

SUBSISTENCE

Management Regulations for the **HARVEST of FISH** on Federal Public Lands and Waters in the Kenai and Kasilof River Drainages

This booklet is a supplement to the Subsistence Management Regulations for the Harvest of Fish and Shellfish on Federal Public Lands and Waters in Alaska, 2007–2008. To be certain of current regulations, refer to the official Code of Federal Regulations (30 CFR Part 100 and 36 CFR Part 242) and the Federal Register.

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The Alaska National Interest Lands Conservation Act provides rural Alaskans with a subsistence priority on Federal public lands and waters. On the Kenai Peninsula, several communities have been determined to be rural, including the communities of Hope, Cooper Landing, and Ninilchik. Residents of these three communities are Federally qualified subsistence users and are the only eligible users who may participate in the subsistence fisheries described in this booklet.

Regulation changes

The Federal Subsistence Board approved changes to Federal subsistence fishing regulations for the Kenai Peninsula at its May 8–10 meeting in Anchorage. The new regulations are effective June 11, 2007 and apply to Federally qualified subsistence users on the Kenai Peninsula. Among the changes, the Board approved proposals to:

- Allow residents of Ninilchik to take sockeye, Chinook, coho, and pink salmon through a dip net/rod-and-reel fishery in the Kasilof River.
- Allow residents of Ninilchik to take lake trout, Dolly Varden, and rainbow trout in the Kasilof River through a rod-and-reel fishery and in Tustumena Lake with gear used through the ice. Residents of Ninilchik may also take coho and pink salmon with rod and reel in Tustumena Lake.
- Allow residents of Ninilchik, Hope, and Cooper Landing to take salmon in the Kenai River through a dipnet/rod-and-reel fishery.
- Allow residents of Hope and Cooper Landing to take lake trout, Dolly Varden, and rainbow trout in the Kenai River through a rod-and-reel fishery.

Permits are required to harvest any fish under these regulations.

Questions?

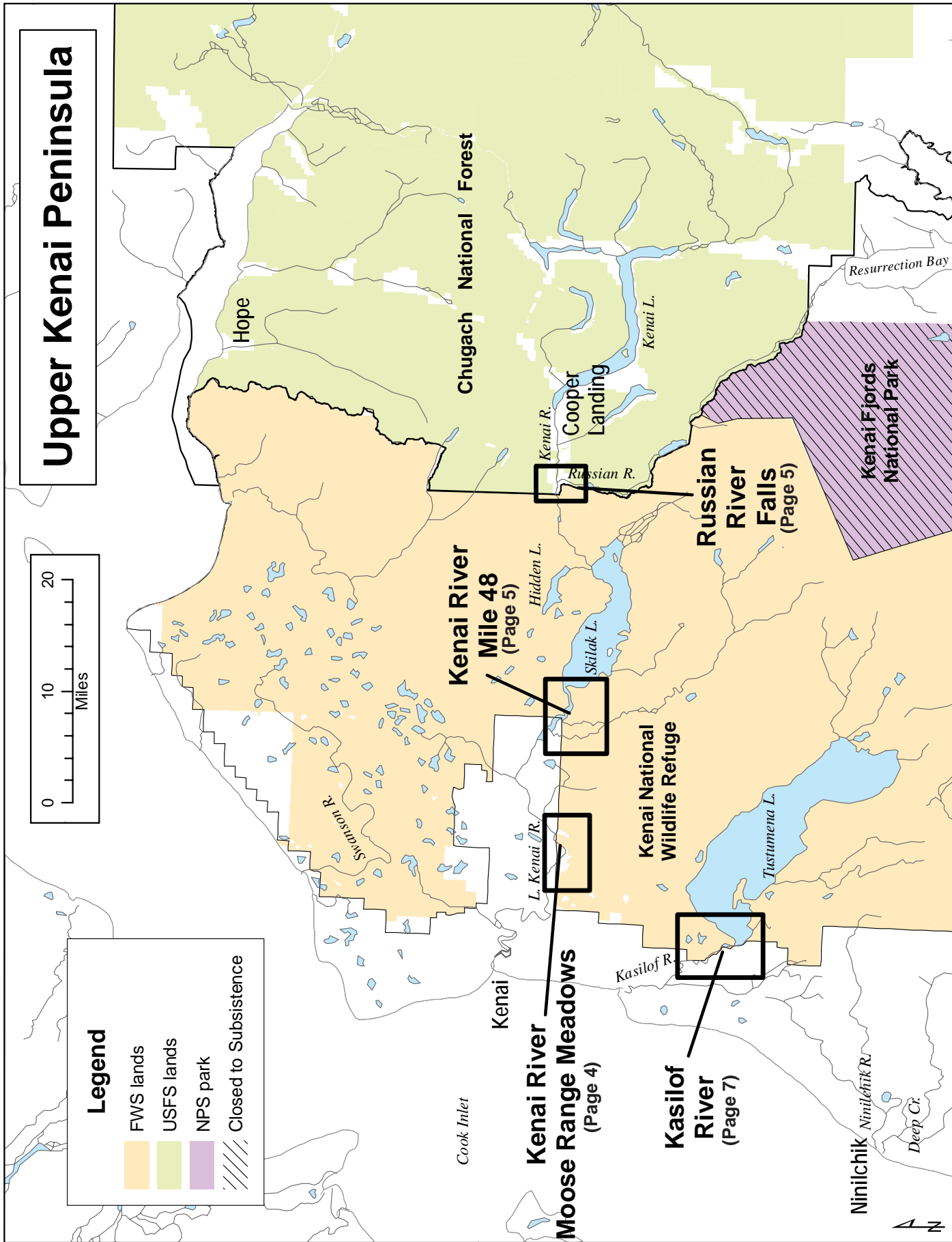
For information about eligibility, permits, and regulations for these fisheries please contact:



