little Susitna River based on king salmon and coho salmon abundance as measured at the Little Susitna Weir.

This proposal was submitted in the event the Board may decide NOT to establish a one statute mile commercial fishing closure around Little Susitna River terminus (Proposal 137). If the Board preferred this option, then commercial fishing within one statute mile and up to 500 yards from the river terminus would only be allowed when Little Susitna River weir counts started exceeding established king salmon and coho salmon escapement SEGs, and also when only a small number of sockeye salmon had also migrated past the weir. The sockeye salmon numbers in this proposal are not part of any goal, because ADF&G has not established a Little Susitna River sockeye salmon escapement goal. The purpose of sockeye salmon trigger numbers, in this proposal, is to illustrate: The Little Susitna River sockeye salmon stock is in such poor condition, commercial fishing should likely NOT be allowed to operate within one stature mile of the Little Susitna River terminus with saltwater.

These proposed actions will help correct the disregard for the stated management plan purposes for "providing a full season of reasonable harvest opportunity for sport, guided sport, and other inriver users" and the continued decline of king salmon and coho stocks of the Little Susitna River.

## Liberalize gear and time restrictions on set net fishing in the Northern District that were adopted as part of the action plan for Stock of Management Concern Susitna sockeye Oppose

Rationale: Until the impact of the combined drift gillnet harvests in Federally managed EEZ and state managed waters are resolved, there is no responsible way to consider liberalizing Northern District commercial fisheries. Greater protections for the Conservation Corridor and further restrictions on the drift fleet within the harvest corridor are essential to any changes in the Northern District. The current Board-adopted mandate "providing a full season of reasonable harvest opportunity for sport, guided sport, and other inriver users" is not being met and this proposal will further exacerbate that condition.

Northern District commercial fishing regulations are liberal enough that emergency restrictions or closures of the fishery must occur — every year — to meet ADF&G established salmon spawning escapement goals. Over the past 15 years, reduced abundances of salmon making it upriver has greatly diminished harvest opportunities for Northern Cook Inlet inriver users. Expanding Northern District commercial harvests at this time would exacerbate that problem. In addition, federal management of Cook Inlet has great potential to reduce salmon migration into Northern Cook Inlet.

## 212 Adopt more conservative measures into the management plans for commercial set net fishing Support Concept

Rationale: This proposal establishes a single 35 fathom net limit from June 25 until closed by EO in the Northern District set net commercial fishery. By establishing commercial regulations at a more conservative level, that remain static for the season, all other users would have a better opportunity of fishing on a proportionally similar harvestable surplus, as commercial users currently do, throughout the entire run. We are unclear as to how, or if, ADF&G can apply the target of 30% of the total Northern District coho salmon harvest limitations as called for in the proposal, other than as a post-season assessment.

Until the impact of the combined drift gillnet harvests in Federally managed EEZ and state managed waters are resolved, there is no responsible way to fish at current full strength in the Northern District commercial fisheries. Greater protections for the Conservation Corridor and further restrictions on the drift fleet within the harvest corridor are essential to any changes in the Northern District. Consistent with that strategy is the importance to manage the Northen District commercial fisheries conservatively until the impacts of the liberalized fishing of the EEZ are known.

## Pair restriction to one set gill net with opportunity for personal use in the Susitna personal use fishery Support Concept

Rationale: This proposal also (see proposal 212) calls for a single 35 fathom net to be legal fishing gear in the Northern District set gillnet fishery. It adds the caveat that if the Lower Susitna Personal Use (PU) Fishery is extended based on abundance of coho and sockeye, then the Northern District fishery may be permitted to use two nets. This proposal seeks to balance opportunity for many Alaskans in the PU and inriver fisheries, with opportunity for a limited number of commercial setnet permit holders. Paired restriction is a common and effective practice within the Board process. This proposal links fishing power within the set gillnet fishery with extended opportunity in the PU fishery for upriver users.

Until the impact of the combined drift gillnet harvests in Federally managed EEZ and state managed waters are resolved, there is no responsible way to consider liberalizing Northern District commercial fisheries. Greater protections for the Conservation Corridor and further restrictions on the drift fleet

within the harvest corridor are essential to any changes in the Northern District. Consistent with that strategy is the importance to manage the Northen District commercial fisheries conservatively until the impacts of the liberalized fishing of the EEZ are known.

## Pair restriction to one set gill net and time restrictions for commercial set net fishing to increase opportunity to sport fish in Little Susitna and in Susitna personal use fishery Support Concept

Rationale: This proposal addresses the continued frustration of many who fish freshwaters of the MSB and other Northern Cook Inlet drainages. Despite Board-adopted language within section (a) of the Northern Cook Inlet Management plan, "The department shall also manage the chum, pink, and sockeye salmon stocks to minimize the harvest of Northern District coho salmon, to provide sport, guided sport fishermen, and other inriver users a reasonable opportunity to harvest these salmon resources over the entire run, as measured by the number of inseason restrictions, or as specified in this section and other regulations.", a larger share of Northern District coho salmon are currently harvested in the Northern District set gill net fishery with inriver fisheries often experiencing delayed, restricted, or closed harvest opportunities. Limiting the Northern District commercial fishery to one net per permit from June 25 - July 13, and to two set nets per permit from June 14 - 19 should allow more salmon migration into the rivers, during a portion of the season with overall lower salmon abundance levels, better sharing the available early season harvestable surplus between commercial and inriver users. Starting July 20 allowing one set net in the General Subdistrict and up to two set nets in the Eastern Subdistrict is a management strategy the department has used to attain adequate Susitna sockeye salmon escapement ranges, however, this proposal would pair any later expanded Northern District commercial net opportunity with adequate projected salmon to allow the lower Susitna River personal use fishery to continue into August, and also with adequate projected salmon abundance to liberalize the Little Susitna River sport coho salmon fishery. The maximum Northern District commercial nets allowed would be 2 per permit through September 30. Proposed regulation(s) would likely allow more salmon passage into Northern District freshwaters throughout the season and would specifically allow additional coho salmon inriver migration during August and September, and thereby improve inriver salmon harvest opportunities.

#### 131 Add Wednesday as a third regular period for set nets

Oppose

Rationale: Until the impact of the combined drift gillnet harvests in Federally managed EEZ and state managed waters are resolved, there is no responsible way to consider liberalizing Northern District commercial fisheries. Greater protections for the Conservation Corridor and further restrictions on the drift fleet within the harvest corridor are essential to any changes in the Northern District. Consistent with that strategy is the importance to manage the Northen District commercial fisheries conservatively until the impacts of the liberalized fishing of the EEZ are known.

#### Cook Inlet Smelt

216 Reduce the commercial smelt guideline harvest level

**No Action** 

217 Repeal the Cook Inlet Smelt Fishery Management Plan

No Action

#### Susitna River Sport

## 218 Allow harvest of small (under 24 inch) king salmon in portion of the Susitna Drainage when otherwise closed Oppose

Rationale: This proposal would allow the harvest of small male (between 20 and 24 inches) king salmon in Unit 4 of the Susitna drainage. It is unclear the way the proposal is written what the daily and seasonal limit would be, making it difficult to fully evaluate. 20-24" king salmon are predominantly male and

contribute little to the viability of the spawning escapement which is far more influenced by the number of large female kings. Allowing a limited number of 20-24" king salmon for harvest would not likely jeopardize the productivity of the return. However, the way the proposal is drafted we cannot support it.

## 219 Close fishing for all species within confluence areas of Park's Highway streams and Susitna when fishing for king salmon is closed Defer to ADFG

#### Open additional waters to sport fishing for coho in Big River Drainage

**Defer to ADFG** 

## 221 Increase daily bag and possession limit for coho salmon back up to three a day and in possession from two Defer to ADFG

Rationale: Under current management authority and when coho stocks reach an abundance to support a 3 fish limit ADF&G currently has the authority to increase the limit from 2 to 3 or higher. This proposal speaks to the frustration that Susitna drainage sport fishermen have with respect to the chronic pattern of ignoring the Board mandated directive "in accordance with stated Management Plan purposes, providing a full season of reasonable harvest opportunity for sport, guided sport, and other inriver users." Reestablishing a 3 fish bag limit can be accomplished if restrictions in the Central District Drift gillnet fishery occur as well as those called for in the Northern District Commercial Fishery. Such changes could logically deliver more coho to Northern District streams and therefore allow the reinstatement of an additional fish to the bag limit.

However, until the impact of the combined drift gillnet harvests in Federally managed EEZ and state managed waters are resolve there is no responsible way to consider liberalizing Northern District commercial fisheries as some have called for. Greater protections for the Conservation corridor and further restrictions on the drift fleet within the harvest corridor are essential to any changes in the Northern District. Consistent with that strategy is the importance to manage the Northen District commercial fisheries conservatively until the impacts of the liberalized fishing of the EEZ are known.

## 222 Allow harvest of six pink salmon per day in addition to bag limit for chum, sockeye and coho within the Susitna River Drainage Support

Rationale: Pink salmon are the most abundant salmon in the Susitna River drainage and as such can provide additional harvest opportunity for those who wish to take them.

#### 223 Special management areas for rainbow trout in Susitna

Oppose

Rationale: This proposal would add the Susitna River, from Alexander Creek to Devils Canyon from Sept 15 – May 15 to the waters managed under catch and release special management restrictions that include no bait. Stocks in this river section are not reported to be a declining condition and the waters proposed for Special Management have not had a management history that would meet necessary criteria for selection and management as a Special Management water. Numerous other fisheries are currently under special management designations and therefore address the demand for diverse fishing opportunities.

#### 224 Special management areas for rainbow trout in Susitna

**Oppose** 

Rationale: See comments for proposal 223.

#### 225 Increase harvest of rainbow trout

**Oppose** 

Rationale: This proposal seeks to increase harvest opportunity for rainbow trout to reduce their presumed predatory impact on depressed salmon stocks. There is no precedent in management or scientific evidence to support the assertions that rainbow trout predation is somehow linked to depressed salmon populations. To increase harvests will necessarily diminish the quality of the rainbow trout recreational fisheries.

226 Dropper flies Oppose

Rationale: This proposal seeks to allow two flies to be used in tandem (dropper) and rightly points out that this is common gear in most trout waters of the American west. However, missing from those waters are salmon and the potential affect that adding gear to the fishery may have on catch rate of other species is of concern.

#### 227 Increase harvest of Dolly Varden

**Defer to ADFG** 

#### Susitna River Personal Use

## 228 Close dipnetting in the vicinity of Anderson Creek during the personal use fishery on the lower Susitna River Suppor

Rationale: This is an ADF&G proposal that provides necessary protection for Anderson Creek coho which are susceptible to over harvest if targeted in the Susitna River personal use fishery. ADF&G considers this a housekeeping measure following the establishment of the personal use fishery in 2020.

