

MOTION:

Council Member Knackstedt **MOVED** to adopt Resolution No. 2022-57. Council Member Winger **SECONDED** the motion.

Vice Mayor Glendening opened the floor for public comment.

Ken Coleman stated that he is the Vice President of Kenai Peninsula Fisherman's Association, an organization which advocates for the East Side Setnet fishery; he noted this would be the third year in a row where their season has been truncated, followed by legal appeals so they could continue to fish responsibly. He explained how river closures due to low king salmon escapement results in closure of setnet fishing while other user groups are unaffected, how king salmon accounts for less than 1% exploitation rate, and how the economic effects of setnet closures are felt by families and businesses all over the Peninsula. He stated that they are trying to find a way to continue fishing responsibly, so that over-escapement of sockeye and resulting biomass does not hurt their population in future years; he expressed appreciation that Council called a special meeting and stated that he hopes the Commissioner of Fish and Game will take a second look at this issue.

Trey Brown stated that he works with OBI Seafoods and manages a fish-buying station in Salamatof. He presented data which reflects how the sockeye run overcrowds chinook, and as a result fishermen catch sockeye by a large majority. He stated that if the Alaska Department of Fish and Game (DFG) wants to preserve the chinook, they should allow setnetters to fish during the height of the sockeye run.

Wes Humbert stated that he is drift fisherman, and spoke in support of setnet fishermen. He explained that millions of dollars have been spent on lawsuits, and that the City should support setnetters because the community depends on them.

Amber Every noted her family are commercial fishermen. She stated this fight is based on politics and not biology; to keep their fishery going they have had to fight the sportfishing organization, a setnet initiative, the Board of Fisheries, and an administration whose financial supporters oppose them. She discussed the low number of kings caught, the problem of over-escapement, that the commissioner's decisions that closed the fishery were not a part of the Board of Fisheries' management plan, the economic impact of fishery closures, and the impact on residents and businesses.

Christine Brandt noted she is an eastside setnetter and stated that the Commissioner of Fish and Game is concerned with conservation of king salmon but they are not a stock of concern; she discussed policies and management of stocks of concern, and defined levels of stocks of concern. She stated that current management will crash the Kasilof River, because it has exceeded escapement.

Phil Sheridan expressed concern that local biologists are not able to do their job and decisions are being made by the Commissioner of Fish and Game; he stated that over-escapement makes dipnetters happy which has political advantages, and decisions are not being made based on biology.

Sharon Efta noted that setnetters and drift fishermen are having the same problems and it is hard for them to make a living. She discussed the expenses and difficulties faced by fishermen, how the Board of Fisheries is managing it for sport and dipnetting, and the problems caused by dipnetting. She noted that fish policy should do what is right and not what is politically expedient for votes.

Paul A. Shadura II noted his family's history of commercial fishing in the community. He discussed escapement goals and projected numbers, noting that returning less than optimum numbers for escapement is a tragedy for all users. He stated that this resolution would be supportive of what has already been estimated by DFG, and that management plans provide the Commissioner of Fish and Game full authority to manage in-season. He noted that 26% of fishing in the Kenai River is sportfishing, and passing the resolution will not harm any other users; fishing is a mainstay in the local economy.

Senator Peter Micciche stated that he will stand up for any user group when they are being unfairly treated; the long-term effects of this closure will affect every southcentral Alaska resident. He noted that he had attended a Board of Fisheries meeting where the collected consequences of over-escapement were discussed; he explained how over-escapement has significant impacts on future fish populations and is a lost opportunity for commerce which adversely affects every business on the Kenai Peninsula. He stated we have to revamp the system attempting to manage for one challenged species; he hopes Resolution No. 2022-57 passes and that every representative body in the Borough will follow suit; there is a king problem and there is some need for conservation but these measures are over and above.

Sarah Frostad-Hudkins discussed her family's multi-generational history of fishing, and noted that she had been witnessing this political battle all her life. She stated that the Commissioner has the power to open the East Side Setnet fishery today, but attempts to communicate with him have gotten little response and the Governor had not made a statement; it is time the rivers are managed biologically and not politically.

Representative Gillham noted that this fight has been going on for years, and he cannot accept that DFG will let one user group fish and not others. He noted that the number of dipnet permits from other areas have political affects, everyone should have access to these fish, and the fishery has been managed politically and not biologically.

Nate Berga stated that he is the Plant Manager for Pacific Star Seafoods. He explained the impact that the shutdown of the East Side Setnet fishery would have on his business, noting that 40% of the fish they purchase would be lost; how the local economy would lose millions of dollars which would be a huge hit to Alaska; and that fishing the rivers is important for fishermen, the community and the health of the rivers. He expressed concern for the future of this industry in Cook Inlet.

Richard McGahan stated that the way the fishery is being run now is wrong, and millions of dollars are being spent through fishing organizations. He remembered what it was like working in the fishing industry in the 1950's, and stated that the judge in Kenai will not grant an injunction against the DFG. He thanked the City Council and encouraged them to pass the resolution.