Gary Sonnevil, In-Season Manager
U.S. Fish and Wildlife Service,
Kenai Fish and Wildlife Field Office
43655 Kalifornsky Beach Road
Soldotna, AK 99669
(907) 262-9863
(800) 822-6550



Jeff Bryden
U.S. Forest Service,
Kenai Lake Work Center
29847 Seward Highway
Seward, AK 99664
(907) 288-2000



Special Provisions—All Areas

- All persons must have a valid Federal subsistence fishing permit in their possession while taking, attempting to take, or transporting subsistence-caught fish.
- Before transporting fish from the fishing site, all retained fish must be recorded on the permit and marked by removing the dorsal fin.
- You may not accumulate seasonal harvest limits for species specified on a Federal subsistence fishing permit with a State seasonal harvest limit for the same species.
- You may not take grayling or burbot for subsistence purposes.
- All fish harvested as part of the household limit in the dipnet/rod and reel fishery in the Kenai or Kasilof rivers must be reported to the in-season manager within 72 hours of leaving the fishing location.

Reporting Requirements

Harvest reports must be completed and returned by the following dates:

Kenai River

Salmon—October 15, 2007

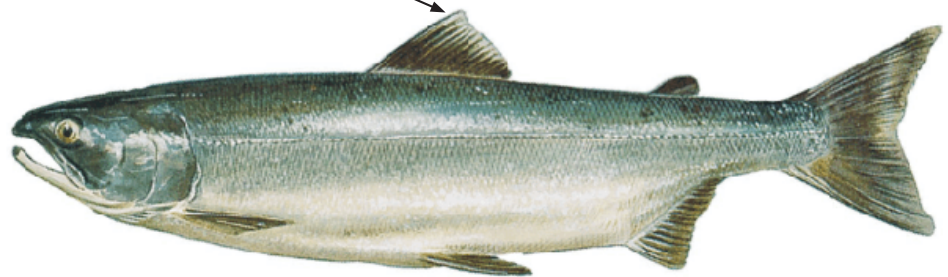
Resident species—April 15, 2008

Kasilof River

Salmon—November 15, 2007

Resident species—April 15, 2008

Dorsal Fin



KENAI RIVER

Salmon—Dip Net/Rod and Reel

- Only residents of Hope, Cooper Landing and Ninilchik may harvest salmon from the Kenai River under Federal subsistence regulations.
- Only residents of Hope and Cooper Landing may retain resident species including lake trout, rainbow trout, and Dolly Varden/Arctic char harvested incidentally from the Kenai River while salmon fishing under Federal subsistence regulations. Rainbow trout and Dolly Varden 18 inches or longer taken in the Kenai River dipnet/rod and reel fishery must be released.
- Fishing for sockeye, Chinook, coho, or pink salmon will close by special action prior to regulatory end dates if the annual total harvest limit for that species is reached or for other reasons as required.
- Salmon taken in the Kenai River dip net/rod-and-reel fishery (**page 4**) by Ninilchik households will be included as part of those households' annual limits for the Kasilof River (**page 8**).
- All salmon, rainbow trout, and Dolly Varden retained by residents of Hope and Cooper Landing and all salmon retained by residents of Ninilchik as part of the household limit in the dipnet/rod and reel fishery in the Kenai River **must be reported to the in-season manager within 72 hours of leaving the fishing location.** Call (907) 262-9863 or (800) 822-6550 to report your harvest.
- Failure to respond to reporting requirements or return the completed harvest permit by October 15, 2007 may result in issuance of a violation notice and/or make you ineligible to receive a subsistence permit during the following regulatory year.