## 229 Add two days per week to dipnetting in the lower Susitna River personal use dip net fishery Support

Rationale: There have been numerous allocative proposals before the Board to take actions that allow inriver users the opportunity to harvest sockeye and coho salmon. Depending on the prior actions of the Board, this proposal is a viable option to redistribute opportunity to Alaskans who would like to harvest salmon for personal use. The fishery would remain managed through Emergency Order (EO) should a lack of abundance dictate a conservative action be taken.

## 230 Add day per week and extend date during which the personal use fishery in the lower Susitna River is open Support

Rationale: There have been numerous allocative proposals before the Board to take actions that allow inriver users the opportunity to harvest sockeye and coho salmon. Depending on the prior actions of the Board, this proposal is a viable option to redistribute opportunity to Alaskans who would like to harvest salmon for personal use. The fishery would remain managed through EO should a lack of abundance dictate a conservative action be taken. It is anticipated that this additional time would result in a minimal increase in PU harvest.

## Shift the dates during which the personal use fishery in the lower Susitna River is open later by one week (Matanuska-Susitna Borough Fish and Wildlife Commission Proposal) Support

Rationale: Management plan intent is clear: "in accordance with stated Management Plan purposes, providing a full season of reasonable harvest opportunity for sport, guided sport, and other inriver users" to harvest these resources over the entire run. The board created this fishery with conservative opportunity during the last board cycle. Personal use harvests have been modest during the first three years of this fishery and harvest data indicates the first Saturday and Wednesday (up to one third of the

annual personal use harvest opportunity in this fishery) occur before there are many salmon available for harvest. Harvest data and ADF&G Susitna River drainage fish wheel and weir data indicate better abundance of the 4 salmon species open to harvest in this fishery later in the season. Shifting to a later opening will enhance harvest opportunity in the PU Fishery.

Committee of the Whole – Group 3: Cook Inlet Areawide Sport Fisheries, Knik River Area Sport Fisheries, and Anchorage Area Sport and Personal Use Fisheries (24 Proposals)

#### **Cook Inlet Areawide Sport Fisheries**

## 232 Allow Alaska residents to buy more than one sport fishing license and take additional daily bag limits Oppose

Rationale: Alaska sport fishing regulations and management systems have effectively regulated seasons, bag limits, methods and means for decades. Additional licenses are not necessary to realize additional harvest under the current system. Bag limits can be adjusted when warranted and seasons can be extended. The parallel drawn by the proposer with permit stacking in the commercial fishery is misplaced.

#### 233 Establish additional criteria for sport fish derby

Oppose

Rationale: This proposal seeks to require specific stock assessment programs take place in advance of approval for a sport fishing derby. These factors are already considered within the approval process and there is no history of an approved derby contributing to a stock decline.

#### Knik River Area Sport Fisheries

Clarify the northern boundary of the Knik Arm Management area and the Palmer Wasilla Zone and exclude certain flowing waters from the Palmer-Wasilla Zone (ADF&G Proposal)

Support

Rationale: Northern pike have become prolific in certain flowing waters within the Palmer-Wasilla Zone, but springtime closure of flowing waters within the zone designed to protect spawning rainbow trout also protect northern pike in certain waters where they have taken a stronghold. Excluding certain flowing waters where northern pike exist would increase northern pike harvest in those waters.

## 235 Reduce size of the Palmer-Wasilla Zone

**Support Concept** 

Support Concept but refer to Proposal 234.

Rationale: Waters of the Palmer – Wasilla zone has an April 15 - June 14 closure to protect spawning rainbow trout, however a portion of this closure area now may be primarily infested by invasive northern pike (similar to Proposal 234), with few significant populations of rainbow trout remaining to utilize flowing waters. This portion of the season could provide an opportunity to remove more invasive northern pike with little insignificant impact on rainbow trout in a specific portion of the current Palmer- Wasilla zone. If the Board moves forward with this proposal we recommend amending it to specify non-retention of species other than northern pike.

#### 236 Bookkeeping by ADFG

Support

Rationale: This proposal updates the stocked lakes list for the Knik Arm drainage. Stocking has been discontinued in one lake and newly initiated in several lakes. Without action, anglers may miss the benefit

of greater bag limits for stocked waters and enforcement would not be able to monitor fisheries appropriately.

#### 237 Allow bow and spear for Northern Pike and Blackfish

Support

Rationale: Invasive northern pike and Alaska blackfish have been found and documented in various waters in the Knik Arm and Susitna River drainages, several of which fall in the "Palmer-Wasilla Zone Flowing Waters" management area. This management area is open to fishing June 15 - April 14, which excludes the spawning season for rainbow trout, as well as that of northern pike. This denies an excellent opportunity for selectively harvesting northern pike with a bow-fishing setup when they are in shallow waters for the spring spawn, and tend to allow people to approach more closely. We question inclusion of Blackfish in an archery and spear proposal. Blackfish are very small fish averaging approximately 4", some have been reported larger up to 13". We are unaware of a fishery in the MSB focused strictly on Blackfish.

#### 238 Establish a motor size restriction for the Little Susitna River, no size suggested

**No Action** 

Rationale: We took no action on this proposal as we believe it needs more discussion. With the knowledge we have of the impact on rivers experiencing large number of users navigating with boats equipped with large horsepower motors there may be a need for limitations in the Little Su as have been adopted for high use waters of the Kenai.

## 239 Adopt a large fish escapement goal for king salmon on the Little Susitna (no suggested size for large fish offered) Support Concept, but Defer to ADFG

Rational: Large fish escapement goals for king salmon more precisely address escapement goal development and stock productivity. Where the technology to monitor and the data exist, establishment of large fish escapement goals for king salmon are a preferred management tool.

## Increase the time during which bait can be used in the Little Su to from July 13 and not fromAugust 5

Rationale: ADF&G already has the authority to regulate the use of bait through their EO authority.

#### Pair use of bait in Little Su to openings in Northern District set net fishery

Oppose

Rationale: This proposal speaks to the frustration in-river users are expressing over the chronic disregard in management practice ignoring the Board mandated directive "in accordance with stated Management Plan purposes, providing a full season of reasonable harvest opportunity for sport, guided sport, and other inriver users." We do not think this approach is practical, but we understand the frustration and urge the Board to look to other proposal vehicles to address this valid concern.

## 242 Prohibit catch and release of coho salmon in the Little Susitna downstream of the weir at all times and mandate retention Oppose

Rationale: ADF&G has deemed the regulations governing this fishery and the practice of catch and release specifically to be sustainable. Unnecessarily limiting opportunity as proposed is detrimental to the sport fishing public who utilize these waters.

#### 243 Restore bag and possession limit of three coho, up from two

**Defer to ADFG** 

Rationale: Under current management authority and when coho stocks reach an abundance to support a 3 fish limit ADF&G currently has the authority to increase the limit from 2 to 3 or higher. This proposal speaks to the frustration that Knik Arm drainage sport fishermen have with respect to the chronic pattern of ignoring the Board mandated directive "in accordance with stated Management Plan purposes, providing a full season of reasonable harvest opportunity for sport, guided sport, and other inriver users." Reestablishing a 3 fish bag limit can be accomplished if restrictions in the Central District Drift gillnet fishery occur as well as those called for in the Northern District Commercial Fishery. Such changes could logically deliver more coho to Northern District streams and therefore allow the reinstatement of an additional fish to the bag limit.

However, until the impact of the combined drift gillnet harvests in Federally managed EEZ and state managed waters are resolve there is no responsible way to consider liberalizing Northern District commercial fisheries as some have called for. Greater protections for the Conservation corridor and further restrictions on the drift fleet within the harvest corridor are essential to any changes in the Northern District. Consistent with that strategy is the importance to manage the Northen District commercial fisheries conservatively until the impacts of the liberalized fishing of the EEZ are known.

#### 244 Clarify boundaries of Fish Creek mouth (ADFG Proposal)

Support

Rationale: Regulatory markers posted at the mouth of Fish Creek do not adequately delineate fresh vs. salt water because the markers, due to large tidal fluctuations, must be posted at a higher elevation, well upstream of mean low tide that distinguishes fresh from salt water in statewide regulations. Special regulations that restrict salmon harvest in the Fish Creek sport fishery to three salmon per day, of which only two may be a coho salmon and limit fishing to weekend only, currently do not conserve salmon caught within the Fish Creek channel downstream of the markers where sport fishing under saltwater regulations is allowed seven days per week, with six salmon allowed per day. Returning to the definition for fresh waters given in statewide regulations, and adding a quarter-mile radius to the freshwater determination, will ensure special regulations developed for Fish Creek salmon conserve all salmon entering the Fish Creek channel that are bound for Fish Creek.

#### 245 Increase opportunity to sport fish for salmon in Fish Creek

**No Action** 

Rationale: We look forward to the ADF&G comments as they will help inform us on how we ultimately respond to this proposal.

#### 246 List lakes where anglers can use up to five lines for NP (ADFG Proposal)

Support

Rationale: Northern pike are a predatory fish invasive to Southcentral Alaska and can pose a significant threat to salmon and resident fish species in the region. To encourage anglers to harvest northern pike, systems that primarily contain northern pike have regulations allowing anglers to use five lines through the ice. Expanding that list to include the proposed waters may encourage anglers to fish these areas and harvest northern pike. Northern pike were eradicated from Anderson Lake and this lake can now be removed from the list.

#### 247 Prohibit chumming in specific waters (ADFG Proposal)

Support

Rationale: Regulations prohibiting use of bait during the ice fishery on Big Lake are difficult to enforce. Determining whether an angler is using bait or an attractant on the hook while chumming is difficult; an angler may be scenting hooks under the guise of chumming to attract fish.

Rationale: Review of Statewide Harvest Survey (SWHS) data shows a decline in the abundance of Arctic Char, particularly of large fish over 20 inches in length. Non-retention would maximize recruitment into mature age classes and maximize spawning events to help rebuild the stock. ADF&G has been issuing EO's to restrict sport fishing for Arctic char in Big Lake to catch-and-release only for the past two calendar years.

Mirror and Flat lakes have direct connections with Big Lake, allowing migration and sharing of fish between lakes. Resident species such as Arctic Char and burbot in Big Lake are no longer protected by conservative regulation when they migrate to neighboring Mirror and Flat lakes.

## 249 Bookkeeping by ADFG

Support

Rationale: This proposal updates the stocked lakes list for the Knik Arm drainage. Stocking has been discontinued in one lake and newly initiated in several lakes. Anglers may miss the benefit of greater bag limits for stocked waters and enforcement would not be able to monitor fisheries appropriately.

