

The current outline for the section:

**(10) Area description**

**(i-iv) General area regulations**

- (A) Kasilof dip net/rod and reel; salmon**
- (B) Kasilof dip net/rod and reel; salmon**
- (C) Kasilof drainage rod and reel; resident species**
- (D) Kenai dip net/rod and reel; salmon**
- (E) Kenai rod and reel; salmon**
- (F) Kenai River and tributaries below Skilak Lake outlet under ice jigging and rod and reel; resident species**
- (G) Upper Kenai River and tributaries above Skilak Lake outlet under ice jigging and rod and reel; resident species**
- (H) Kasilof fish wheel; salmon**
- (I) Kasilof experimental gillnet; salmon**
- (J) Kenai gillnet; salmon**

The revised outline for the section:

**(10) Area description**

**(i) General area regulations**

**(ii) Seasons, harvest limits, and methods and means for Kasilof fisheries**

- (A) Kasilof River household annual limits**
- (B) Kasilof dip net/rod and reel; salmon**
- (C) Kasilof fish wheel; salmon**
- (D) Kasilof experimental gillnet; salmon**
- (E) Tustumena Lake rod and reel; salmon**
- (F) Kasilof drainage rod and reel; resident species**
- (G) Tustumena Lake under ice fishery; resident species**

**(iii) Seasons, harvest limits, and methods and means for Kenai fisheries**

- (A) Kenai River household annual limits**
- (B) Kenai dip net/rod and reel; salmon**
- (C) Kenai gillnet; salmon**
- (D) Kenai rod and reel only; salmon**
- (E) Kenai River and tributaries under ice jigging and rod and reel; resident species**

**Key:**

Sections of current CFR where materials originated are in **bold and yellow**

Additions from the negotiated agreement and the Implementation pathway have been included in this draft highlighted **in green**.

**(10) Cook Inlet Area**

The Cook Inlet Area includes all waters of Alaska enclosed by a line extending east from Cape Douglas (58°51.10' N. Lat.) and a line extending south from Cape Fairfield (148°50.25' W. Long.). **[.27(e)(10)]**

**(i) General area regulations**

- (A) Unless restricted in this section, or unless restricted under the terms of a subsistence fishing permit, you may take fish at any time in the Cook Inlet Area.
- (B) If you take rainbow/steelhead trout incidentally in subsistence net fisheries, you may retain them for subsistence purposes, unless otherwise prohibited or provided for in this section.
  - (1) With jigging gear through the ice or rod and reel gear in open waters there is an annual limit of two rainbow/steelhead trout 20 inches or longer, taken from Kenai Peninsula fresh waters. **[.27(e)(10)(i)]**
- (C) Under the authority of a Federal subsistence fishing permit you may take only salmon, trout, Dolly Varden, and other char. **[.27(e)(10)(iv)]**
- (D) All fish taken under the authority of a Federal subsistence fishing permit must be marked and recorded prior to leaving the fishing site.
  - (1) The fishing site includes the particular Federal public waters and/or adjacent shoreline from which the fish were harvested. **[.27(e)(10)(ii)]**
  - (2) Marking means removing the dorsal fin. **[.27(e)(10)(iv)(A)] and other locations**
- (E) You may not take grayling or burbot for subsistence purposes. **[.27(e)(10)(iii)]**
- (F) You may take smelt with dip nets in fresh water only from April 1-June 15. There are no harvest or possession limits for smelt. **[.27(e)(10)(iv)(H)(8)]**
- (G) You may take whitefish in the Tyone River drainage using gillnets. **[.27(e)(10)(iv)(H)(9)]**
- (H) You may take fish by gear listed in this section unless restricted in this section or under the terms of a Federal subsistence fishing permit (as may be modified by this section). **[.27(e)(10)(ii)]**

- (I) Seasons, harvest, and possession limits, and methods and means for take are the same as for the taking of those species under Alaska sport fishing regulations (5 AAC 56 and 5 AAC 57) unless modified herein or by issuance of a Federal special action. **[.27(e)(10)(iv)]**