Regulations

KENAI RIVER

Salmon—Dip Net/Rod and Reel

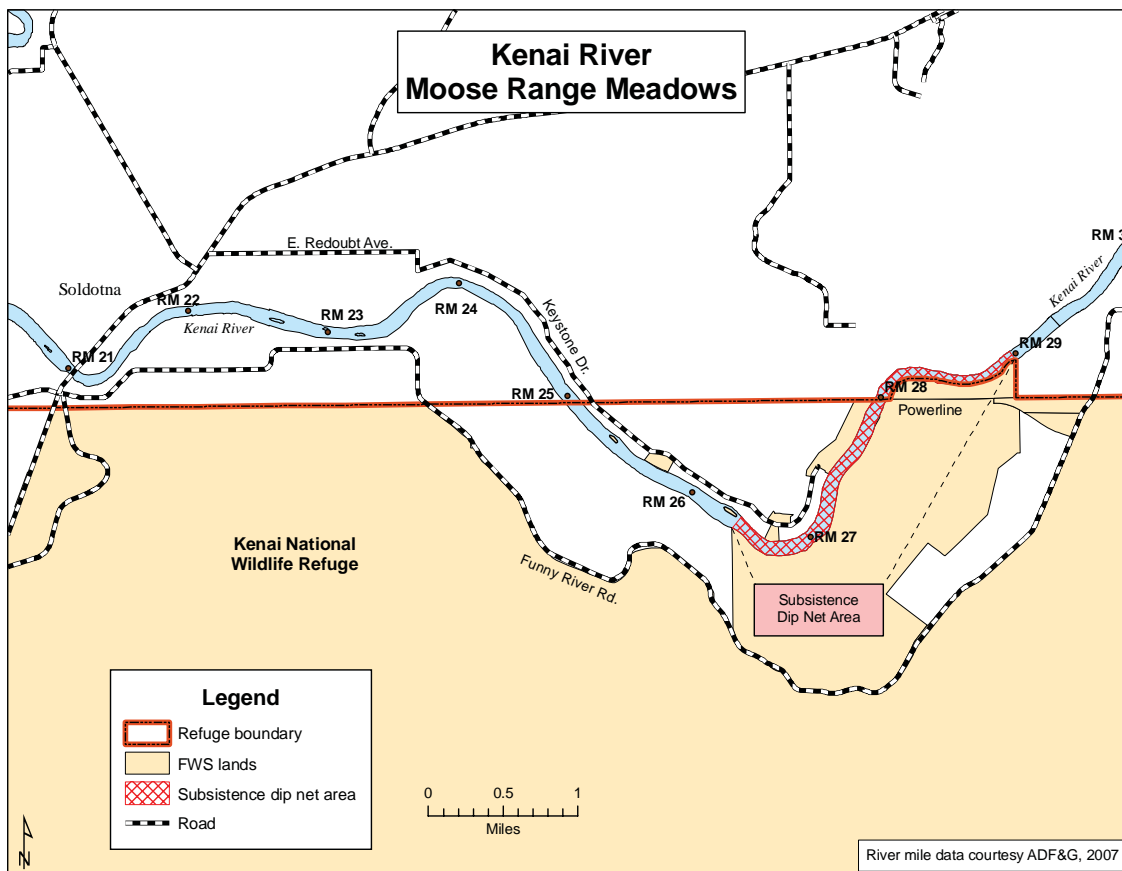
Location: Russian River Falls, Kenai River mile 48, Moose Range Meadows (from boat)

See page 6 for additional rod-and-reel salmon fishery regulations.

Species	Season	Permit Holder/ Each Additional Household Member	Annual Total Harvest Limit
Late-run Chinook ¹	7/16–9/30	10/2	1,000
Sockeye	6/15–8/15	25/5	4,000
Coho ¹	7/16–9/30	20/5	3,000
Pink	7/16–9/30	15/5	2,000
Other species ¹	Mandatory release of rainbow/steelhead trout and Dolly Varden/Arctic char 18 inches or longer.		

¹ For the Russian River fishing site, Chinook salmon, coho salmon, rainbow trout, and Dolly Varden must be released.