#### Anchorage Area Sport Fisheries

250 Modify closure date for Ship Creek

No Action

251 Reduce opportunity to harvest salmon in Eklutna drainage

Defer to ADFG

252 Restore bag and possession limit of three coho, up from two

**Defer to ADFG** 

253 Dropper flies

Oppose

Rationale: This proposal seeks to allow two flies to be used in tandem (dropper) and rightly points out that this is common gear in most trout waters of the American west. However, missing from those waters are salmon and the potential affect that adding gear to the fishery may have on catch rate of other species is of concern.

254 Add Chester Creek to special management waters for trout

**No Action** 

255 Create a personal use dip net fishery for salmon in the 20 Mile and Placer Rivers Defer to ADFG

Rationale: Concerns with potential for overharvest; ADF&G comments would also help here. However, both the 20 mile and Placer Rivers are located on the road system within 58 miles of Alaska's largest community. These systems support small returns of salmon and currently support a directed and at times large salmon sport fishery. It is our opinion that these systems would have difficulty supporting a personal use dip net fishery.

Committee of the Whole – Group 4: Stock of Concern – Kenai River Late Run King Salmon Management Plan, Kenai River King Salmon, Upper Cook Inlet Salt Water King Salmon Sport Fishery Plan (46 Proposals)

The MSB Fish and Wildlife Commission elected to not address this group of proposals.

#### Committee of the Whole - Group 5: Sockeye Salmon Management Plans (8 Proposals)

The MSB Fish and Wildlife Commission elected to not address this group of proposals.

Committee of the Whole - Group 6: Central District Drift Gillnet Fishery Management Plan, Fishing Districts and Gillnet Specifications and Operations, Pink Salmon Management Plan, Hatchery Production, Upper Cook Inlet Management Plan, West Cook Inlet Salmon (25 Proposals)

#### Central District Drift Gillnet

## Repeal intent language that has guided regulatory development of drift fishery since 1990's and replace with language that favors harvest by drift fishery Oppose

Rationale: Allocation of salmon resources for the benefit of Alaskans rest with the Board of Fisheries. Decisions to place the statement "in accordance with stated Management Plan purposes, providing a full season of reasonable harvest opportunity for sport, guided sport, and other inriver users" on the use of these common property resources takes into account the number of beneficial users and the impact to state and local economies. Preferences provided in the current plan address those considerations. The only change necessary to fully implement these directives are more deliberate efforts to manage the commercial fishery in the Central District Drift Gillnet fishery for fish passage to the Northern District, and are warranted now more than ever.

With the pending implementation of Federal Management in the EEZ and the attendant increases in harvest potential it is imperative that the Board move quicky to implement conservative actions in state managed waters. The commission recommends: 1) Area 1. Close ALL state managed waters in the Anchor Point Section and all state waters west of the expanded Kasilof to commercial to drift gillnet fishing. 2) Confine all state managed drift gillnet fisheries to the harvest corridor using one or more of the following; the Kasilof section, Expanded Kasilof Section, Kenai Section, and/or the Expanded Kenai Section of the Harvest Corridor, and 3) Consider the possibility of placing state managed waters as defined in 2 above under a Super Exclusive fishery management system.

The uncertainty and potential threat from Federal salmon management within the Cook Inlet EEZ cannot be overstated. Current discussions regarding Total Allowable Catch (TAC) within the EEZ are shocking and when coupled with a lack of timely inseason responsiveness within the Federal management system leaves the Board with little alternative except to apply the precautionary principle to fisheries within their management authority.

#### 122 Repeal the 'one percent rule' in the Central District drift gillnet fishery

**Oppose** 

Rationale: Maintaining the 1% rule is important to implement the management directive "in accordance with stated Management Plan purposes, providing a full season of reasonable harvest opportunity for sport, guided sport, and other inriver users" for coho salmon moving through the Central District bound for the Northern District. A predictable and managed end to the commercial fishery is essential in meeting this Board approved mandate.

More deliberate efforts to manage the commercial fishery in the Central District Drift Gillnet fishery for fish passage to the Northern District are warranted now more than ever. With the pending implementation of Federal Management in the EEZ and the attendant increases in harvest potential it is imperative that the Board move quicky to implement conservative actions in state managed waters. We strongly favor: 1) Area 1. Close ALL state managed waters in the Anchor Point Section and all state waters

west of the expanded Kasilof to commercial to drift gillnet fishing. 2) Confine all state managed drift gillnet fisheries to the harvest corridor using one or more of the following; the Kasilof section, Expanded Kasilof Section, Kenai Section, and/or the Expanded Kenai Section of the Harvest Corridor and 3) Consider the possibility of placing state managed waters as defined in 2 above under a Super Exclusive fishery management system.

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123 Repeal the "one percent rule" from Upper Cook Inlet commercial salmon fishery management plans Oppose

Rationale: See comments for proposal 122.

124 Repeal the "one percent rule" from Upper Cook Inlet commercial salmon fishery management plans Oppose

Rationale: See comments for proposal 122.

125 Repeal sections of the CDDGFMP to provide additional commercial opportunity for drift fishery

Oppose

Rationale: See comments for proposal 121.

126 Increase drift gillnet fishing opportunity in Drift Gillnet Area 2

Oppose

Rationale: See comments for proposal 121.

127 Increase time for Drift Fishery to two 12 hr. openings inlet wide and one 12 hr. opening in 6-mile corridor each week Oppose

Rationale: See comments for proposal 121.

#### Fishing Seasons, Weekly Periods, Set Gillnet Gear, and Registration

128	North K Beach shall fish with both Kasilof and Kenai	No Action
129	Allow North K Beach to fish early with Kasilof openings	No Action
130	Lengthen set net season through end of August	No Action
132	Add Wednesday as a third regular period for set nets	Oppose

This proposal does not take into consideration area and time where fishers will be fishing. It addresses all gear types and all fishing areas within Upper Cook Inlet. It is also only takes into consideration escapement requirements for sockeye destined to the Kasilof and Kenai Rivers.

Given the uncertainty if the impact of the EEZ and current challenges with moving salmon to the Northen District additional regular fishing periods should not occur. The additional fishing power is unwarranted and will disrupt the biological and allocative benefits of Windows incorporated into existing management plans. This proposal does not take into consideration area and time where fishers will be fishing. It addresses all gear types and all fishing areas within Upper Cook Inlet. It is also only takes into consideration escapement requirements for sockeye destined to the Kasilof and Kenai Rivers. More deliberate efforts to manage the commercial fishery in the Central District Drift Gillnet fishery for fish passage to the Northern District are warranted now more than ever.

With the pending implementation of Federal Management in the EEZ and the attendant increases in harvest potential it is imperative that the Board move quicky to implement conservative actions in state managed waters. We strongly favor: 1) Area 1. Close ALL state managed waters in the Anchor Point Section and all state waters west of the expanded Kasilof to commercial to drift gillnet fishing. 2) Confine all state managed drift gillnet fisheries to the harvest corridor using one or more of the following; the Kasilof section, Expanded Kasilof Section, Kenai Section, and/or the Expanded Kenai Section of the Harvest Corridor and 3) Consider the possibility of placing state managed waters as defined in 2 above under a Super Exclusive fishery management system.

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## 133 If set nets do not fish at least 2 12's a week then other fisheries must be closed or restricted "equally" No Action

#### 134 Commercial fisheries must fish at least 2 days per week

Oppose

Rationale: This proposal would establish two 12-hour Inlet wide fishing periods regardless of run size or status by repealing restrictions that have been designed to provide for terminal stock fisheries management, distribute fishing opportunity across all users and provide for sustainable returns to inland waters. Inlet-wide fishing results in indiscriminate mixed-stock harvests and does not take into account the differing run strengths and productivity levels of stocks that make up these mixed stock fisheries.

The Board moved past this old system when they established the harvest corridor and intentionally used it to target Kenai and Kasilof sockeye effectively. This restricts drift fishing in the conservation corridor, allowing for the passage of Northen-bound stocks.

More deliberate efforts to manage the commercial fishery in the Central District Drift Gillnet fishery for fish passage to the Northern District are warranted now more than ever.

With the pending implementation of Federal Management in the EEZ and the attendant increases in harvest potential it is imperative that the Board move quicky to implement conservative actions in state managed waters. We strongly favor: 1) Area 1. Close ALL state managed waters in the Anchor Point Section and all state waters west of the expanded Kasilof to commercial to drift gillnet fishing. 2) Confine all state managed drift gillnet fisheries to the harvest corridor using one or more of the following; the Kasilof section, Expanded Kasilof Section, Kenai Section, and/or the Expanded Kenai Section of the Harvest Corridor and 3) Consider the possibility of placing state managed waters as defined in 2 above under a Super Exclusive fishery management system.

The uncertainty and potential threat from Federal salmon management within the Cook Inlet EEZ cannot be overstated. Current discussions regarding Total Allowable Catch (TAC) within the EEZ are shocking and when coupled with a complete lack of inseason responsiveness within the Federal management system leaves the Board with no alternative except to apply the precautionary principle to fisheries within their management authority.

135 Close Chinitna Bay Subdistrict to commercial fishing for salmon

No Action

136 Prohibit commercial drift fishing within 1 mile of mouth of Silver Salmon and Shelter creeks

Suppo

Rationale: This proposal seeks to create a 1-mile buffer around the mouths of Silver Salmon and Shelter Creeks in an effort to conserve coho salmon. This is a commonsense proposal that is similar to others around the state that protect mouths of streams from creek robbing.

137 Add Susitna and Little Susitna Rivers to the list of waters in the ND where commercial fishing is prohibited within one statute mile of the terminus.

Rationale: Area protections have long been used in fisheries around the state to prevent river and creek mouths from being corked off. This is a commonsense proposal that will have lasting conservation benefits.

The uncertainty and potential threat from Federal salmon management within the Cook Inlet EEZ cannot be overstated. Current discussions regarding Total Allowable Catch (TAC) within the EEZ are shocking and when coupled with a complete lack of inseason responsiveness within the Federal management system leaves the Board with no alternative except to apply the precautionary principle to fisheries within their management authority.

- 138 Allow use of a seine lead in the set net fishery and redefine minimum distance between gear

  No Action
- 139 Allow reef nets No Action
- 140 Allow reef nets No Action
- 141 Direct or incentivize use of 29 mesh depth gill nets in the upper subdistrict at all times

  (KRSA Proposal) No Action
- 142 Require that jack king salmon be recorded on fish tickets

**Defer to ADFG** 

143 Allow Upper Cook Inlet set gillnet permit holders to fish in more than one registration area per year Oppose

This proposal would drastically increase fishing power within the set gillnet fleet and increase interception of Northern District salmon stocks which will drastically alter the allocation of salmon resources addressed by current management plans.