Maisie Hermansen noted she is a lifelong East Side Setnetter and Cook Inlet salmon have been part of her family's life for generations, and spoke of the loss of a lifetime of work and generations of heritage. She stated that the management of the fishery is reallocation couched as conservation, that setnetters bear the burden of low king numbers while other user groups are not shut down, that setnetters are not the cause of low king numbers but their seasons have been slashed and they are sidelined during most abundant part of sockeye migration. She thanked the Council for caring, and hoped the Commissioner will as well.

Karen McGahan stated that the setnetters are under difficult regulations when they are open, and that paired restrictions when kings are low prevents them from fishing sockeyes. She explained the number of permits used in her family, and how regulations have greatly restricted the number of nets they can use per permit. She stated that the regulations are political and not biological, and they are the result of a good lobby group and the Governor.

Gary Hollier read a message that he had sent to the Commissioner and members of the Kenai River Sportfishing Association (KRSA), explaining how he sees weak stock management and that what has happened to the Kasilof River is a travesty; how over-escapement to save very few kings is a joke; and that the Commissioner has full authority to open and close fisheries and asked that he use this to allow limited fishing on sockeye stocks. He stated that unattainable goals for king numbers is driven by KRSA with the support of the Commissioner and Governor, and encouraged fellow fishermen to show up to the Board of Fisheries meetings.

Erin Willahan stated that she is an East Side Setnetter and noted that the decision to close the East Side Setnet fishery is political and not supported by biology, common sense, economics or the management

plan. She stated that as a young person raised in Alaska she sees a future for herself here because of this fishery, that permit holders help keep both dollars and fish in Alaska, and that the mismanagement of the fishery is not sustainable for any user group. She thanked Council and stated that she hopes to see further steps and advocacy.

Eric Nyce stated that the closure of setnetting is not due to conservation, and Governor Dunleavy is destroying the fishery and setnetters' way of life. He compared the Kenai River's escapement goals and restrictions to those of other rivers, and noted that the Kenai and Kasilof Rivers cannot handle the continued over-escapement. He stated that we need to stand up to politically-motivated closures and force the department to allow set netters to harvest sockeye.

Jim Butler thanked those who had provided comments at the meeting, and pointed out how the setnet closure would result in lost tax revenue for the City. He stated that all user groups agree that conservation is important, but allocation through management is not appropriate; we will see a one-to-one return where dipnetters will complain that they cannot fish, and City will lose dipnet revenues and tax revenues. He encouraged the City Council to consider not only the impact on local businesses, but the City as well.

Representative Sarah Vance stated that she is a legislator representing the lower Kenai Peninsula, and has heard from many fishermen who feel that over-escapement has been happening for a long time and they want it to be managed according to science and data; she wanted the voices of her constituents to be heard and to add to testimony that this is an ongoing issue.

Ray DeBardelaben stated that he is the president of the Kenai River Professional Guide Association asked whether we want to give up on the authentic Kenai kings. He pointed out that the largest kings ever caught in the world were caught in the Kenai River, and their genetics are still there, there is a small hope for them and until we are ready to give that up he does not agree with opening the setnet fishery.

Naomi Daigle discussed how East Side Setnetters have faced endless discouragement because of restrictions and closures, and it is financially difficult for them to own a setnet operation and not be permitted to fish. She stated that their sites catch few to no kings because they swim out in deeper water, expressed support for the resolution and thanked everyone involved in bringing it forward.

Loren Leman stated that he has setnet near Ninilchik for over 64 years and throughout his time in elected office, and wanted to add his voice to those who are concerned about the very poor public policy of paired restrictions which is closing the East Side Setnet fishery. He thanked Council for bringing forward the resolution, and stated that he hopes this action results in needed change in the way fishery is managed.

Christine Grant noted that she had spoken with Governor Dunleavy about what is going on and he said he would speak with the Commissioner of Fish and Game, and stated that we need to let him know that this is an economic disaster for this area.

Assembly Member Jesse Bjorkman stated that there is overwhelming support for this large sector of our economy, and that conservation is paramount to the discussion because not one wants to endanger salmon we all rely on. He discussed how over-escapement has a compounding effect on our salmon that is bad for all user groups, and stated that he is available to listen and look for solutions for what we can do to maximize the sustained yield of fish and economic opportunities.

Russell Clark stated that he is not willing to give up on kings, and that many people have submitted agenda change requests (ACR) for possible solutions to the Board of Fisheries that fell on deaf ears. He drew comparisons to other areas of the state that were not being restricted in the same way, discussed the ways these restrictions and shutdowns affect set netters, and noted that the community has lost fish processors and as business owners they have employees that depend on them. He stated that the Board of Fisheries needs some ACRs to be put in place.

Brian Scow discussed where he fishes and the number of nets he fishes per his permits, and how he has only caught one king in the last period because kings don't swim in this shallow water. He explained how over-escapement is a problem for the river, and stated that fishing with beach nets only might be a way to keep escapement down and put money into the local economy.