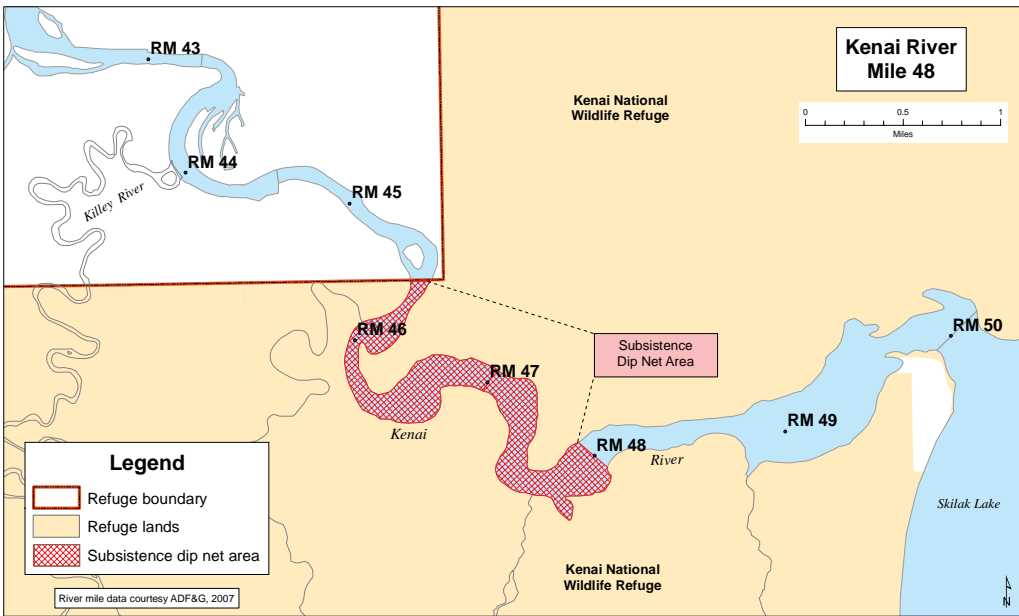
Dip Netting Locations



Kenai River Moose Range Meadows

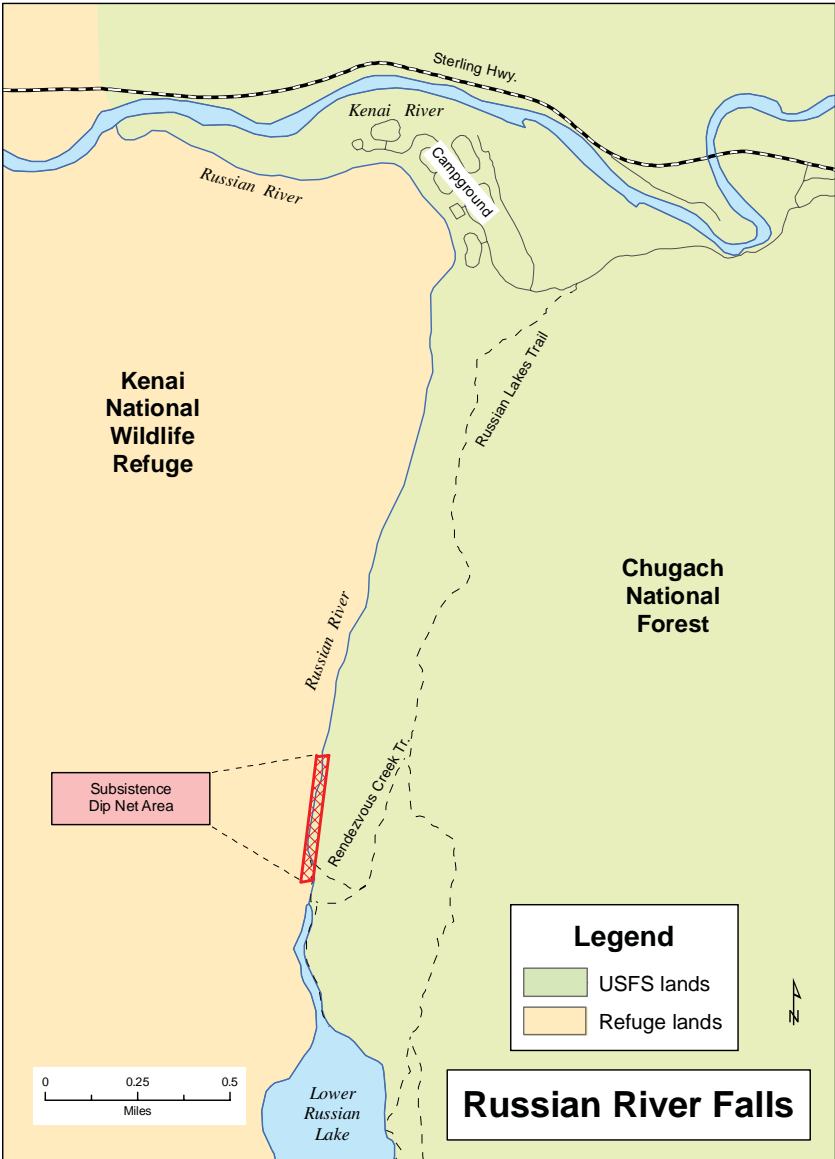
Dip netting will be allowed only from a boat, from the Federal regulatory markers on both banks of the Kenai River at about River Mile 29, downstream approximately 2.5 miles to markers on both banks of the Kenai River at about River Mile 26.5. Eligible residents using rod and reel gear at this fishing site may fish with up to 2 baited single or treble hooks from June 15 through August 31.