#### **Hatchery Production**

43 Reduce hatchery production

Support

The MSB FWC encourages the Board to consider limiting pink salmon hatchery production, as called for in Proposal 43, as a means to reduce competition with juvenile king salmon. There is uncertainty in the driver behind the decline of western Alaska king salmon stocks, however, many suggest it is an ocean related event in the early stages of development. Dramatic declines as we have seen in Cook Inlet stocks calls for conservative management actions and application of the precautionary principle. A July 12, 2023 report in Fisheries Management and Ecology in which a global literature search of peer-reviewed publications (1970–2021) evaluating how hatchery salmonids affected wild salmonids, found that hatcheries commonly have adverse impacts on wild salmonids in freshwater and marine environments. We believe the reducing competition by reducing pink salmon hatchery releases, may assist with king salmon recovery.

#### Pink Salmon

Add commercial fishing time for set and drift to target pink salmon, no mention of king salmon conservation
Oppose

145 Add commercial fishing time for set and drift to target pink salmon, no mention of king salmon conservation or allocation of coho salmon Oppose

Committee of the Whole – Group 7: Kasilof King Salmon Sport Fisheries, Vessel and Habitat Restrictions, and Guides (15 Proposals)

The MSB Fish and Wildlife Commission elected to not address this group of proposals.

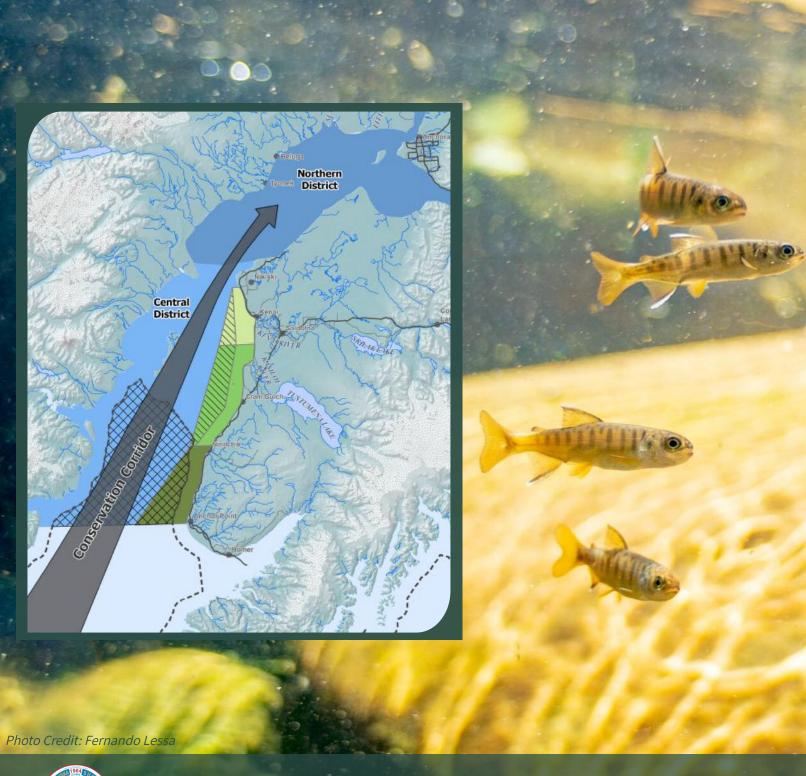
Committee of the Whole- Group 8: Kenai, Kasilof, and Russian River – Sport and Personal Use (39 Proposals)

The MSB Fish and Wildlife Commission elected to not address this group of proposals.

MSB Fish & Wildlife Commission Chair, Andy Couch

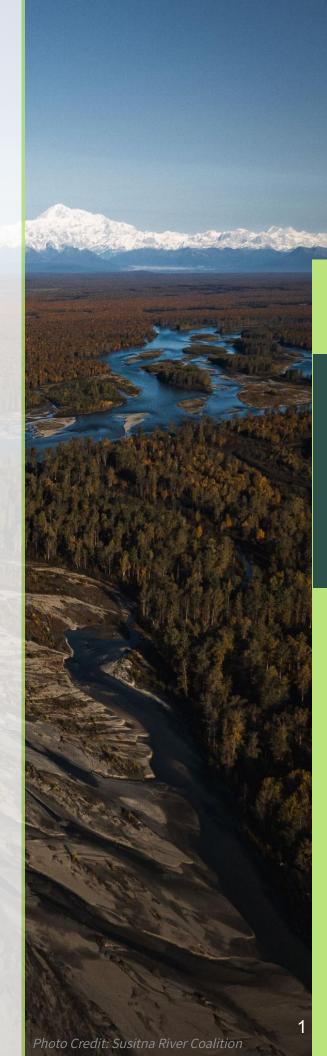
andrew M. Corect

## It Takes Fish To Make Fish



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Commissioners, from left to right: Howard Delo, Gabe Kitter, Peter Probasco, Andy Couch, Jim Sykes, Kendra Zamzow, Larry Engel. Not pictured: Tim Hale and Bill Gamble

The Mat-Su Borough Fish & Wildlife Commission was created to advise and make recommendations to the Assembly, Borough Manager, and/or any state or federal agencies, departments, commissions, or boards possessing jurisdiction in the area of fish, wildlife, and habitat on the interests of the borough in the conservation and allocation of fish, wildlife, and habitat.

- A 9-member volunteer board, appointed by the MSB Mayor, including two MSB Assembly members
- Members have pertinent expertise, some with decades of Alaska BOF service, and well over 100 years of combined expertise as State biologists, fishing and hunting guides, and other high level conservation and research-based careers.
- While engaging local citizens in fish and wildlife issues, the FWC/MSB has directed over \$20 million in Borough, State, and Federal appropriations towards improving fisheries research, management and fish passage.

- Lack of scientific data regarding all salmon stocks.
- Lack of genetic data concerning stream origin of coho salmon.
- Interception of returning salmon by commercial fisheries throughout Cook Inlet.
- A higher number of Stocks of Concern than any other area in Alaska.

## Management Concerns Relating to Unique Geography of Cook Inlet:

- Northern-bound salmon primarily swim through the center of the inlet when migrating through a mixed-stock fishery. They need to be protected from commercial overharvest.
- Management of Cook Inlet commercial fisheries revolves around one major stock of sockeye salmon. Many smaller stocks can be severely impacted if fishing time and area are not tightly controlled. More attention should be given to these smaller stocks.
- Significant differences exist in the productivity of the Cook Inlet's salmon stocks. Fishing pressures on these diverse stocks needs to be acknowledged when allowing harvest.
- A better forecasting method for identifying salmon run strength needs to be developed to aid in managing Cook Inlet fisheries.
- The potential Federal takeover of salmon management in the Federal waters of Cook Inlet creates a huge unknown for the future of salmon runs to the Northern District.

## **Efforts & Accomplishments:**

- Establishing a "Conservation Corridor" through the middle of the inlet, allowing additional salmon to migrate past the drift fleet and into Northern District waters.
- Expanding the limited personal use fisheries in the Northern District.
- Reducing drift gillnet fishing times in specific areas.
- Securing funding for coho salmon genetics studies.
- Securing funding for weirs and enumeration counts of returning salmon.
- Expanding commercial fishing areas on the east side of the Central District in Cook Inlet.

The greatest success so far has been establishing and maintaining the Conservation Corridor. The Corridor has successfully pulsed more fish through the commercial drift fleet and into northern waters, allowing Northern salmon to return to their natal streams to spawn. **The Fish** & Wildlife Commission is dedicated to maintaining the regulations currently supporting the Conservation Corridor and enforcing conservative fishery management for the Northern District in the future.



- Long-term salmon conservation and protection of salmon habitat.
- Maintain and enhance the Conservation Corridor in the drift gillnet fishery management plan.
- 3 Clarify or strengthen conservative management practices which provide protection for current and formerly identified Stocks of Concern.
- Increase inriver returns of coho and sockeye salmon to Northern Cook Inlet river systems.
- Adjust existing king salmon management plans and strategies to more adequately address conservation concerns for king salmon returning to Northern Cook Inlet drainages.
- 6 Maintain or extend personal use fishing opportunity for Alaskan residents fishing Northern Cook Inlet drainages.

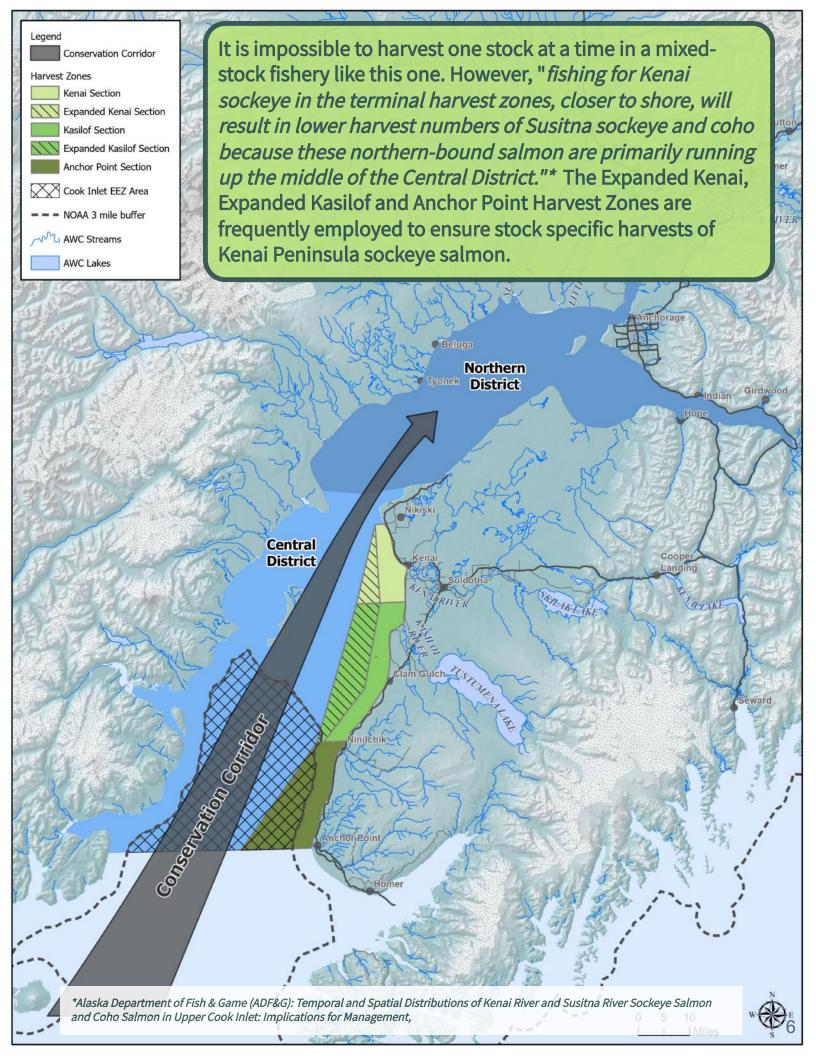
Photo Credit: Jonny Armstrons

## THE CONSERVATION CORRIDOR

Management That Works

The Conservation Corridor concept provides for a more conservative approach to fisheries management. It is the practice of closing commercial fishing, except in nearshore "terminal" fishing areas, called harvest zones, to allow fish heading to northern streams to pass. The concept builds off of the highly successful terminal stock fisheries management program in Bristol Bay and, in our case, is designed to enable commercial fishermen to target Kenai and Kasilof sockeye closer to shore. It considers the unique geography of Upper Cook Inlet and the complexity of a commercial mixed-stock fishery, ensuring the Inlet's less productive salmon stocks and northern-bound coho and sockeye pass through the Central District to reach their spawning grounds in Northern District drainages.





