

STATE OF ALASKA
DEPARTMENT OF FISH AND GAME
333 RASPBERRY ROAD
ANCHORAGE, ALASKA 99518

FISH RESOURCE PERMIT FOR AN EDUCATIONAL FISHERY PROGRAM

This permit authorizes the Kenaitze Indian Tribe, I.R.A., to conduct the following activities from May 1, 2009 to November 30, 2009, in accordance with 5 AAC 93.200 - 93 .235.

GENERAL PROVISIONS, EXCEPTIONS AND RESTRICTIONS

This permit or the laminated field copy must be carried by person(s) specified during approved activities who shall show it on request to persons authorized to enforce Alaska's fish and game laws. This permit is nontransferable and will be revoked or renewal denied by the Commissioner of Fish and Game if the permittee violates any of its conditions, exceptions or restrictions. No delegation of authority may be allowed under this permit unless specifically noted.

The terms of the permit are as follows: A permit which will authorize an educational fishery will be issued to the Kenaitze Indian Tribe; IRA., and under that permit, students from the Kenaitze Indian Tribe and the Salamatof Tribal Council may participate in the educational fishery as described below, and which is developed and supervised by the Kenaitze Indian Tribe. A member, agent, or employee of the Kenaitze Tribe or the Salamatof Tribal Council in possession of the permit must be present at the site of the fishery at all times while it is being conducted. The Kenaitze Indian Tribe shall provide the Alaska Department of Fish and Game, Soldotna area office (43961 Kalifornsky Beach Road, Suite B, Soldotna, AK 99669, Attn: Robert Begich, Area Biologist, 260-2920) a list of all members, agents, and employees who may possess this permit prior to commencing fishing under this permit, and shall provide a revised list before allowing anyone not on the original list to possess this permit. A person listed as a member, agent, or employee under this permit may not participate in any other fishery under an educational permit on the Kenai Peninsula.

Issuance of this permit is contingent upon approval of an educational plan by the Commissioner of Fish and Game. Details of the educational plan are considered conditions of this permit. This permit authorizes educational fishing opportunities as follows:

GEAR:

Salmon: Salmon may be taken only by a single set gill net not exceeding 10 fathoms in length, 45 meshes in depth, and 8.5 inches in mesh size.

Eulachon (smelt, hooligan): Eulachon may be taken with one or more nets not exceeding 10 fathoms in length with a maximum mesh size not to exceed 2 inches.

Net limit for salmon nets: No more than two (2) nets in total may be fished at the same time. No more than two (2) nets may be fished close to the outflow of any individual river. The nets cannot be closer than one quarter mile of each other, except in the salt waters adjacent to the Kenai River mouth normally closed to commercial salmon fishing, where the nets cannot be

closer than one eighth mile of each other. Of the two (2) nets, no more than one (1) net may be fished within the fresh waters of the Kenai River. A set gill net may not be fished in the fresh waters of the Swanson River. The Kenaitze Indian Tribe or the Salamatof Tribal Council may elect to fish a single net at two (2) different locations simultaneously, but no more than one net may be fished at either location.

Closely attended: Each net in the water must be attended at all times by the Kenaitze Indian Tribe or Salamatof Tribal Council members while in possession of the blue field copy of the educational permit.

PERIODS: Daily for a period of 24 hours.

HARVEST QUOTAS: Eulachon: none
Salmon: No more than 8,000 total salmon may be taken. If 8,000 total salmon are taken, salmon fishing will terminate and will not resume for the remainder of the calendar year. See special provisions for salmon quotas in each fishery, below.

SEASONS: Salmon: see special provisions for each fishery, below.
Eulachon (smelt, hooligan): May 1, 2009 through November 30, 2009

MARKING: No person may possess salmon taken under the authority of this educational permit unless both lobes of the caudal fin (tail) have been removed. All salmon must have both lobes removed immediately upon retention of the fish. Immediately means before concealing the salmon from plain view or transporting the salmon from the fishing site.