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Kenai River Mile 48

Dip netting will be allowed, while either standing in the river or from a boat, from Federal regulatory markers on both banks of the Kenai River at about River Mile 48 (approximately 2 miles below the outlet of Skilak Lake) downstream approximately 2.5 miles to markers on both banks of the Kenai River at about River Mile 45.5. Eligible residents using rod and reel gear at this fishing site may fish with up to 2 baited single or treble hooks from June 15 through August 31.



Russian River Falls

Dip netting will be 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. Eligible residents using rod and reel gear at this fishing site may not fish with bait at any time.

Additional Provisions for the Russian River

- To prevent the conditioning of bears to human food sources:
Food, beverages, and odoriferous refuse must be in possession or within immediate grasp (within 3 feet) at all times.
All fish carcasses should be cut into at least three pieces and thrown into the fast-moving water of the river.
- Use of the Russian River Falls viewing platforms is prohibited for dip net fishery activities, such as fishing, transporting fish, and cleaning fish.
- Any additions or changes to regulations for the Russian River Area will be posted on the kiosk at the Russian River Falls trailhead.

Regulations

KENAI RIVER

Salmon—Rod and Reel

Location: All Federal public waters in the Kenai River drainage

Gear: Rod and reel. In the Kenai River below Skilak Lake, fishing will be allowed with up to 2 baited single or treble hooks from June 15–August 31.

Seasons, areas (including seasonal river bank closures), harvest and possession limits, and method and means for take are the same as for the taking of salmon under Alaska sport fishing regulations (5 AAC 56), except as noted below or as superseded by Federal special action.

Species	Daily/Possession Limit	Annual Limit	Comments
Early-run Chinook (Prior to July 15)	2/2	4	May be retained if less than 44 inches or 55 inches or longer. The total Chinook salmon annual limit is 4, which may be a combination of late- and early-run Chinook salmon.
Late-run Chinook (July 15 to the season closure)	2/2	4	20 inches or longer. The total Chinook salmon annual limit is 4, which may be a combination of late- and early-run Chinook salmon.
Sockeye	6/6		Combined daily bag limit of all salmon 16 inches and longer, no more than 4 can be coho, but in the Russian River, no more than 2 can be coho.
Coho	Kenai River: 4/4 Russian River: 2/2		16 inches or longer.
Pink	6/6		Same as for sockeye.

Resident Species—Rod and Reel

- Only residents of Hope and Cooper Landing may harvest resident species from the Kenai River under Federal subsistence fishing regulations.
- There is an annual limit of 2 rainbow/steelhead trout 20 inches or longer, taken from Kenai Peninsula waters.
- Failure to respond to reporting requirements or return the completed harvest permit by April 15, 2008 may result in issuance of a violation notice and/or make you ineligible to receive a subsistence permit during the following regulatory year.

Location: All Federal public waters in the Kenai River Drainage

Gear: Rod and reel

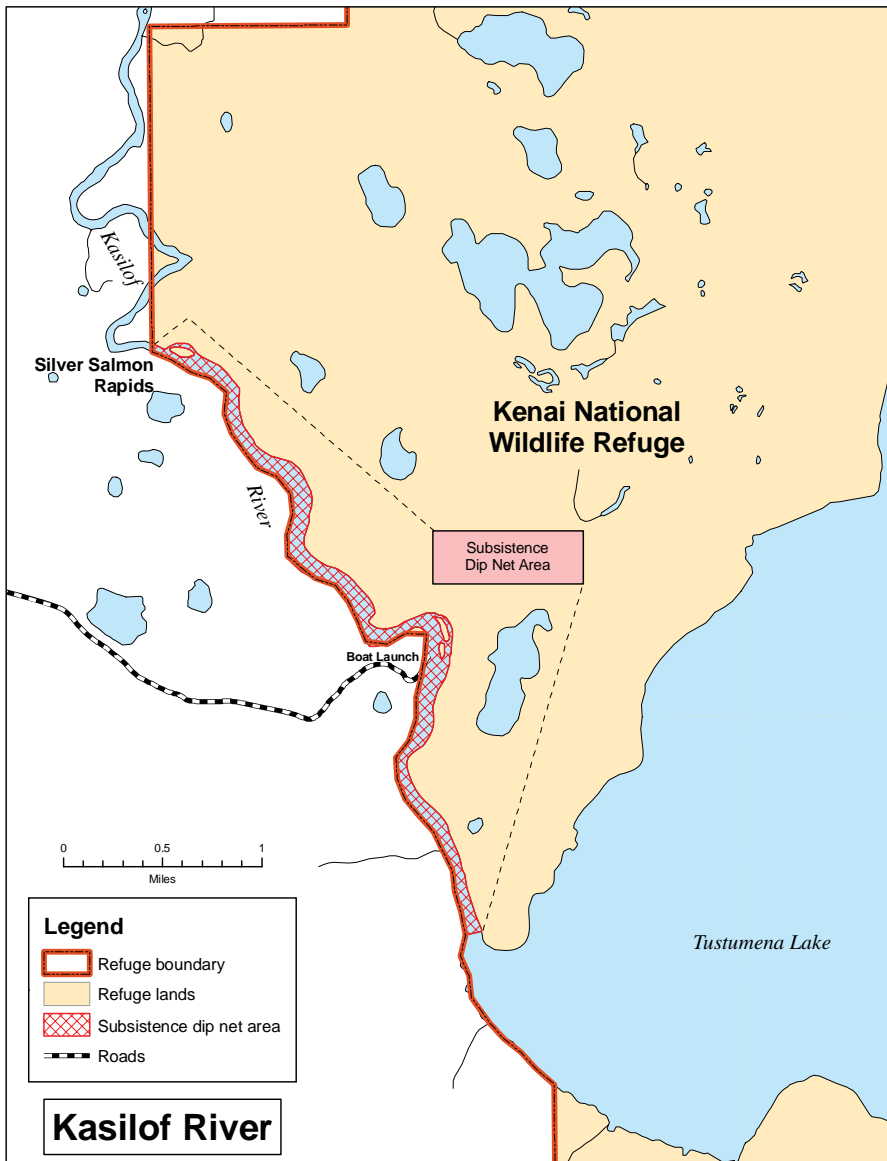
Seasons, areas (including seasonal river bank closures), harvest and possession limits, and method and means for take are the same as for the taking of these species under Alaska sport fishing regulations (5 AAC 56), except as noted below or as superseded by Federal special action.

