



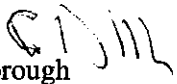
## MATANUSKA-SUSITNA BOROUGH


350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 745-9833 • Fax (907) 745-9876

December 5, 2008

TO: The Joint Legislative Cook Inlet Salmon Task Force

THROUGH: Curt Menard, Mayor   
Matanuska-Susitna Borough

FROM: Tom Kluberton, Chair   
Matanuska-Susitna Mayor's Blue Ribbon Sportsmen's Committee

SUBJECT: **Upper Cook Inlet Salmon Fisheries**

We express our appreciation to the Joint Legislative Task Force members for making time in your busy schedules to address the complexities of the Upper Cook Inlet (UCI) Salmon Fishery. We understand the enormity of that challenge, and owe a debt of thanks to you for your participation.

Our goal in writing is to share with you the combined experience of our members, focused by our activities as a committee. We hope our thoughts may assist you in the development and implementation of measures that will ensure improved management of this extremely important fishery.

It is apparent to our committee members that the Board of Fisheries (BOF) and the Alaska Department of Fish and Game (ADF&G) primarily manages the Upper Cook Inlet commercial salmon fishery to attain "Maximum Sustained Yields" from Kenai and Kasilof River sockeye salmon. Sockeye stocks from these systems have historically been the "big money" fisheries, and (perhaps) in years past, the demographics in south-central Alaska rendered such a management practice generally acceptable.

Today demographics have changed drastically. With 80,000+ residents in the Mat-Su Borough and an Anchorage Bowl population around 300,000, certain past management practices are no longer acceptable to a rapidly growing portion of the population. Another significant factor is the incredible growth of the Tourism Industry. Simply put, the economic impact of non-commercial fishing (sports, personal use, and subsistence) has exploded. Our committee eagerly awaits the results of a study commissioned by ADF&G into the economic impacts of sport fishing in Alaska. We fully expect this study, which is scheduled for release in December, will confirm the mushrooming economic value of sport fishing within the Upper Cook Inlet region.

Since salmon are a common property resource, we believe the state must change from the present practice of pursuing maximum sustained yield for a limited audience, when it deprives others (the great majority) of their constitutional right to an equitable share of that resource. Residents of northern Cook Inlet cannot and will not accept management that primarily emphasizes maximum sustained harvests of Kenai and Kasilof sockeye salmon at the almost total exclusion of other salmon species and stocks. In other words, the passive and coincidental commercial harvest of salmon other than Kenai Peninsula sockeye must be addressed and corrected.

Therefore, we believe that the Legislature should direct the BOF and ADF&G to manage Upper Cook Inlet salmon for "Optimum Sustained Human Benefits" rather than emphasizing economic returns to specific elements (Central District fishers) of the commercial fishery. Movement toward management that features optimum benefits would include, but not be limited to:

- 1) Consistent achievement of existing in-season escapement goals for Susitna River and Fish Creek sockeye;
- 2) Development of scientifically-based escapement goals for in-season commercial management of coho, pink and chum salmon. (in-season commercial goals for these species do not exist)
- 3) Development of a genetic identification program that will ultimately provide a timely, in-season harvest assessment of major stocks.

Managing Cook Inlet salmon as a common property resource given today's demographics and economics requires additional effort and direction from the state. The complexities of managing a mixed-stock fishery are challenging, but tools are available that could make this common property resource more equitably available to all citizens.

We recommend that the Task Force consider the following approaches to meeting conservation goals for all Cook Inlet salmon as well as equitably allocating harvestable surpluses to all users:

- 1) **Implement a Salmon Conservation Corridor in the Central District of Cook Inlet subject to legislative approval in accordance to AS 16.05.251(1).** A Management Plan establishing harvest guidelines and criteria would be developed by the BOF for the conservation corridor. Plan guidelines may include criteria pertaining to where, when and under what standards or conditions fishing may be allowed (if any) within the corridor. Creation of a conservation zone for Cook Inlet would be a step toward the type of harvest practices currently allowed in Bristol Bay; the world's largest sockeye salmon fishery. In the Bay, fishing is normally only allowed within five districts located near the mouths of natal streams in order to minimize problems inherent with mixed stock fishing. A Cook Inlet conservation zone would also likely serve as a catalyst for speedy development of a genetic program to apportion salmon harvest from marine waters to streams of origin e.g., fishing within the corridor might only be allowed when and where the identities of major harvested stocks are known.
- 2) **We believe it is appropriate for the legislature to provide general guidance/policy to the BOF regarding allocation of fishery resources more in line with Alaska's current economics and demographics.** In 1986, the BOF received legislative direction to "establish criteria for allocation of fishery resources" and a list of seven factors to consider when doing so. Since that time, the BOF has **not established criteria** as legislatively mandated by AS 16.05.251(14)(e). We believe the legislature has appropriately delegated the responsibility to allocate fishery resources to the BOF but follow-through in regard to the 1986 directive must occur.
- 3) **The legislature should consider funding professional socioeconomic expertise for the BOF.** The BOF should develop formal methods of integrating socioeconomic information into their decision-making processes. Allocation decisions seem to be based on (1) objective scientific data from the disciplines of fishery biology and management; and (2) nonobjective socioeconomic information from the public (the Subsistence Division of AD&G does provide some socioeconomic information regarding subsistence fishing). Without objective socio-economic data the present approach to allocation can be described as one of extreme caution tending to maintain the status quo. The BOF is hesitant to evoke regulatory changes that would alter allocations for beneficiaries. Lacking appropriate staff, the BOF has a difficult time objectively evaluating the socioeconomic impacts of their allocation decisions. In contrast, the North Pacific Fishery Management Council, the federal analog to the BOF, has multiple economists on staff.

- 4) **Examine the Limited Entry Act to see if this statute is functioning as intended.** The buy-back provision under the Act raises serious constitutional issues because a fishery such as Cook Inlet may become 'too exclusive' under Article 8 Sec. 15 of the Alaska Constitution. The legislature created the Act to insure adequate remuneration for commercial fisherman and to conserve the fisheries. Under the program, permits were not capped at an optimum number (AS 16.43.290), but rather were set at a legally required maximum. The buy-back program was proposed to reduce the number of permits from maximum to optimum (AS 16.43.310) but this has not occurred anywhere in Alaska (except for a small private voluntary buy-back in southeast.) Instead, salmon fisheries such as Cook Inlet have incurred increased capital costs over the thirty plus years since the Act became law. Over-capitalization, coupled with sagging fish prices, requires fishermen to harvest more aggressively just to make "ends meet". Unhealthy economic situations result in increased pressure on regulators to maximize harvests, which in turn often elevates user group conflicts. We encourage the legislature to re-visit the Limited Entry Act to see if modifications are required to allow the buy-back provision to perform as intended. In order to insure the "well-being of the fisheries and all participants", it may be desirable to broaden the Act to include both commercial and non-commercial users. Perhaps, the "too exclusive/monopoly" issue can be legally accommodated by acknowledging that non-commercial and commercial fishermen target the same common property resources. Foregone harvests from bought-back commercial permits need not automatically become available to active permit holders as the legislature could mandate that some or all of the 'additional' salmon be made available to non-commercial users.
  
- 5) **Provide adequate funding to insure development of DNA-based genetic stock assessment program for the Inlet's commercial salmon harvest.** Such research must not be limited to sockeye salmon, but should extend to other salmon species and ultimately result in timely in-season stock assessment. Funds should also become available to develop sustainable escapement goals for in-season management of coho, pink and chum salmon. Such in-season commercial management goals, the "cornerstones" of sustainable salmon management, do not exist as was previously noted for northern Cook Inlet stocks.
  
- 6) **To the extent practicable, codify the Alaska Sustainable Salmon Fisheries Policy in Alaska Statute.**

We would like to make you aware the Matanuska-Susitna Borough, the private sector, and several state, federal, and tribal entities, are working together through the Mat-Su Basin Salmon Habitat Partnership to improve and conserve salmon habitat throughout the Northern Cook Inlet drainages. October's Science & Restoration Symposium conducted by this Partnership drew almost 100 scientists and policy-makers to listen to 27 presenters discuss the salmon-related field work they have underway. The cumulative investment in this work is in the millions of dollars and makes the point clear that the leaders and residents of the Northern Cook Inlet recognize the intrinsic and economic value of the salmon resource.

Again, thank you for investigating the sub-standard returns of salmon stocks to Northern Cook Inlet drainages and for your work towards balancing the management of this sustainable resource that delivers benefits to all users, Alaska's economy and way of life.

If we can be of any assistance to your endeavor, we are eager to help. Please feel free to call upon us.