



The waters of Cook Inlet lap against Nikishka Beach in Nikiski, Alaska, where several local fish sites are located, on Friday, March 24, 2023. (Jake Dye/Peninsula Clarion)

Unprecedented closures threaten setnet way of life

Setnetters have been vocal about their opposition to the way their fishery is managed

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When Lisa Gabriel was 22, she and her husband, Brian, now the mayor of Kenai, bought their first commercial setnet permit, worth \$35,000.

The year was 1987 and Gabriel, pregnant with her third child, flew with Brian in a privately chartered plane to Anchorage, where they met up with a Cook Inlet fisherman who was selling his permit. After the papers were signed and the permit transferred, Brian and Lisa flew back to Kenai.

“We just jumped in a plane because that’s what we needed to do,” she said.

They have been commercial setnetting in the inlet ever since. The pair are fishing for sockeye but also harvest other kinds of fish, including chinook, or king, salmon. This year, however, they’re two of the hundreds of east side setnet fishers in upper Cook Inlet whose nets may stay out of the water entirely.

That’s because of an unprecedented preseason closure of the fishery by the Alaska Department of Fish and Game earlier this month. Among other things, 11 emergency orders handed down by the department completely closed the east side

setnet fishery this season, as well as the Kenai River and Cook Inlet to sport fishing for king salmon.

The department issued those orders after preseason forecasts suggested that Kenai River late run would see only 13,630 king salmon longer than 34 inches, or “large” fish. Because that forecast falls below the department’s optimal escapement goal of at least 15,000 fish, the Kenai River’s late-run king salmon sport fishery was closed.

The closure of the fisheries threatens to upend not just the livelihood of anglers in the inlet, but a way of life for those who have spent decades working in the setnet industries.

Way of life

In 2021, 243 fishermen fished 304 setnet permits. That year, the fishery landed just over 2 million pounds of fish worth \$3.7 million.

According to the Kenai Peninsula Fishermen’s Association, Cook Inlet’s east side setnet fishery can trace its roots to the late 1870s. Of the roughly 440 limited entry permit holders, the organization estimates 86% are Alaska residents and, of those, 80% live on the central Kenai Peninsula.

“I think one of the reasons people stay there for so long is because it’s such a great family adventure,” Gabriel said of the fishery.

She remembers, for example, her son playing baseball so he could have summers free to help out with the family business, and said her parents — now in their 80s — still help out in the summer at their fish site off Kalifornsky Beach Road.

Gabriel said her three kids were “raised on the beach site” and that even family vacations were planned for the winter holidays to keep summers free for fishing. More than a source of income, Gabriel said their operation taught their kids work ethic and conflict resolution. Their son went on to fish at other operations and paid for his college tuition with the money he earned, she said.

Brent Johnson, of Clam Gulch, who serves as president of the Kenai Peninsula Borough Assembly, has similar memories. He’s been commercial fishing as part of the east side setnet fishery since 1962, but dove into fishing head on after marrying his wife, Judy, in 1975. In between those years, Johnson said he helped his mom run her fish site and also worked on Judy’s parents’ operation.

Johnson said he used some of his fishing money in high school to buy a car — making him the only one of his friends who had one. It wasn’t until he started fishing with Judy and her family that he really learned how to setnet. Johnson, who still fishes, said he had hoped to pass the tradition on and wishes the fishery was open this year.

“At one time or another various ones of the kids would have wanted to become fishermen and do that, but recently they’ve all gone away because they’ve seen this coming,” Johnson said. “I saw it coming too, it’s just shocking that it didn’t sort of taper off a little bit more before it completely went away.”

Eyes on escapement

Because of paired restrictions imposed by the Cook Inlet salmon management plan, if the number of king salmon in the river is too few, both the sport king salmon fishery and the east side setnet fishery will automatically be closed. They have seen heavy restrictions in recent years as a result of small king salmon runs, but have never before both been closed before the start of the season.

Per the Alaska Department of Fish and Game, biological and sustainable escapement goals are the most important tools used for managing Alaska’s salmon stocks. Both goals are established by the department and are based on the number of salmon that need to escape fisheries and spawn to allow sustained yields in the future.

Forecasts, like the prediction that closed the fisheries, are developed using statistical models, Northern Kenai Peninsula Area Manager Colton Lipka explained March 16. They are largely based on historical information, including the previous year’s run, and allow the department to estimate what the return should be.

Still, Lipka said forecasts aren’t guaranteed and may differ from in-season projections.

“What we told the board is we are concerned about king salmon, we don’t see us meeting the OEGs that you established, much less the SEGs that the department has, and we thought it was necessary to do these closures,” Alaska Department of Fish and Game Commissioner Doug Vincent-Lang said last week.

The Alaska Board of Fisheries is responsible for setting optimal escapement goals, or OEGs. Those goals usually add fish to the numbers set by the department and take into account fishery allocations in addition to biology.

In 2020, for example, the Alaska Board of Fisheries set the Kenai River’s late-run king salmon optimal escapement goal at between 15,000 and 30,000 large fish. That board move came after the Department of Fish and Game set the same run’s sustainable escapement goal at between 13,500 and 27,000 large fish.

When, in 2021, the preseason forecast for that fishery was about 18,400, the department said that SEG might not be reached if sport and commercial king salmon fishing was allowed to occur unrestrained.

That concern prompted the department to place restrictions on the Kenai River sport fishery which, per the Kenai River Late-Run King Salmon Management Plan, triggered restrictions on the east side setnet fishery. More restrictions were put on both user groups during the 2021 fishing season as king runs stayed low, before the setnet fishery was finally shut down entirely.