Species	Daily/Possession Limit	Comments
Dolly Varden/ Arctic char	Flowing waters: 1/1 Lakes and ponds: 2/2	Below Skilak Lake outlet at RM 50: Must be less than 18 inches Upper Kenai River: Must be less than 16 inches 1/day 20 inches or longer
Lake trout	4/4 15/15 Hidden Lake: 4/4	20 inches or longer Less than 20 inches Regardless of size
Rainbow/ steelhead trout	Flowing waters: 1/1 Lakes and ponds: 2/2	Below Skilak Lake outlet at RM 50: Must be less than 18 inches Upper Kenai River: Must be less than 16 inches Only 1 of which may be 20 inches or longer

KASILOF RIVER

Salmon—Dip Net/Rod and Reel

- Only residents of Ninilchik may harvest salmon from the Kasilof River under Federal subsistence fishing regulations.
- Fishing for sockeye, Chinook, coho, or pink salmon will close by special action prior to regulatory end dates if the annual total harvest limit for that species is reached or superseded by other Federal special action.
- Salmon taken in the Kasilof River dip net/rod-and-reel fisheries (**page 8**) will be included as part of each household's annual limit for the Kenai River (**page 4**).
- After 200 rainbow/steelhead trout have been taken in this fishery, or after August 15, all rainbow/steelhead trout must be released unless otherwise provided.
- All fish harvested as part of the household limit in the dip net/rod-and-reel fishery in the Kasilof River **must be reported to the in-season manager within 72 hours of leaving the fishing location.** Call (907) 262-9863 or (800) 822-6550 to report your harvest.
- Failure to respond to reporting requirements or return this completed harvest permit by November 15, 2007 may result in issuance of a violation notice and/or make you ineligible to receive a subsistence permit during the following regulatory year.



Kasilof River

Dip netting will be allowed in the Kasilof River from the outlet of Tustumena Lake to Silver Salmon Rapids. Eligible residents using rod and reel gear at this site may use up to 2 baited single or treble hooks.

Regulations

KASILOF RIVER

Salmon—Dip net/Rod and Reel

Location: Kasilof River from the outlet of Tustumena Lake to Silver Salmon Rapids

Gear: Dip net/rod and reel with up to 2 baited single or treble hooks

Species	Season	Permit Holder/ Each Additional Household Member	Annual Total Harvest Limit
Chinook	6/16–8/15	10/2	500
Sockeye	6/16–8/15	25/5	4,000
Coho	6/16–10/31	10/2	500
Pink	6/16–10/31	10/2	500
Other species	Incidental harvest allowed. All rainbow/steelhead trout taken after August 15, or after 200 rainbow/steelhead trout have been taken in this fishery, must be released unless otherwise provided.		

Salmon—Rod and Reel

Location: Tustumena Lake and tributaries only

Gear: Rod and reel with up to 2 baited single or treble hooks

Seasons, areas (including seasonal river bank closures), harvest and possession limits, and method and means for take are the same as for the taking of salmon under Alaska sport fishing regulations (5 AAC 56), except as noted below.