REPORTING: The possessor of the permit shall report the catch, by all species, including eulachon and herring, to the Kenaitze Indian Tribe within 24 hours after completing a fishing trip under the authority of this permit; cumulative fish species totals will be provided whenever requested by the department. The head or alternate administrators of the Kenaitze Indian Tribe shall report the catch by all species, including eulachon and herring on a weekly basis to the Alaska Department of Fish and Game, Soldotna area office (43961 Kalifornsky Beach Road, Suite B, Soldotna, AK 99669, Attn:

Robert Begich, Area Biologist, 260-2920), and shall also provide cumulative harvest to date each week. The permittee shall submit by January 1, 2010, a report to Robert Begich or Jason Pawluk at Fish and Game, 43961 Kalifornsky Beach Road, Suite B, Soldotna, Alaska, 99669. The report will include the accomplishment of their educational plan to the Department which will include a table of fish harvested by species and date. The report will include records of attendance in the educational program and assess achievement of educational objectives as defined in the educational plan.

OTHER: Fish taken under the authority of this educational permit cannot be sold or bartered and may not be given to a person who does not reside in Alaska; participation in the educational fishery does not limit or preclude participation in other open fisheries.

The Alaska Department of Fish and Game may exercise its emergency order authority under Alaska Statute 16.05.060 with respect to this educational fishery for conservation purposes, only after all other relevant fisheries are closed.

The permittee shall keep records of all activities conducted under authority of this permit available for “— inspection at all reasonable hours upon request of any authorized state enforcement officer.

Any species caught in excess of the permitted amount may not be retained and must be immediately returned to the water, regardless of condition, except that a fish that is so significantly injured that it does not have any reasonable chance of survival may be retained if immediately recorded on the permit and if both lobes of the caudal fin (tail) are removed. If fish in excess of the permitted amount are caught, measures must be taken immediately to prevent further harvest of that species including — but not limited to — the cessation of fishing until that species is no longer present in the permitted fishing area. All fish that are retained pursuant to this paragraph shall be reported to the Department along with permitted catch reporting, and the Department of Fish and Game may modify the terms of this permit by emergency order if it determines that additional restrictions are needed to reduce incidental mortality. Upon first reaching or exceeding a permitted limit, the permit holder shall cease fishing, consult with the Department of Fish and Game regarding measures to be taken to prevent or minimize further harvest of that species, and shall not resume fishing in a time and area where that species could be taken except in accordance with written authorization from the Department. The Department’s Northern Kenai Peninsula Management Area Biologist may provide authorization for additional fishing if convinced that reasonable attempts to keep harvest within permitted levels have been made, that reasonable attempts to minimize future harvests of species for which a permitted level has been reached will be taken, that additional incidental catch of species for which harvest limits have been reached will not negatively impact escapement or other fisheries, and that harvest of another species is still significantly below permitted levels.

The permittee shall keep records of all activities conducted under authority of this permit, available for inspection at all reasonable hours upon request of any authorized state enforcement officer;

The educational permit will not be renewed until detailed reports, as specified above, have been received by the Department;

UNLESS SPECIFICALLY STATED HEREIN, THIS PERMIT DOES NOT AUTHORIZE The exportation of specimens or the taking of specimens in areas closed to fishing; without appropriate licenses required by state regulations; during closed seasons; or in any manner, by any means, at any time not permitted by those regulations.

SPECIAL PROVISIONS FOR THE SWANSON RIVER:

Areas:

Salmon set gill net: Fishing with a set gill net is limited to the salt waters near the Swanson River mouth, in those waters adjacent to the mouth normally closed to commercial salmon fishing

within one-quarter mile of the river mouth at high tide extending to the commercial closure boundary approximately one mile on either side of the channel.

Traditional basket fish trap and weir: Fishing with a traditional basket fish trap and weir is limited to in the mainstem Swanson River in those waters adjacent to the boat landing upstream of the North Kenai Road bridge.

Seasons:

Salmon set gill net: in the Swanson River area described above, salmon fishing with a single set gill net is allowed from August 15 through November 30, 2009, or until the coho salmon quota is reached.

Traditional basket trap and weir: in the mainstem Swanson River area described above, salmon fishing with a traditional basket trap and weir is allowed from August 1 through November 30, 2009, or until the coho salmon quota is reached. The traditional basket trap must be removed after the conclusion of daily fishing.