(J) Applicable Harvest Limits

Household Annual Permit
Kasilof River Drainage: Kasilof dip net / rod and reel for salmon; Kasilof fish wheel for salmon; Kasilof experimental gillnet for salmon
Kenai River Drainage: Kenai dip net / rod and reel for salmon; Kenai gillnet for salmon
General Subsistence Fishing Permit (Daily / Possession Limits)
Kasilof River Drainage: Tustumena Lake rod and reel for salmon; Kasilof drainage rod and reel for resident species
Kenai River Drainage: Kenai rod and reel only for salmon; Kenai River and tributaries under ice jigging and rod and reel for resident species
Tustumena Lake Winter Permit
Tustumena Lake under ice fishery

- (1) Harvest limits may not be accumulated.
- (2) Each household may harvest its annual salmon limits in one or more days. **[.27(e)(10)(iv)(A)(4)]**
- (3) All salmon harvested as part of a household annual limit must be reported to the Federal in-season manager within 72 hours of leaving the fishing site. **[.27(e)(10)(iv)(A)] and other locations**
- (4) For Ninilchik residents, the household annual limit for Chinook Salmon in the Kasilof River and for late-run Chinook Salmon in the Kenai River are combined.

**(ii) Seasons, harvest limits, and methods and means for Kasilof fisheries**

**(A) Household annual limits for Salmon in Kasilof River fisheries**

For sockeye salmon—household annual limits of 25 for each permit holder and 5 additional for each household member;
For Chinook salmon—household annual limits of 10 for each permit holder and 2 additional for each household member;
For coho salmon—household annual limits of 10 for each permit holder and 2 additional for each household member; and
For pink salmon—household annual limits of 10 for each permit holder and 2 additional for each household member. <b>[.27(e)(10)(iv)(A)(4)(i, ii, iii, and iv)]</b>

**(B) Kasilof dip net / rod and reel; salmon**

- 1. Residents of Ninilchik may take sockeye, Chinook, coho, and pink salmon through a dip net / rod and reel fishery on the upper mainstem of the Kasilof River from a Federal regulatory marker on the river below the outlet of Tustumena Lake

downstream to a marker on the river approximately 2.8 miles below the Tustumena Lake boat ramp.

2. Residents using rod and reel gear may fish with up to two baited single or treble hooks.
3. Harvest Specifics

Sockeye salmon	June 16 – August 15	
Chinook salmon	June 16 – August 15	
Coho salmon	June 16 – October 31	
Pink salmon	June 16 – October 31	
Rainbow/Steelhead trout	April 1 – August 15	The Federal in-season manager will close the take of rainbow/ steelhead trout after 200 have been harvested.

**(C) Kasilof fish wheel; salmon**

1. Residents of Ninilchik may harvest sockeye, Chinook, coho, and pink salmon through a fish wheel fishery in the Federal public waters of the upper mainstem of the Kasilof River.
2. Residents of Ninilchik may retain other species incidentally caught in the Kasilof River fish wheel except for rainbow/steelhead trout, which must be released and returned unharmed to the water.
3. Only one fish wheel can be operated on the Kasilof River. The fish wheel must have a live box, must be monitored when fishing, must be stopped from fishing when it is not being monitored or used, and must be installed and operated in compliance with any regulations and restrictions for its use within the Kenai National Wildlife Refuge.
4. One registration permit will be available and will be awarded by the Federal in-season fishery manager, in consultation with the Kenai National Wildlife Refuge manager, based on the merits of the operation plan. The registration permit will be issued to an organization that, as the fish wheel owner, will be responsible for its construction, installation, operation, use, and removal in consultation with the Federal fishery manager. The owner may not rent or lease the fish wheel for personal gain. As part of the permit, the organization must:
  - i. Prior to the season, provide a written operation plan to the Federal fishery manager including a description of how fishing time and fish will be offered and distributed among households and residents of Ninilchik;
  - ii. During the season, mark the fish wheel with a wood, metal, or plastic plate at least 12 inches high by 12 inches wide that is permanently affixed and plainly visible, and that contains the following information in letters and numerals at least 1 inch high: registration permit number; organization's name and address; and primary contact person name and telephone number;