Species	Daily/Possession Limit	Comments
Coho	4/4	16" or longer
Pink	6/6	16" or longer

Resident Species—Rod and Reel

- Only residents of Ninilchik may harvest resident species from the Kasilof River under Federal subsistence fishing regulations.
- There is an annual limit of 2 rainbow/steelhead trout 20 inches or longer, taken from Kenai Peninsula waters.
- Failure to respond to reporting requirements or return the completed harvest permit by April 15, 2008 may result in issuance of a violation notice and/or make you ineligible to receive a subsistence permit during the following regulatory year.

Location: All Federal public waters within the Kasilof River drainage

Gear: Rod and reel

Seasons, areas (including seasonal river bank closures), harvest and possession limits, and method and means for take are the same as for the taking of these fish under Alaska sport fishing regulations (5 AAC 56), except as noted below.

Species	Daily/Possession Limit	Comments
Dolly Varden	Flowing waters: 4/4 Lakes: 10/10	
Lake trout	4/4 15/15	20 inches or longer Less than 20 inches
Rainbow trout	Flowing waters: 2/2 Lakes: 5/5	Less than 20 inches Less than 20 inches

Tustumena Lake

- Only residents of Ninilchik may harvest fish through the ice from Tustumena Lake under Federal subsistence fishing regulations.
- You may take fish in Tustumena Lake with a gillnet no longer than 10 fathoms fished under the ice, or with jigging gear used through the ice, under authority of a Federal subsistence fishing permit. The total annual harvest quota for this fishery is 200 lake trout, 200 rainbow trout, and 500 Dolly Varden/Arctic char. The use of a gillnet is prohibited after the harvest quota for any species has been met.
- You may harvest fish under the ice only in Tustumena Lake. Gillnets are not allowed within ¼ mile radius of the mouth of any tributary to Tustumena Lake or the outlet of Tustumena Lake.
- Permits will be issued by the Federal fisheries manager or designated representative and will be valid for the 2007/2008 winter season, unless the season is closed by special action.
- All harvests **must be reported with 72 hours to the Federal fisheries manager**, in person or by phone. Call (907) 262-9863 or (800) 822-6550 to report your harvest.
- Harvest information must be recorded on the permit, including the number of each species caught; the number of each species retained; length, depth (number of meshes deep), and mesh size of gillnet fished; location fished; and total hours fished. Harvest data on the permit must be filled out before transporting fish from the fishing area.
- Gillnets must be checked at least once in every 48-hour period.
- For unattended gear, the permittee's name and address must be plainly and legibly inscribed on a stake at one end of the gillnet.
- Incidentally caught fish may be retained and must be recorded on the permit.
- Failure to return the completed harvest permit by May 31, 2008 may result in issuance of a violation notice and/or the denial of a future subsistence permit.
- Use of aircraft and off-road vehicles is subject to special Kenai National Wildlife Refuge regulations. Regulations provide that the Refuge Manager may open snowmachine access to Tustumena Lake between December 1 and April 30 when there is adequate snow and ice cover. Contact the Refuge at (907) 262-7021 for current regulations.

Location: Tustumena Lake, excluding within ¼ mile of tributaries and the Kasilof River

Gear: Gillnet and jigging gear under the ice

Season: Per permit conditions

Species	Household Limit ¹	Annual Total Harvest Limit
Dolly Varden/Arctic char	30	500
Lake trout	30	200
Rainbow/steelhead trout	30	200
Other species	Incidental harvest allowed	

¹ Household limit is only for the jig fishery and is combined for all three species. The gillnet fishery and harvest of affected species will be closed by special action if total annual harvest quota is reached.

Federal Subsistence Management

The Federal government has regulated subsistence trapping, hunting, and limited fishing on Federal public lands and waters since July 1, 1990. On October 1, 1999, the Secretaries of the Interior and Agriculture published regulations (36 CFR Part 242 and 50 CFR Part 100) to provide for Federal management of subsistence fisheries on Alaska rivers and lakes and limited marine waters within and adjacent to Federal public lands. This was directed by the 9th Circuit Court in the Katie John case, and meets the requirements of the rural subsistence priority in Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA).

The Alaska Department of Fish & Game regulations continue to apply to all commercial fisheries, sport fisheries, personal use fisheries, and subsistence fisheries, unless otherwise superseded by Federal regulations.

State and Federal Fishing Regulations

Often Federal subsistence fisheries occur in the same area as State of Alaska fisheries. Federal regulations apply only on Federal public lands and waters. You may not add the harvest limit from a Federal subsistence fishery and a State fishery together to increase your harvest limit, unless specifically authorized by these regulations.

Only rural Alaska residents may fish under the Federal subsistence regulations in this book. Nonrural residents and nonresidents may still fish on most Federal public lands and waters under State of Alaska fishing regulations.