# BEFORE THE CORRIDOR

For decades, commercial fisheries management of Kenai River sockeye has impacted Upper Cook Inlet with little regard for appropriate harvest levels of Northern District fish stocks. As a result, the populations of northern-bound salmon have suffered drastically, local fishing opportunities have been restricted or eliminated, and residents and visitors have watched as Northern District commercial setnetters, personal use, and sportfishing needs took a back seat to Central District commercial interests.



## Stock of Concern

Susitna sockeye was designated a stock of concern in 2008; 12 years later, in 2020, as a result of regulatory changes enforcing the Conservation Corridor, they were delisted.



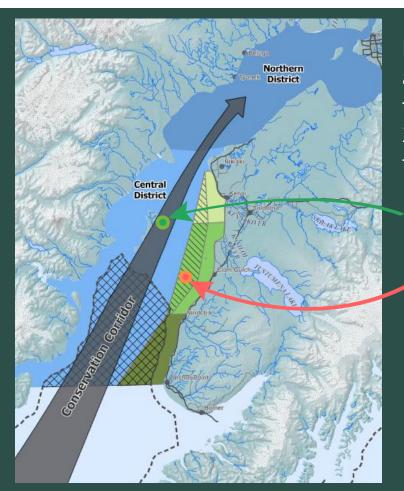
## Coho Returns

Coho returns in Northern Cook Inlet streams reached record lows in 2011-2012. Regulations supporting the Conservation Corridor showed immediate improvements. The data below demonstrates the impacts commercial fishing locations can have on northern-bound coho.



## Escapement

Attaining spawning escapement goals, the bedrock of fisheries management, had met chronic failure in the Northern District sockeye and coho streams, while the Central District often issued successive emergency orders to harvest more salmon.



From 2014-2019, drifters harvested an average delivery of 53 coho in the Conservation Corridor, versus 10 coho in the Harvest Zone, during the critical period from July 16-31.\*

53 coho harvested per delivery

10 coho harvested per delivery

Data reinforces the importance of preserving the Corridor for northern-bound salmon passage, especially coho and sockeye.

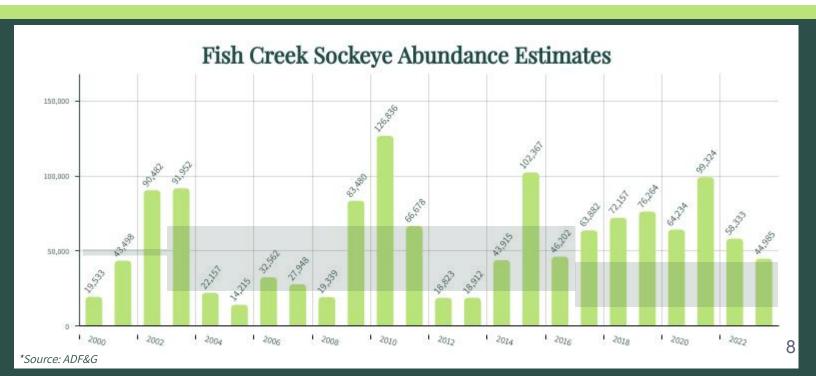


## 2014

The commercial drift catch was more evenly balanced between the corridor and inshore areas.

More salmon moved through the corridor, successfully returning to the Northern District.

the Conservation Corridor established in 2011. Northern District salmon were almost universally in decline. In 2014, the Board of Fisheries voted unanimously to strengthen the Conservation Corridor by enforcing a clear directive that had been side-stepped for more than 35 years. Once the Corridor was established, during much of July, the drift fleet is redirected to fish inshore near the rivers where Kenai and Kasilof sockeye originate, allowing salmon to pass north, benefitting all Northern District users.



## MIXED STOCK FISHERY COMPLEXITY



Every July, five different species of salmon, comprised of numerous stocks, swim through **Upper Cook Inlet around** the same time. Among the salmon are the Kenai sockeye, Kenai kings, Northern cohos, and Northern sockeye, all swimming in the same saltwater with commercial boats targeting Kenai sockeye. Farther upstream are the northern set gillnets. Still farther north are subsistence, personal use, and, finally, the inriver sport fishery.

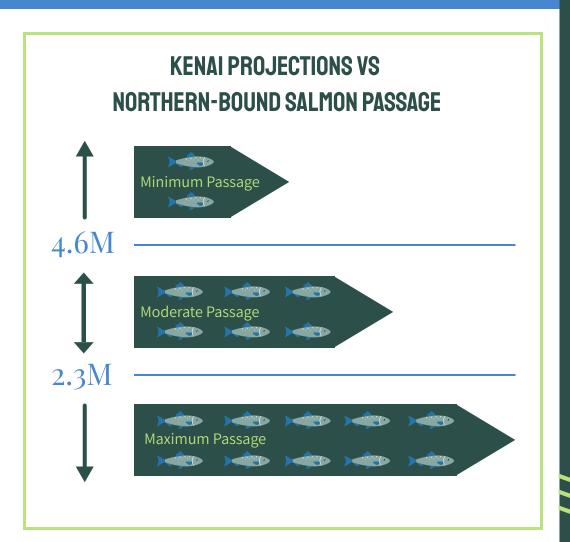
Management of the Inlet's unique stocks and species often results in conflict among user groups. When commercial fishermen have a banner year for sockeye, sport fishermen often face closures because of low numbers of returning cohos. By further refining mixed-stock locations and identifying and fishing individual systems, harvest practices may be fine-tuned to benefit all users with an accurate, science-based approach. Given the variability of run timing year-to-year, and the current lack of inseason management tools in the Northern District, a conservative approach to the Conservation Corridor concept is necessary to manage this complex fishery and maximize positive outcomes.

# When ADF&G Forecasts a Large Sockeye Run, Fewer Salmon Return North to Spawn.

Historically, the larger the pre-season projections of Kenai sockeye by ADF&G, the fewer Susitna coho and sockeye successfully made it north to their natal streams to spawn. Large runs tend to trigger more liberal commercial fishing in the mixed-stock fishery of the Conservation Corridor. Fishing the drift fleet primarily in the harvest zones, even on years of high sockeye projections, is a compromise and the type of conservative management effort that supports healthy, sustained populations of salmon in the Northern District and all of Upper Cook Inlet.

## Kenai Drives Management

**Bigger Projections = Smaller Protections** 

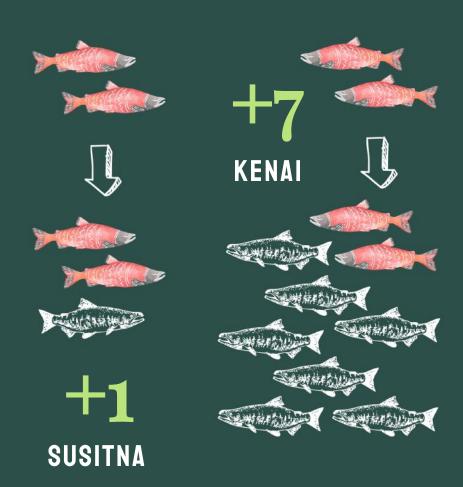


Managing fisheries in Cook Inlet is complex and management must consider many factors. Prior to the development of the Conservation Corridor, drift fisherman could fish in an area of their choice. Today, during a strong sockeye run with a projected escapement of up to 4.6 million fish, drifters are permitted only one 12-hour period per week in the mixed stock waters of the corridor from July 16-31. The higher the projection, the fewer restrictions on the drift fleet. and less northern-bound salmon make it through the corridor.

## A Strong Conservation Corridor Protects Northern Salmon Stocks and the Health of Upper Cook Inlet Fisheries

A compounding factor in management is the productivity of the fish. Kenai sockeye produce more returning offspring than Northern sockeye: 4.5 fish per spawner to Susitna's less than 1.5 fish per spawner This means only one Susitna sockeye offspring can be harvested to sustain the stock versus the seven eligible Kenai offspring. The less productive stocks cannot support the same high harvest rates as the strong Kenai stock, and in a mixedstock commercial fishery, it is impossible to manage effectively.

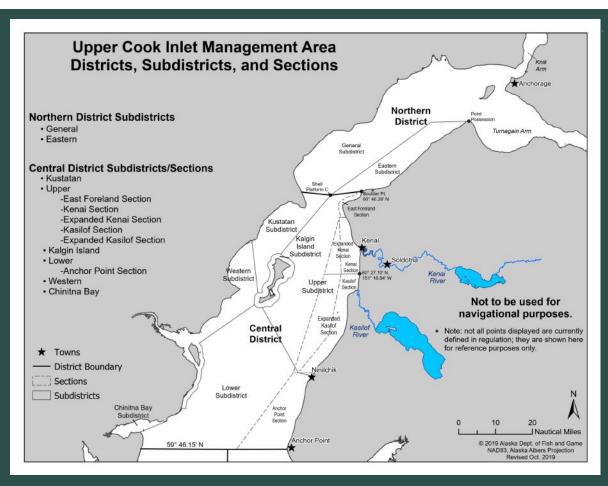
# A NATURALLY LESS PRODUCTIVE STOCK NEEDS MORE PROTECTION



# UPPER COOK INLET Unique Geography & Commercial Fisheries

Upper Cook Inlet (UCI) is a 125-mile-long funnel-shaped estuary in southcentral Alaska, with circulation patterns impacted by tides, freshwater input, and surface winds. Much of the inlet's water is glacial and the tides are semi-diurnal, with a mean tidal range of 4.2 meters in the lower inlet and 9.0 meters to the north near Anchorage. The northern tidal range is the second most extreme variation in the world. Tidal currents average 1 to 2 knots maximum at the entrance to the inlet and 5 to 6 knots maximum around Anchorage.