- iii. After the season, provide written documentation of required evaluation information to the Federal fishery manager including, but not limited to, person or households operating the gear, hours of operation, and number of each species caught and retained or released.
5. People operating the fish wheel must:
  - i. Have a valid Federal subsistence fishing permit in their possession;
  - ii. If they are not the fish wheel owner, attach an additional wood, metal, or plastic plate at least 12 inches high by 12 inches wide to the fish wheel that is plainly visible, and that contains their fishing permit number, name, and address in letters and numerals at least 1 inch high;
  - iii. Remain on site to monitor the fish wheel and remove all fish at least every hour;
6. The fish wheel owner (organization) may operate the fish wheel for subsistence purposes on behalf of residents of Ninilchik by requesting a subsistence fishing permit that:
  - i. Identifies a person who will be responsible for operating the fish wheel;
  - ii. Includes provisions for recording daily catches, the household to whom the catch was given, and other information determined to be necessary for effective resource management by the Federal fishery manager.
7. Fishing will be allowed from June 16 through October 31 on the Kasilof River unless closed or otherwise restricted by Federal special action.

**(D) Kasilof experimental gillnet; salmon**

1. Residents of Ninilchik may harvest Sockeye, Chinook, coho, and pink salmon through an experimental community gillnet fishery in the Federal public waters of the upper mainstem of the Kasilof River from a Federal regulatory marker on the river below the outlet of Tustumena Lake downstream to the Tustumena Lake boat launch June 16 to August 15.
2. The experimental community gillnet fishery will expire 5 years after approval of the first operational plan (13 July 2015).
3. Only one community gillnet can be operated on the Kasilof River.
  - i. The gillnet cannot be over 10 fathoms in length,
  - ii. May not obstruct more than half of the river width with stationary fishing gear, and
  - iii. Subsistence stationary gillnet gear may not be set within 200 feet of other subsistence stationary gear.
4. One registration permit will be available and will be awarded by the Federal in-season fishery manager, in consultation with the Kenai National Wildlife Refuge manager, based on the merits of the operational plan. The registration permit will be issued to an organization that, as the community gillnet owner, will be responsible for its use in consultation with the Federal fishery manager.

- i. Prior to the season, provide a written operational plan to the Federal fishery manager including a description of fishing method, mesh size requirements, fishing time and location, and how fish will be offered and distributed among households and residents of Ninilchik;
  - ii. After the season, provide written documentation of required evaluation information to the Federal fishery manager including, but not limited to, persons or households operating the gear, hours of operation, and number of each species caught and retained or released.
5. The experimental community gillnet will be subject to compliance with Kenai National Wildlife Refuge regulations and restrictions.
  6. The gillnet owner (organization) may operate the net for subsistence purposes on behalf of residents of Ninilchik by requesting a subsistence fishing permit that:
    - i. Identifies a person who will be responsible for fishing the gillnet;
    - ii. Includes provisions for recording daily catches, the household to whom the catch was given, and other information determined to be necessary for effective resource management by the Federal fishery manager.
  7. Residents of Ninilchik may retain other species incidentally caught in the Kasilof River experimental community gillnet fishery. The gillnet fishery will be closed when the retention of rainbow/steelhead trout has been restricted under Federal subsistence regulations.

**(E) Tustumena Lake rod and reel; salmon**

1. In addition to the dip net and rod and reel fishery on the upper mainstem of the Kasilof River described under paragraph (e)(10)(ii)(B) of this section, residents of Ninilchik may also take coho and pink salmon through a rod and reel fishery in Tustumena Lake.
2. Seasons, areas, harvest and possession limits, and methods and means for take are the same as for the taking of these species under Alaska sport fishing regulations (5 AAC 56), except for the following methods and means, and harvest and possession limits:

Fishing will be allowed with up to two baited single or treble hooks.

Coho salmon 16 inches and longer	4 per day and 4 in possession
Pink salmon 16 inches and longer	6 per day and 6 in possession

**(F) Kasilof drainage rod and reel; resident species**

1. Resident fish species including lake trout, rainbow/steelhead trout, and Dolly Varden/Arctic char may be harvested by rod and reel in Federally managed waters of the Kasilof River drainage the entire year.
2. Lake trout.