Contact the Alaska Department of Fish & Game for a State regulations book and more information. You can find State fishing regulations books throughout Alaska at many sporting goods or grocery stores. You can also check State fishing regulations online at: <http://www.adfg.state.ak.us>

Land and Water Access

DO NOT TRESPASS. Federal Subsistence Management harvest regulations apply to Federal public lands and waters, but do not provide for access across private lands.

It is your responsibility to identify ownership of lands you will be using or crossing and to make sure you have permission from the land owner. Some Native village and regional corporation lands require a land use permit and/or fee. Some of these lands are closed to use by non-shareholders.

The use of private lands without the landowner's permission, other than those legally-reserved public access easements, is trespass.

For detailed topographic maps, contact: U.S. Geological Survey, 4320 University Drive, Alaska Pacific University, Room 101, Anchorage, AK 99508. (907) 786-7011 or (800) USA-MAPS.

Federal Subsistence Board

The Federal Subsistence Board oversees the Federal Subsistence Management Program. The Board members include the agency heads for Alaska of the U.S. Fish & Wildlife Service, National Park Service, Bureau of Land Management, Bureau of Indian Affairs, and U.S. Forest Service. The Board's chair is a representative of the Secretary of the Interior.

Federal Subsistence Regional Advisory Councils, State of Alaska representatives, and the public play an active role in the regulatory process.

You can find information on the Federal Subsistence Board on the Web at <http://alaska.fws.gov/asm/home.html>, or by contacting the Office of Subsistence Management at (800) 478-1456 or (907) 786-3888.

ANILCA means the Alaska National Interest Lands Conservation Act, Public Law 96-487, 94 Stat. 2371, (December 2, 1980) and codified, as amended, in scattered sections of 16 U.S.C. and 43 U.S.C.

depth of net means the perpendicular distance between cork line and lead line expressed as either linear units of measure or as a number of meshes, including all of the webbing composing the net.

dip net means a bag-shaped net supported on all sides by a rigid frame; the maximum straight-line distance between any two points on the net frame, as measured through the net opening, may not exceed 5 feet; the depth of the bag must be at least ½ of the greatest straight-line distance, as measured through the net opening. No portion of the bag may be constructed of webbing that exceeds a stretched measurement of 4.5 inches. The frame must be attached to a single rigid handle and be operated by hand.

drainage means all of the lands and waters comprising a watershed, including tributary rivers, streams, sloughs, ponds and lakes, which contribute to the water supply of the watershed.

harvest limit means the maximum legal take per person or designated group, per specified time period, in the area in which the person is fishing (even if part, or all of the fish or shellfish are preserved). A fish, when landed and killed by means of rod and reel, becomes part of the harvest limit of the person originally hooking it.

household means a group of people residing in the same residence.

jigging gear means a line (or lines) with lures or baited hooks, drawn through the water by hand, and which are operated during periods of ice cover from holes cut in the ice, or from shore ice and which are drawn through the water by hand.

gear means any type of fishing apparatus.

gillnet means a net primarily designed to catch fish by entanglement in a mesh that consists of a single sheet of webbing which hangs between cork line and lead line, and which is fished from the surface of the water.

person means an individual and does not include a corporation, company, partnership, firm, association, organization, business, trust or society.

possession limit means the maximum number of fish or shellfish a person or designated group may have in possession if the fish or shellfish have not been canned, salted, frozen, smoked, dried, or otherwise preserved so as to be fit for human consumption after a 15 day period.

resident means any person who has his or her primary, permanent home for the previous 12 months within Alaska and whenever absent from this primary, permanent home, the person has the intention of returning to it. Factors demonstrating the location of a person's primary, permanent home may include: an address listed on an Alaska Permanent Fund Dividend application; an Alaska license to drive, hunt, fish, or engage in an activity regulated by a government entity; an affidavit of person or persons who know the individual; voter registration; location of residences owned, rented or leased; location of stored household goods; residence of spouse, minor children or dependents; tax documents; or whether the person claims residence in another location for any purpose.

rod and reel means either a device upon which a line is stored on a fixed or revolving spool and is deployed through guides mounted on a flexible pole; or a line that is attached to a pole. In either case, bait or an artificial fly or lure is used as terminal tackle. This definition does not include the use of rod and reel gear for snagging.

rural means any community or area of Alaska determined by the Federal Subsistence Board to qualify as such. Only residents of communities or areas that the Board has determined to be rural are eligible for subsistence priority.

For more information on the
Federal Subsistence Management Program, please contact:

Office of Subsistence Management

3601 C Street, Suite 1030

Anchorage, Alaska 99503

(907) 786-3888 or (800) 478-1456

E-mail: subsistence@fws.gov

<http://alaska.fws.gov/asm/home.html>