The UCI commercial fishery management area consists of marine waters north of Anchor Point and is divided into the Central and Northern Districts. The Central District is about 75 miles long, averages 32 miles wide, and includes six sub-districts broken into six sections. The Northern District is approximately 50 miles long, averages 20 miles wide, and contains just two sub-districts, beginning near the narrowest part of Cook Inlet and extending up to the Susitna River, Knik River, and Turnagain Arm.



Regulations that govern the UCI Conservation Corridor are found in 5AAC 21.353, Central District Drift Gillnet Fishery Management Plan.

The purpose of this plan is to, "ensure adequate escapement and a harvestable surplus of salmon into the Northern District drainages."

Approximately half of Alaska's human population resides near the shores of UCI. This includes the city of Anchorage (288,121 in 2021) and an additional 110,000+ residing in the Matanuska-Susitna Borough. Primary freshwater sources into UCI include the major salmon-producing systems: the Susitna, Kenai, and Kasilof Rivers. Northern drainages are generally the largest producers of coho, chum, pink, and chinook salmon, whereas the Kenai Peninsula rivers dominate sockeye salmon production. The UCI commercial fishery harvests all five species of salmon.

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## FUTURE UNKNOWNS DRIVE NEED FOR CONSERVATIVE MANAGEMENT

The commercial fishery in Cook Inlet has changed significantly over time and will continue to adapt as we learn more and are impacted by future unknowns, such as Federal fishery management and warming water temperatures. The MSB Fish & Wildlife Commission prioritizes conservative management that provides reasonable harvest opportunities for all user groups, supported by the Alaska State Constitution, which states, "The legislature shall provide for the utilization, development, and conservation of all natural resources belonging to the State, including land and waters, for the maximum benefit of its people."

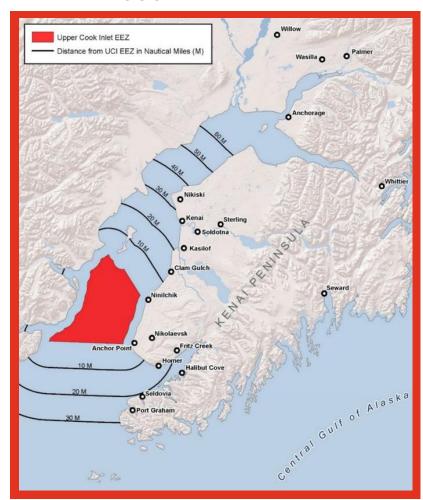
Run timings and migration routes overlap so much that the fishery has historically been mixed species and stocks in nature. Regarding commercial economic value, sockeye salmon are by far the most important component of the harvest, followed by coho, chum, pink, and chinook salmon. The ex-vessel value of the UCI commercial salmon fishery averaged approximately \$27 million from 1970 to 2021. The average annual harvest during this period was 3.9M salmon, of which 2.8M were sockeye. The drift gillnet fishery generally accounts for about 55% of the annual harvest, with set gillnets harvesting virtually all the remainder.

Set (fixed) gillnets are the only permitted gear in the Northern District, whereas both set gillnets and drift (mobile) gillnets are allowed in the Central District. Seine gear is restricted too, but seldom used, in the Chinitna Bay subdistrict. The Commercial Fishing Entry Commission reported that 567 active drift gillnet permits were issued in 2021, of which 74% were issued to Alaskans. In the set gillnet fishery, 730 permits were issued, 84% to Alaskans. Of those permits, 364 drift gillnet permit holders and 510 set gillnet permit holders reported harvest in 2021.



## FEDERAL FISHERY MANAGEMENT

## **COOK INLET EEZ**



Source: NOAA Fisheries

## MANAGEMENT OF THE UCI COMMERCIAL FISHERY IS FACING MAJOR CHANGES.

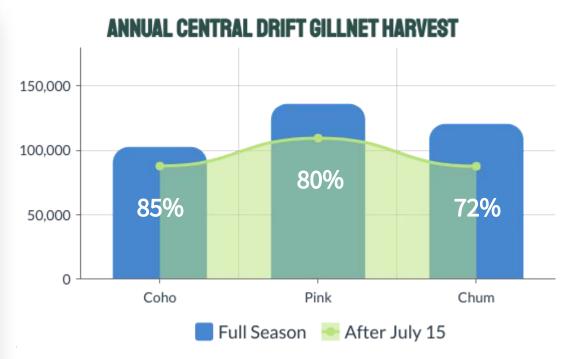
The federal government is seeking public comment on a proposal that would implement federal management of the commercial fishery in the Exclusive Economic Zone (EEZ) waters of Cook Inlet. Previously, management of the EEZ was deferred to the State of Alaska and fishing occurred without respect to EEZ boundaries. The current proposal would result in federal management 'only' in the EEZ with state management throughout the remainder of EEZ waters start three UCI. nautical miles off shore, just south of Kalgin Island and cover roughly 1200 square miles of the inlet. This area is very important to the UCI drift gillnet fishery.

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Federal management in the EEZ could devastate Northern District salmon stocks. Conservative management must be implemented for the immediate future.

- POTENTIAL TO DOUBLE THE COMMERCIAL DRIFT HARVEST
- LACK OF

   INSEASON
   MANAGEMENT
   TOOLS
- INABILITY TO MAKE TIMELY INSEASON MANAGEMENT DECISIONS



On a 20 year average, approximately 44% of king salmon, 62% of sockeye salmon, 85% of coho salmon, 80% of pink salmon, and 72% of chum salmon caught in the drift gillnet annual harvest occurs after July 15th.\*

\*Source: ADF&G

"Commercial salmon fisheries in Cook Inlet begin in June under State regulations. Around this time, Chinook salmon are already present in Cook Inlet and sockeye salmon begin migrating into Cook Inlet from the Gulf of Alaska. As salmon begin to move into Cook Inlet, with the exception of Chinook, they typically group in large tide rips in the middle of Cook Inlet to start moving toward their spawning streams, rivers, and lakes... salmon stocks originating from throughout Cook Inlet are mixed together. As they move northward up farther into Cook Inlet, individual salmon stocks will eventually move shoreward into State waters to reach their spawning streams. Stocks returning to freshwater systems farther north in Cook Inlet tend to stay close to the middle of the inlet when they move through the Cook Inlet EEZ Area."\*\*

<sup>\*\*</sup>Department of Commerce. NOAA. Federal Register: Fisheries of the Exclusive Economic Zone Off Alaska; Cook Inlet Salmon; Amendment 16. Vol. 88, No. 201. October 19, 2023

## The Fish and Wildlife Commission (FWC) has the following concerns with the proposed EEZ management plan:

- Amendment 16 proposes two 12-hour commercial fishing periods each week within the EEZ, on Monday from 7 a.m. until 7 p.m. and on Thursday from 7 a.m. until 7 p.m.
  - This change increases the ability of the drift gill net fleet to harvest large numbers of salmon in the EEZ, potentially doubling the commercial drift harvest.
  - The additional proposed fishing periods after July 15 increases fishing time during the critical period for moving fish through the Conservation Corridor, resulting in a greater harvest of northern-bound salmon and fewer fish reaching the Northern District.
- The National Marine Fisheries Service (NMFS) proposes to manage EEZ waters by regulating harvest using a Total Allowable Catch (TAC). Without adequate inseason management tools in the Northern District, the current data used to calculate a TAC is likely skewed toward the more abundant Kenai and Kasilof salmon stocks. This has the potential to allow overharvesting of the smaller and less productive stocks.
- The NMFS's ability to make timely inseason management decisions is severely hampered by their required processes. The Alaska Department of Fish and Game (ADF&G) has proven that salmon inseason management requires quick and timely management decisions. As is currently required, to implement an inseason adjustment, the NMFS must publish a temporary rule in the Federal Register, requiring a public comment period. This process could take weeks or months and does not allow NMFS to make timely management decisions required, often daily, to manage commercial salmon fisheries.
- The NMFS recognizes that it will take time to refine the application of their existing management tools as they develop management expertise and collect better data over time. Because of this, a more conservative management approach must be implemented for the immediate future.

As a result of these concerns the FWC recommends for the period from July 16 to August 15 to allow only one 12-hour EEZ fishing period per week and maintain the current drift gillnet length of 150 fathoms.

## **CURRENT STATE INSEASON MANAGEMENT**

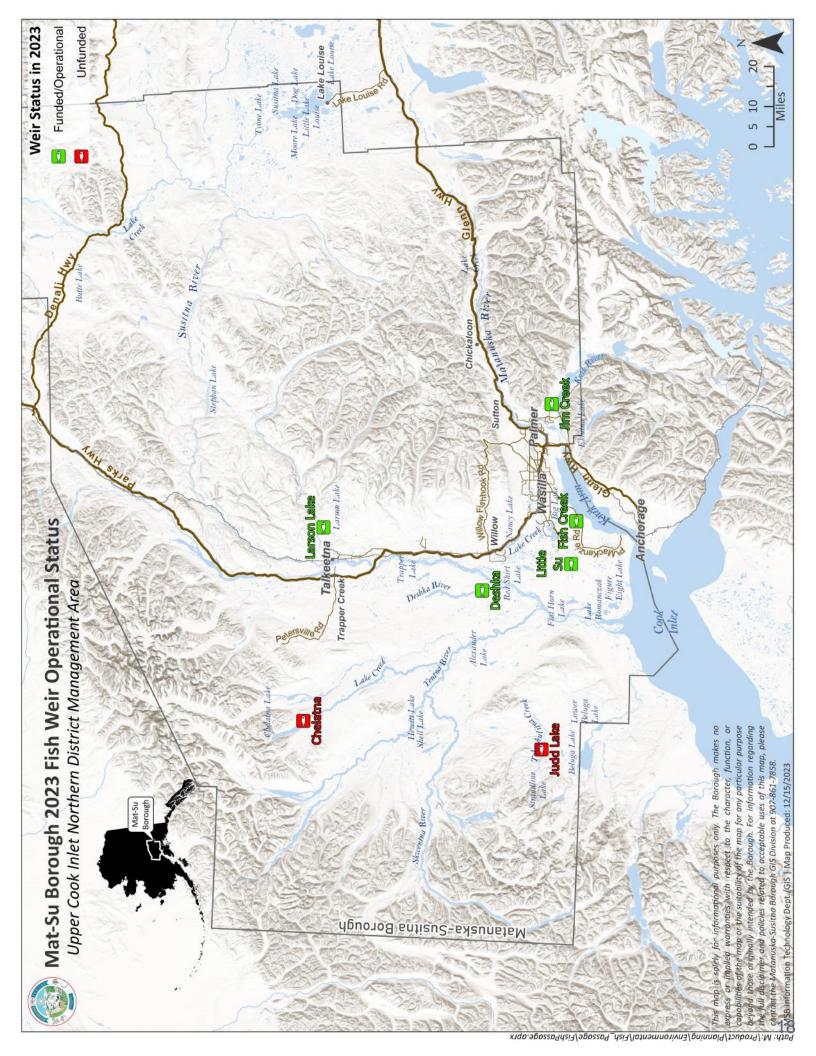
Since the Susitna counters are far up the inlet and farther up a vast river drainage, they provide limited real-time data useful for inseason commercial salmon management. While Kenai management immediately understands the abundance of its salmon runs, northern-bound salmon counts can be delayed by two to three weeks, depending on the time it takes to travel to their natal streams. The timing and the lack of conservative inseason management requires excessive use of emergency orders in the Northern District.