Fish 20 inches and longer	4 per day and 4 in possession
Fish less than 20 inches	15 per day and 15 in possession

3. Dolly Varden/Arctic char.

In flowing waters	4 per day and 4 in possession
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In lakes and ponds	10 per day and 10 in possession
4. Rainbow trout.	
In flowing waters	2 per day and 2 in possession
In lakes and ponds	5 per day and 5 in possession

**(G) Tustumena Lake under ice fishery; resident species**

1. You may fish in Tustumena Lake with a gillnet fished under the ice, or jigging gear used through the ice.
  - a. The gillnet cannot be longer than 10 fathoms.

2. Harvest Limits

Jigging Gear through the ice	Household annual limit of 30 fish in any combination of lake trout, rainbow trout, and Dolly Varden/Arctic char
Gillnet under the ice	Total annual harvest quota of 200 lake trout, 200 rainbow trout, and 500 Dolly Varden/Arctic char. The Federal in-season manager will issue a closure for this fishery once any of these quotas have been met.

3. You may harvest fish under the ice only in Tustumena Lake. Gillnets are not allowed within a 1/4 mile radius of the mouth of any tributary to Tustumena Lake, or the outlet of Tustumena Lake.
4. A permit is required and will be issued by the Federal in-season manager or designated representative, and will be valid for the winter season unless the season is closed by special action.
5. Permit conditions:
  - i. Reported information must include number of each species caught; number of each species retained; length, depth (number of meshes deep) and mesh size of gillnet fished; fishing site; and total hours fished.
  - ii. The gillnet must be checked at least once in every 48-hour period.
  - iii. For unattended gear, the permittee's name and address must be plainly and legibly inscribed on a stake at one end of the gillnet.
6. Incidentally caught fish may be retained and must be recorded on the permit before transporting fish from the fishing site.
7. Failure to return the completed harvest permit by May 31 may result in issuance of a violation notice and/or denial of a future subsistence permit. **[.27(e)(10)(iv)(C)(4)]**

**(iii) Seasons, harvest limits, and methods and means for Kenai fisheries**

**(A) Household annual limits for salmon in Kenai River fisheries.**

For sockeye salmon—household annual limits of 25 for each permit holder and 5 additional for each household member. Chum salmon that are retained are to be included within the annual limit for sockeye salmon.

For late-run (July 16 to August 31) Chinook salmon—household annual limits of 10 for each permit holder and 2 additional for each household member;
For coho salmon—household annual limits of 20 for each permit holder and 5 additional for each household member; and
For pink salmon—household annual limits of 15 for each permit holder and 5 additional for each household member. [.27(e)(10)(iv)(D)(3)(i, ii, iii, and iv)]
In addition to these limits, the Kenai River community gillnet fishery described under paragraph (e)(10)(iii)(D) of this section also has an early-run (June 15 to July 15) Chinook Salmon household annual limit of 2 for each permit holder and 1 additional for each household member.