Quota:

No more than 500 coho salmon total may be taken per season from the combined Swanson River areas described above.

If more than a total of 500 coho salmon are taken from the combined Swanson River areas described above, fishing will terminate and not resume for the remainder of the calendar year.

SPECIAL PROVISIONS FOR THE KASILOF RIVER:

Area:

Salmon set sill net: Fishing with a set gill net is limited to the salt waters near the Kasilof River, in those waters adjacent to the mouth normally closed to commercial salmon fishing within one-quarter mile of the river mouth at high tide extending to the commercial closure boundary approximately one mile on either side of the channel.

Seasons:

Salmon set gill net: in the Kasilof River area described above, salmon fishing with a single Set gill net is allowed from May 1 through September 15, 2009, or until a particular salmon specie quota is reached.

Quotas:

In the Kasilof River area described above, no more than 100 Chinook salmon or 200 coho salmon may be taken per season; of which no more than 50 Chinook salmon may be harvested prior to July 1 and no more than 50 after July 1.

If more than 50 Chinook salmon are taken in the Kasilof River area described above prior to July 1, salmon fishing will terminate and not resume until July 1.

If more than 50 Chinook salmon are taken in the Kasilof River area described above after July 1, any Chinook salmon captured must be immediately released.

If more than 200 coho salmon are taken in the Kasilof River area described above, salmon fishing will terminate and not resume for the remainder of the calendar year.

Once the Chinook quota has been taken in either the Kasilof or the Kenai River, or whenever the Department imposes a catch-and-release fishery for Chinook salmon either by established regulation or by Emergency Order during the early run or late run for the Kenai River or Kasilof River, the Kenaitze Indian Tribe or Salamatof Tribal Council will be limited to salmon fishing with a set gill net with a maximum mesh size of 6 inches.

SPECIAL PROVISIONS FOR THE KENAI RIVER:

Area:

Salmon set gill net: In the mainstem Kenai River, from one-quarter mile upstream of the Warren Ames

Bridge, including Birch Island, downstream to the mouth; and in the salt waters adjacent to the Kenai

River mouth normally closed to commercial salmon fishing.

Traditional basket fish trap and weir: Fishing with a traditional basket fish trap and weir is limited to the Kenai River upstream of the Warren Ames Bridge near Birch Island.

Time:

Salmon set gill net: Salmon fishing with a set gill net in area described above is allowed May 1 through November 30, 2009; or until a particular salmon specie quota is reached.

Traditional basket fish trap and weir: Salmon fishing with a traditional basket trap and weir is allowed May 1 through October 15, 2009, or until a particular salmon specie quota is reached.

Quotas:

In the Kenai River area described above, no more than 300 Chinook salmon or 2,000 sockeye salmon may be taken prior to July 1. No more than 1,000 coho salmon may be taken, of which no more than 500 coho salmon may be taken during July-August, and no more than 500 coho salmon may be taken after September 1.

If more than 300 Chinook salmon or more than 2,000 sockeye salmon are taken prior to July 1, fishing will terminate and not resume until July 1.

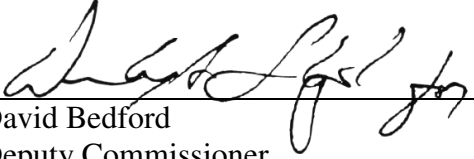
If more than 500 coho salmon are taken prior to August 31, fishing will terminate and not resume until September 1.

If more than 500 coho salmon are taken after August 31 but prior to November 30, fishing will terminate and not resume for the remainder of the calendar year.

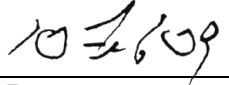
Once the Chinook quota has been taken in either the Kasilof or the Kenai River, or whenever the Department imposes a catch-and-release fishery for Chinook salmon either by established regulation or by Emergency Order during the early run or late run for the Kenai River or Kasilof

River, the Kenaitze Indian Tribe or Salamatof Tribal Council will be limited to salmon fishing with a set gill net with a maximum mesh size of 6 inches.

APPROVAL BY:



David Bedford
Deputy Commissioner
Alaska Department of Fish and Game



Date