Because of this long travel time, through harvest fisheries, ADF&G has considered the Susitna drainage weir data as more of a evaluation for post-season salmon escapement rather than an effective inseason management tool. Even when Susitna sockeye escapement data shows abundances that could provide additional sustainable harvest, Susitna coho have a slightly later run timing, and their abundance levels may not sustainably support additional harvest. Additional and more timely inseason species, stock, and abundance data is needed. Concerning the federal fishery within the EEZ, there should be public discussion regarding how federal regulation enforcement will occur before fishing begins and how effective adjustments will be made inseason with the required lengthy administrative

While Kenai management knows the abundance of its salmon runs more quickly, Northern-bound salmon counts are delayed by weeks.

## TOOLS TO FACILITATE BETTER DATA-DRIVEN MANAGEMENT DECISIONS:

- Test fisheries at the Anchor Point line through August
   15. An additional line of test net fishing should
   provide the same type of data for salmon that had
   successfully migrated through the EEZ.
- Genetic testing for sockeye and coho to determine productivity levels of various species and stocks; a different EEZ fishing pattern would impact these numbers.
- Boat travel log trackers, as used in East Coast fisheries, could better define EEZ drift gillnet locations where more discrete species/stock harvest could occur.
- Consistent funding of escapement counts using tools such as weirs or sonar throughout Upper Cook Inlet, especially in more remote areas. These tools would help gain accurate fish counts to manage inseason restrictions and identify historic run trends.
- Restoration of the Genetic Stock Identification (GSI) mark and recapture of the Susitna River sockeye salmon in conjunction with operation of the Judd, Larson and Chelatna Lake weirs to estimate run size and spawning escapement.



# STOCKS OF CONCERN



## **CURRENT**

Stocks of Management Concern

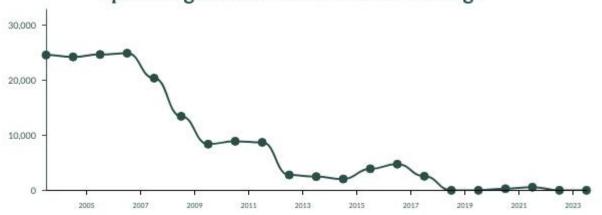
- King in Alexander Creek (2010)
- King in Chuitna River (2010)
- King in Theodore River (2010)
- King in East Susitna (2019)

Stocks of Concern are fish chronically struggling to maintain population stability despite conservative management efforts. The Susitna River sockeye was designated as a Stock of Yield Concern in 2008. With the establishment of the Conservation Corridor in 2011, and subsequent regulations reinforcing the Corridor in 2014, the Susitna River Sockeye population improved enough to be delisted as a Stock of Concern in 2020. It is important to celebrate the positive impacts of conservative management efforts like these, but to also recognize that it didn't happen overnight and there is more to be done. It can take years to feel the effects of regulatory changes and maintaining current protections should be a top priority for policymakers. Due to the early run timing of the northern king salmon in Cook Inlet, the Conservation Corridor has NO significant impacts populations. Additional these salmon management methods need to be considered.

## Susitna King Salmon: A Drainage-Wide Stock of Concern?

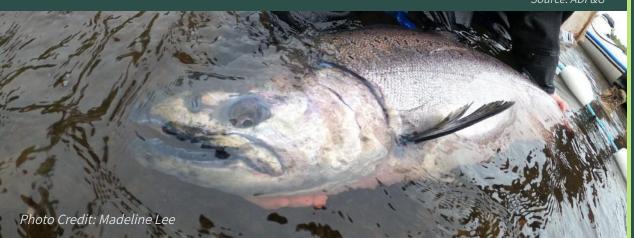
Despite the improvement for Susitna Sockeye, numerous king populations throughout Upper Cook Inlet continue to be listed as a stock of management concern, and many have been there for more than a decade. The results are a continuously struggling stock, limited catch-and-release fishing, and full-season closures for residents. This begs the questions, is careful conservative management doing enough? Is there more to be done?

### Sport King Harvest within Susitna Drainage



The graph shows the result of significant and continuing declines in king salmon returns to the Northern District resulting in limited harvest opportunities for anglers. 2023 is the fourth season since 2018 with no king salmon sport harvest in the Susitna. Drainagewide Susitna harvest declines (4th largest king salmon producer in AK\*) indicate a larger concern. The FWC respectfully requests listing all Susitna Drainage King Salmon as Stock(s) of Yield Concern. In comparison, Susitna sockeye was a Stock of Yield Concern from 2008-2020, having never reached harvest levels as low as the kings.

\*Source: ADF&G



"A stock of conservation concern is defined in 5
AAC 39.222(/)(6) as "a concern arising from a chronic inability, despite the use of specific management measures, to maintain escapements for a stock above a sustained escapement threshold (SET); a conservation concern is more severe than a management concern."

"A stock of management concern is defined in 5 AAC 39.222(/)(21) as "a concern arising from a chronic inability, despite the use of specific management measures, to maintain escapements for a salmon stock within the bounds of the SEG. BEG, OEG, or other specified management objectives for the fishery; a management concern is not as severe as a conservation concern. "

"A stock of yield concern is defined in 5 AAC 39.222(/)(42) as "a concern arising from a chronic inability, despite the use of specific management measures, to maintain specific yields, or harvestable surpluses, above a stock's escapement needs; a yield concern is less severe than a management concern." The SSFP defines chronic inability as "the continuing or anticipated inability to meet expected yields over a 4 to 5 year period."

20

# MAT-SU BOROUGH

The Matanuska-Susitna Borough lies at the head of Upper Cook Inlet and is Alaska's fastest growing region. Most of the Mat-Su's population resides in the core urban area surrounding the cities of Palmer and Wasilla, but despite it's growth, the majority of the region is wild and minimally developed. **The Mat-Su is more than 25,000 square miles, roughly the size of West Virginia, and is comprised mainly of pristine Alaskan wilderness**, with more than 50,000 miles of mapped streams and all five species of Pacific salmon.





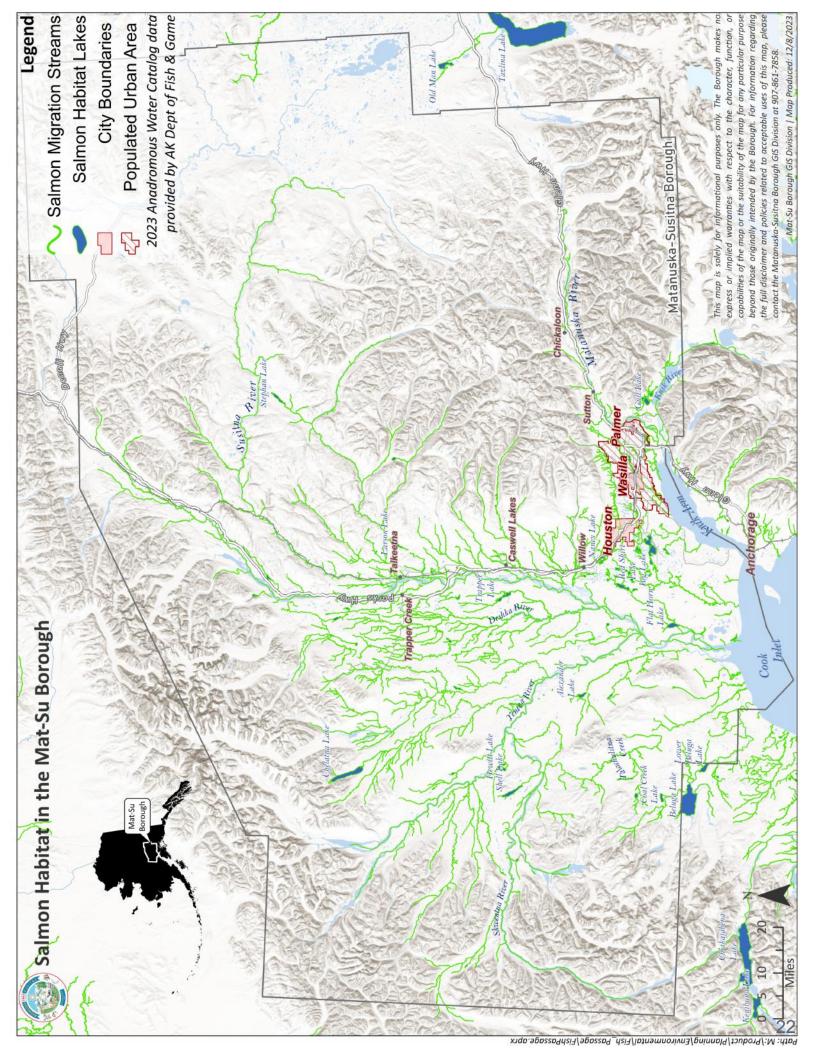
Photo Credit: Fernando Lessa

What do salmon that successfully migrate to Upper Cook Inlet find?

# ABUNDANT HABITAT FOR SPAWNING.



There are more than 4,000 miles of documented salmon habitat in the Susitna Basin alone. These streams produce the salmon that are critical for the long-term stability of salmon populations in Cook Inlet. Through conservative management, maintaining and enhancing the Conservation Corridor increases the likelihood that an adequate number of fish return to continue sustainable populations.