**(B) Kenai dip net / rod and reel; salmon**

1. You may take only sockeye salmon through a dip net / rod and reel fishery at one specified site on the Russian River. [.27(e)(10)(iv)(D)]
  - i. For the Russian River fishing site, incidentally caught fish may be retained for subsistence uses, except for early- and late-run Chinook salmon, coho salmon, rainbow trout, and Dolly Varden, which must be released. [.27(e)(10)(iv)(D)]
  - ii. At the Russian River Falls site, dip netting is allowed from a Federal regulatory marker near the upstream end of the fish ladder at Russian River Falls downstream to a Federal regulatory marker approximately 600 yards below Russian River Falls. Residents using rod and reel gear at this fishery site may not fish with bait at any time. [.27(e)(10)(iv)(D)(1)(iii)]
2. You may take sockeye, late-run Chinook, coho, and pink salmon through a dip net / rod and reel fishery at two specified sites on the Kenai River below Skilak Lake and as provided in this section.
  - i. For both Kenai River fishing sites below Skilak Lake, incidentally caught fish may be retained for subsistence uses, except for early-run Chinook salmon (unless otherwise provided for), rainbow trout 18 inches or longer, and Dolly Varden 18 inches or longer, which must be released. [.27(e)(10)(iv)(D)]
  - ii. At the Kenai River Moose Range Meadows site, dip netting is allowed only from a boat from a Federal regulatory marker on the Kenai River at about river mile 29 downstream approximately 2.5 miles to another marker on the Kenai River at about river mile 26.5. Residents using rod and reel gear at this fishery site may fish from boats or from shore with up to two baited single or treble hooks June 15-August 31. [.27(e)(10)(iv)(D)(1)(i)]
  - iii. At the Kenai River Mile 48 site, dip netting is allowed while either standing in the river or from a boat, from Federal regulatory markers on both sides of the Kenai River at about river mile 48 (approximately 2 miles below the outlet of Skilak Lake) downstream approximately 2.5 miles to a marker on the Kenai River at about river mile 45.5. Residents using rod and reel gear at this fishery site may fish from boats or from shore with up to two baited single or treble hooks June 15-August 31. [.27(e)(10)(iv)(D)(1)(ii)]
3. Fishing seasons are as follows:



Sockeye salmon	June 15 – August 15	All three sites
Late-run Chinook salmon	July 16 – September 30	Kenai River sites only
Pink salmon	July 16 – September 30	Kenai River sites only
Coho salmon	July 16 – September 30	Kenai River sites only

**(C) Kenai gillnet; salmon**

1. Residents of Ninilchik may harvest Sockeye, Chinook, Coho, and Pink salmon in the Federal public waters of the Kenai River with a single gillnet to be managed and operated by the Ninilchik Traditional Council.
2. Fishing will be allowed from July 1 through August 15 and September 10 – 30 on the Kenai River unless closed or otherwise restricted by Federal special action. **The following conditions apply to harvest in the fishery:**
  - i. Salmon taken in this fishery will be included as household annual limits of participating households.

**ii. Additional harvest limitations for this fishery**

Early-run Chinook salmon less than 46 inches in length or greater than 55 inches in length (July 1 to July 15)	May be retained if the Alaska Department of Fish and Game announces the Optimal Escapement Goal for early-run Chinook salmon has been met, otherwise must all be released alive.	Fishery will close until July 16 once 50 early-run Chinook salmon have been retained or released.
Late-run Chinook salmon (July 16 to August 15)		Fishery will close prior to August 15 if 200 late-run Chinook salmon have been retained or released prior to that date. Fishery will reopen September 10-30 for species available at that time.
Pink Salmon (July 16 to August 15 and September 10 – 30)		No additional limitations
Coho Salmon (July 16 to August 15 and September 10 – 30)		No additional limitations
Incidentally caught rainbow trout and Dolly Varden	All live fish released. Fish that die in net may be retained.	Fishery will close for season once 100 rainbow trout or 150 Dolly Varden have been released or

		retained.
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- iii. Chinook Salmon less than 20 inches in length may be retained, and do not count towards retained or released totals.
  - iv. Other incidentally caught species may be retained, however all incidental fish mortalities count towards released or retained totals specified in this section except for Chinook Salmon less than 20 inches in length.
3. Only one community gillnet can be operated on the Kenai River.
    - i. The gillnet cannot be over 10 fathoms in length to take salmon,
    - ii. Must be no larger than 5.25-inch mesh,
    - iii. May not obstruct more than half of the river width with stationary fishing gear and,
    - iv. Subsistence stationary gillnet gear may not be set within 200 feet of other subsistence stationary gear.
  4. One registration permit will be available and will be issued by the Federal in-season manager, in consultation with the Kenai National Wildlife Refuge manager, to the Ninilchik Traditional Council. As the community gillnet owner, the Ninilchik Traditional Council will be responsible for its use and removal in consultation with the Federal in-season manager. As part of the permit, the Ninilchik Traditional Council must provide post-season written documentation of required evaluation information to the Federal in-season manager including, but not limited to:
    - i. Persons or households operating the gear,
    - ii. Hours of operation, and
    - iii. Number of each species caught and retained or released.
  5. The Ninilchik Traditional Council may operate the net for subsistence purposes on behalf of residents of Ninilchik by requesting a subsistence fishing permit that:
    - i. Identifies a person who will be responsible for fishing the gillnet;
    - ii. Includes provisions for recording daily catches, the household to whom the catch was given, and other information determined to be necessary for effective resource management by the Federal in-season manager.