There being no one else wishing to be heard, the public comment period was closed.

Council Member Baisden expressed support for the resolution, and noted that the goal was fairness for all user groups in Cook Inlet. He explained that the City Council could be a voice for their constituents to the State, and that the public can also use their voices during elections to affect change at the State level.

Council Member Winger thanked the members of the public who joined the meeting, and recognized the written comments provided in the laydown; she noted that feedback had been received on both sides of the issue. She expressed concerns about the local impact to families and how the fishing season affects small local businesses, and for the future of the king salmon species and other sealife species which have been harmed by mismanagement.

MOTION TO AMEND:

Council Member Pettey **MOVED** to amend Section 2 by adding the Borough Mayor, the Mayors of Homer and Soldotna, the Borough's State Representatives, and Senators Murkowski and Sullivan to the list of recipients Resolution No. 2022-57 will be forwarded to. Council Member Winger **SECONDED** the motion.

It was also suggested that the motion also include the Mayor of Seward, and the Kenai Courthouse if approved by Legal. The motion was revised with concurrence of the second.

UNANIMOUS CONSENT was requested.

VOTE: There being no objection; **SO ORDERED.**

Council Member Pettey noted that some State representatives that had been included in the amended had been personally invited to this meeting. Discussion included the collective consequences of over-escapement, including the impacts on East Side Setnetters, the fish, and the economy.

Council Member Sounart thanked the members of the public for their participation and expressed concern for their experience over the past three summers. She encouraged everyone to keep fighting and be good stewards for this resource; hopefully the facts will be considered by the representatives the resolution is forwarded to. She discussed the economic effects of the closure and the financial hardship experienced by the setnetters, and that politics should be left out of it and biologists should be allowed to do their job.

Council Member Knackstedt noted that he was in concurrence with the rest of the Council; that politics are dominating biology on this issue and the fish science is being ignored. He stated that East Side Setnetters can be a tool to prevent over-escapement, and this should be part of the management plan. He stated that the fisheries have been mismanaged and the East Side Setnetters have been treated unfairly.

Vice Mayor Glendening discussed the economic impact of fishing access decisions, noting the high historical value of the product being brought into the City dock and how it represents sustenance to local families, economic value and City tax revenue. Thanked everyone for their support of the resolution.

Student Representative Thibodeau thanked the members of the public for attending the meeting. He noted that he believed Kenai Central High School students and teachers would be in support of this, as many of them participate in dipnetting and setnetting.

VOTE:

YEA: Winger, Pettey, Glendening, Baisden, Knackstedt, Sounart

NAY: None

**Student Representative Thibodeau: YEA

MOTION PASSED UNANIMOUSLY.

[Clerk's Note: Vice Mayor Glendening returned the gavel to Mayor Gabriel.]

Mayor Gabriel noted that the resolution had been well-written, and had been sponsored by the entire body with the exception of himself due to being recused from deliberation. He discussed how the City Council recognizes the importance of treating all user groups fairly, and supports scientific management of these resources; he noted how the Council has weighed in on recent years in fisheries decisions because these meetings are important to the City of Kenai and give the public an opportunity to voice their concerns. He clarified that there is a concern for kings, and stated that he would support legislation to help fund studies of king salmon population issues.

C. NEW BUSINESS – None.

D. PUBLIC COMMENT

Richard McGahan thanked the City Council and asked them to look at the Alaska Constitution, noting that community comes first.

Ray DeBardelaben stated that this is a frustrating issue on both sides. He noted that he does not know the answer to solving king salmon population issues, and all user groups need to figure it out because they are the end of the line for all salmon species coming into Cook Inlet.

Sarah Frostad-Hudkins thanked the City Council and all the fishermen who attended the meeting. She noted that the fight is not over, noted that this issue will also be addressed by the Soldotna City Council on July 27th, 2022 and encouraged everyone to attend.

Mayor Gabriel thanked everyone for attending to voice their concerns, and noted that this is important to the City of Kenai.

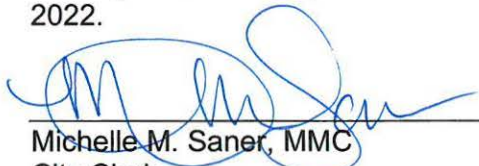
Council Member Knackstedt thanked Mayor Gabriel for his leadership in bringing this issue to Council's attention.

E. EXECUTIVE SESSION – None.

F. ADJOURNMENT

There being no further business before the Council, the meeting was adjourned at 8:25 p.m.

I certify the above represents accurate minutes of the Kenai City Council special meeting of July 26, 2022.



Michelle M. Saner, MMC
City Clerk

**** The student representative may cast advisory votes on all matters except those subject to executive session discussion. Advisory votes shall be cast in the rotation of the official council vote and shall not affect the outcome of the official council vote. Advisory votes shall be recorded in the minutes. A student representative may not move or second items during a council meeting.**