# HABITAT IN THE Mat-su

for returning salmon



## Habitat Is Critical, But It Takes Fish To Make Fish

The Susitna Basin is approximately 20,612 square miles. The Susitna River, from source to salt, is about 321 miles with 229 river miles and 4,030 tributary stream miles documented in the Anadromous Waters Catalog (AWC). Recognizing that there is undoubtedly more salmon habitat in the Susitna basin that has yet to be evaluated, there is a minimum of 4,258 stream miles in the Susitna basin alone. Salmon habitat here has the potential to contribute significantly to Cook Inlet salmon stocks, assuming enough salmon return to their natal streams to spawn.

The Conservation Corridor provides the "pipeline" to help sustain this vibrant ecosystem, and the MSB Fish & Wildlife Commission believes it is essential, and more economical, to protect salmon habitat and populations instead of restoring them.

The Mat-Su Borough contains abundant anadromous fish habitat, mostly centered around the massive Susitna River drainage. Salmon, rainbow trout, Arctic Char, and many other fish populate the streams. Key issues in maintaining healthy fish populations include ensuring northern-bound passage through Cook Inlet, limiting the impacts of development on fish habitat, understanding where streams are warming, and managing invasive species such as northern pike and elodea.

### **WATERBODY SETBACKS**

In 2023, the MSB formed a Waterbody Setback Advisory Board (WBSBAB) to address a high number of setback violations on borough lakes. The WBSBAB consists of local experts, scientists, realtors, developers, and MSB residents. The MSB Fish & Wildlife Commission and the Mat-Su Salmon Habitat Partnership both hold a seat. The purpose of the board is to address current violations to create a path towards compliance, and to set future standards for development near waterbodies as the borough continues to grow. Board recommendations could include development guidelines like riparian buffers, and regulatory recommendations, such as the enforcement of a mandatory Land Use Permit to better assist homeowners in following best practices and building responsibly on and near lakeshores.

## **COLD-WATER REFUGIA**

In addition to utilizing and implementing management tools for new development, organizations like the Mat-Su Salmon Habitat Partnership continue to bring new research forward that could help guide future land use decisions. Identifying and mapping critical cold-water refugia, areas with consistently cool water temperatures, necessary for salmon survival is an example of data that could help protect habitat for sustaining healthy salmon populations.



Northern Pike currently occupy 64 waterbodies in the Mat-Su Borough, totaling 19,764 surface areas and 70% of all AWC documented anadromous lakes and ponds. Beyond that, 13% of all AWC lakes and ponds have had moderate to severe pike impacts, and an additional 26% of all AWC lakes and ponds have been completely destroyed by pike infestations. Without human intervention, the presence of pike will only increase. Because the impacts pike have on salmon populations take place below the surface and out of view, the issue has not gotten the urgent attention it needs. Additional research and dedicated funding will be necessary to eradicate pike from salmon spawning and rearing grounds.\* \*Source: ADF&G

# FISH HABITAT IMPROVEMENTS



The Matanuska-Susitna Borough is widely recognized for its extensive fish passage program that has reopened over 1000 stream miles and more than 6000 acres of lake habitat for salmon rearing and spawning. As of 2023, 153 culverts have been removed or replaced for fish passage within the region on State, Mat-Su Borough, Alaska Railroad, and privately owned land. This investment by local partners totals over \$20 million, and the Borough's robust culvert replacement program is ongoing as fisheries remain a priority.

The Mat-Su Borough has been a leader in this effort, as no other local government in Alaska has such an aggressive replacement program. The Mat-Su is lauded in Washington, D.C. by the U.S. Fish & Wildlife Service for doing it right and several national awards have been credited to the Mat-Su and its partners. The work continues with additional culvert replacement projects scheduled over the next few years. With high priority projects on many State, Alaska Railroad, and privately owned routes, it presents an opportunity for continued partnership in moving projects forward and successfully returning salmon to their natal streams.

Other partners have also invested in projects that improve and enhance salmon habitat within the Mat-Su Borough. Great Land Trust has completed 22 projects to date that have conserved nearly 10,000 acres of fish habitat, and 44 anadromous stream miles. The Native Village of Eklutna has partnered with Great Land Trust to provide conservation easements and together they have conserved thousands of acres of land for subsistence hunting, fishing and foraging. Knik Tribal Council and Chickaloon Native Village have contributed to habitat restoration throughout the region. Through numerous projects over the past several years, Chickaloon has restored more than 13 stream miles, and continues to plan future culvert replacement projects through the Chickaloon Native Village Tribal Fish Passage Program.

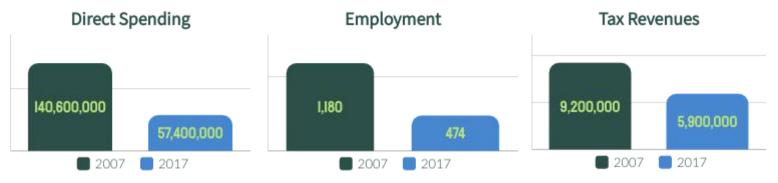
The Borough has demonstrated its commitment to this issue by annually approving funds specific for stream crossing replacement projects to be then used to leverage additional funding opportunities. Millions of dollars have been spent on this effort, shared by the Mat-Su Borough, NOAA's Alaska Sustainable Salmon Fund, National Fish Habitat Partnership, and the U.S. Fish and Wildlife Service's Partners for Fish and Wildlife and Fish Passage Programs. In 2023, the MSB Fish & Wildlife Commission, through the MSB Assembly, requested \$2.5 million in State appropriations toward science, genetic research, and fish passage.

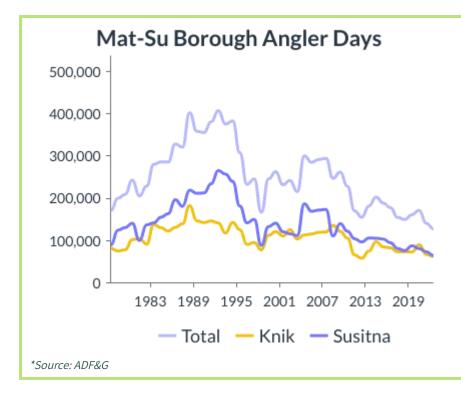


"The scale of the fish passage program in the Mat-Su is pretty unprecedented in the commitment to really seeing through and improving fish passage borough-wide."

A mission of the MSB Fish & Wildlife Commission is to work towards adopting management plans conservative enough to reach midpoint escapement goals for Northern Cook Inlet sockeye, coho and king salmon, providing more realistic and reasonable shared harvest opportunities throughout the season, for all users.

### 2007 AND 2017 STUDIES SHOW DECLINE IN MAT-SU BOROUGH SPORTFISHING





### **ANGLER DAYS**

Local fishing opportunity is an important economic driver for the Northern District and provides immeasurable benefits to visitors and residents who rely on summer salmon runs each year. The decline in angler days for sportfishing in the Northern District has stabilized slightly since the Conservation Corridor was put in place, but dipped to it's lowest count in 2021 and 2022, partially due to increasingly low king salmon returns which are not impacted by regulations in the Conservation Corridor. If the economy of local fisheries is a priority in the Northern District, more conservative management is necessary.

# TAKEAWAYS

The Matanuska-Susitna Borough Fish & Wildlife Commission supports fisheries management using the best available science. Harvesting Upper Cook Inlet salmon stocks, primarily where directed harvests can best match individual stock production and abundance level, minimizes inseason restrictions and closures. This management approach will maximize the benefit for the state, the fishing economy, and the health of the fishery. The practice is proven. The most successful fishery in the world, Bristol Bay Sockeye, is regulated with terminal fishing districts.

THE CONSERVATION CORRIDOR WORKS AND SHOULD BE MAINTAINED AND ENHANCED TO CONTINUE MAKING POSITIVE IMPACTS.



All issues show the need for conservative management and maintenance of existing systems, such as the Conservation Corridor.

More fish does not always mean harvest should be increased.

A number of uncertainties have been identified and amplified by a lack of inseason data. This demonstrates the need for increased and more consistent funding for management tools like weirs, sonar, genetic studies, test fisheries, etc.

It takes fish to make fish, and it takes fish returning to natal streams in the Northern District to support healthy salmon populations alongside successful sportfishing economies.

#### PROPOSAL 231

**5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.** Modify dates of the Susitna River dip net fishery as follows:

5 AAC 77.540. Upper Cook Inlet Personal Use Salmon Fishery Management Plan.

..

(h) salmon may be taken by dipnet in the Susitna River, only as follows:
(1) **July 17 – August 7:** [JULY 10 - JULY 31:] Open to fishing only on Wednesdays and Saturdays from 6 a .m . to 11 p .m .

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

Personal use harvests have been modest during the first three years of this fishery and harvest data indicates the first Saturday and Wednesday occur before there are many salmon available for harvest. Harvest and weir data indicate better abundance of the four salmon species open to harvest in this fishery later in the season. In addition, harvest data indicates that a few king salmon have been illegally taken in this fishery.

- The Northern District Salmon Management Plan specifically seeks to provide harvest opportunity based on abundance.
- The plan further specifies providing sport, guided sport, and OTHER INRIVER USERS a reasonable opportunity to harvest not just chum, pink, and sockeye salmon, but also coho salmon over the entire run.
- Illegally harvested king salmon are more likely to be caught in the early portion of July.

The MSB FWC proposes amending the Lower Susitna River personal use fishery to run one week later on Saturdays and Wednesdays from July 17 - August 7.

# State of Alaska Constitution Article 8 - Natural Resources

\*Sections concerning Fisheries\*

#### **§ I. STATEMENT OF POLICY**

It is the policy of the State to encourage the settlement of its land and the development of its resources by making them available for maximum use consistent with the public interest.

#### § 2. GENERAL AUTHORITY

The legislature shall provide for the utilization, development, and conservation of all natural resources belonging to the State, including land and waters, for the maximum benefit of its people.

#### § 3. COMMON USE

Wherever occurring in their natural state, fish, wildlife, and waters are reserved to the people for common use.

#### § 4. SUSTAINED YIELD

Fish, forests, wildlife, grasslands, and all other replenishable resources belonging to the State shall be utilized, developed, and maintained on the sustained yield principle, subject to preferences among beneficial uses.

#### § 5. FACILITIES AND IMPROVEMENTS

The legislature may provide for facilities, improvements, and services to assure greater utilization, development, reclamation, and settlement of lands, and to assure fuller utilization and development of the fisheries, wildlife, and waters.

#### § 15. NO EXCLUSIVE RIGHT OF FISHERY

No exclusive right or special privilege of fishery shall be created or authorized in the natural waters of the State. This section does not restrict the power of the State to limit entry into any fishery for purposes of resource conservation, to prevent economic distress among fishermen and those dependent upon them for a livelihood and to promote the efficient development of aquaculture in the State. [Amended 1972]