**(D) Kenai rod and reel only; salmon**

1. For Federally managed waters of the Kenai River and its tributaries, you may take sockeye, Chinook, coho, pink, and chum salmon through a separate rod and reel fishery in the Kenai River drainage.
2. Seasons, areas, harvest and possession limits, and methods and means for take are the same as for the taking of these salmon species under State of Alaska fishing regulations (5 AAC 56, 5 AAC 57 and 5 AAC 77.540), except for the following harvest and possession limits:
  - i. In the Kenai River below Skilak Lake, fishing is allowed with up to two baited single or treble hooks June 15-August 31.
  - ii. For salmon

Early-run Chinook salmon less than 46	2 per day and 2 in possession
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inches or 55 inches and longer	
Late-run Chinook salmon 20 inches and longer	2 per day and 2 in possession
All other salmon 16 inches and longer	6 per day and 6 in possession, of which no more than 4 per day and 4 in possession may be Coho salmon, except for the Sanctuary Area and Russian River where no more than 2 per day and 2 in possession may be Coho salmon

- iii. Annual harvest limits for any combination of early- and late-run Chinook salmon are four for each permit holder.
- iv. Incidentally caught fish, other than salmon, are subject to regulations found in paragraph (e)(10)(iii)(E) of this section.

**(E) Kenai River and tributaries under ice jigging and rod and reel; resident species**

- 1. For Federally managed waters of the Kenai River and its tributaries below Skilak Lake outlet at river mile 50, you may take resident fish species including lake trout, rainbow trout, and Dolly Varden/Arctic char with jigging gear through the ice or rod and reel gear in open waters. Seasons, areas, harvest and possession limits, and methods and means for take are the same as for the taking of these resident species under State of Alaska fishing regulations (5 AAC 56, 5 AAC 57, and 5 AAC 77.540), except for the following harvest and possession limits:

- i. Lake trout

20 inches or longer	4 per day and 4 in possession
Less than 20 inches	15 per day and 15 in possession

- ii. Dolly Varden/Arctic char

In flowing waters	For fish less than 18 inches, 1 per day and 1 in possession
In lakes and ponds	2 per day and 2 in possession, of which only one may be 20 inches or longer may be harvested daily

- iii. Rainbow/steelhead trout

In flowing waters	For fish less than 18 inches in length, 1 per day and 1 in possession
In lakes and ponds	2 per day and 2 in possession, of which only one fish 20 inches or longer may be harvested daily

- 2. For Federally managed waters of the upper Kenai River and its tributaries above Skilak Lake outlet at river mile 50, you may take resident fish species including lake trout, rainbow trout, and Dolly Varden/Arctic char with jigging gear through the ice or rod and reel gear in open waters. Seasons, areas, harvest and possession limits, and methods and means for take are the same as for the taking of these resident species under Alaska

fishing regulations (5 AAC 56, 5 AAC 57, 5 AAC 77.540), except for the following harvest and possession limits:

i. Lake trout

20 inches or longer	4 per day and 4 in possession
Less than 20 inches	15 per day and 15 in possession
For Hidden Lake	2 per day and 2 in possession regardless of length

ii. Dolly Varden/Arctic char

In flowing waters	For fish less than 16 inches in length, 1 per day and 1 in possession
In lakes and ponds	2 per day and 2 in possession, of which only one may be 20 inches or longer may be harvested daily

iii. Rainbow/steelhead trout

In flowing waters	For fish less than 16 inches in length, 1 per day and 1 in possession
In lakes and ponds	2 per day and 2 in possession, of which only one fish 20 inches or longer may be harvested daily

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