Closures without precedent

In making the decision to close the east side setnet fishery this year, Vincent-Lang said last week that the department considered the number of fish predicted by the department to return to the fishery and how accurate that prediction is likely to be. This year, he said they're expecting that about 13,630 fish will return. That's just over the lesser value of the fishery's biological escapement goal at 13,500.

The 13,630 figure also does not factor in how many fish would be harvested by commercial and sport fisheries. Vincent-Lang said the department's preseason forecasts also tend to be overprojections — in the last five years, he said department models have overprojected runs by about 50%.

In moving forward with a preseason closure, Vincent-Lang said the department was trying to respond to previous concerns they heard from setnetters that they invested too much money into the fishing season for it to be mostly closed. If the king runs come back stronger than expected, Vincent-Lang said the department will be able to reopen the fishery.

"The bottom line is the department is extremely concerned about the numbers of kings in Cook Inlet and we thought it was time to try to rebuild those stocks in accordance with the board-adopted plans," he said.

Between now and the next Board of Fisheries cycle, Vincent-Lang said that Kenai Peninsula user groups should work together to solve the problem.

"People have an opportunity now to start working across the lines, which includes sport fishing, the personal use fisheries and the commercial fisheries, and try to find solutions to a pathway forward," Vincent-Lang said. "I know the board's very interested in that, I know the department is interested in that, but the solutions need to be coming from consensus amongst those user groups."

Working across the river

While historically, sport anglers and east side setnet anglers have often been at odds with each other, this year's closure has severe impacts on both user groups.

Monte Roberts is the president of the Kenai River Professional Guide Association.

He said that the assertion by commercial anglers that other user groups can pivot their operations in the face of closures isn't entirely accurate. Even if their operations pivot species, Roberts said, guides' seasons and their success isn't comparable to what it might have been.

"There is no replacing fishing for world-class king salmon with rainbow trout," he said. "It's not an equal trade. It does not pay the same amount of bills."

After the slew of emergency regulations was handed down by the state earlier this month, Roberts said his entire 2023 season changed.

"The telephone hotline lit up and we had serious cancellations," he said.

Even if the fishery reopened, Roberts said the clients have already gone somewhere else and are not coming back. Those bookings are made up to two years ahead of time, Roberts said.

"That damage is done," he said.

Gabriel said that for all the challenges closures cause the east side setnet fishery, she never wants to see anyone not able to catch fish, including sport fishers. Like a lot of other Alaskans, she and her husband say they have well-loved pictures of monster king catches and memories of fish as big as their 3-year-old.

"We get both sides," she said. "I always tell people, I don't want anyone to have an empty boat."

A population under stress

Even as the department and Board of Fisheries work to conserve the king salmon returning to rivers around Alaska, there is concern about a more existential question: Why aren't more king salmon returning?

Poor king salmon productivity has been observed around Alaska for at least the last decade, according to Department of Fish and Game Cook Inlet Sport Fish Coordinator Matt Miller, and the fish that do return are smaller than they once were.

A 2020 paper published in the scientific journal *Nature Communications* found that the average body size of four different types of Alaska salmon — chinook, coho, chum and sockeye — were smaller in 2010 as compared to before 1990, the earliest baseline with sufficient data.

"Comparing mean body length pre-1990 to mean body length post-2010, Chinook salmon exhibited the greatest magnitude decline, averaging an 8.0% decline in body length," that paper says.

While there's little conclusive evidence that any one factor is negatively impacting Alaska's king salmon population, department staff say there's reason to believe that something is happening to fish once they reach the ocean after leaving their natal rivers. Vincent-Lang said there is a solid dataset out of Copper River, where production dropped 40% from one decade to the next.

"The fish coming back to the Copper River, although we're meeting our escapement goal, (are) coming back smaller at age, they're coming back younger at age and fewer are coming back overall," Vincent-Lang said. "That's all pointing to the fact that the ocean is not a good place to be."

Miller said that some recent studies in Southeast Alaska and in the Yukon territory have pointed to high mortality in near shore survival for king salmon. After the salmon smolt leave the freshwater they were born in and head out to saltwater, they spend some time near the shore before they head out to the ocean.

"The studies seem to be pointing to a higher mortality than expected in that period when they're smaller and haven't grown up very much," he said. "Now, the bad news is we don't know why."

Miller said that there are a lot of theories, but ultimately, if a species is seeing low productivity, something is happening to stress the population. That could be warmer waters, higher predation, interception in other fisheries, salinity issues, competing species, or others, he said.

Johnson has been a vocal proponent of better studies on what is happening to Cook Inlet's king salmon populations. The Department of Fish and Game, he said, has previously conducted a sockeye salmon smolt outmigration study on the Kenai River, which he'd like to see replicated for king salmon.

"Finding out where the kings go in the ocean and doing anything there is going to be difficult, but we could," Johnson said.

Regulation sparks controversy

It's the observation of smaller salmon returns that have some concerned about the department's recent decision to adjust its metric to "large" king salmon. In 2017, the department shifted the way it counts king salmon with respect to escapement goals. Rather than count all king salmon that pass in front of department sonars, it announced that it would only count large king salmon, or those longer than about 34 inches.

In pitching that change, the department told the Board of Fisheries in 2017 that nearly all sockeye salmon are less than 75 centimeters long, while nearly all fish longer than 75 centimeters are king salmon. By setting the size goal at 75 centimeters, the department could better count king salmon from sonar images.

Brian Gabriel called the move — which may underrepresent how many king salmon are actually moving through the river — a “double whammy” for the east side setnetters.

“You’ve set a goal that almost becomes, at least in recent history ... untenable,” he said. “You’re not going to reach it, which leads to a scenario where we’re shut down before the season starts.”

Robert Ruffner, of Soldotna, sat on the Board of Fisheries in 2015 and then from 2016 to 2019. The department’s move to large king salmon, he said, was one of the first issues the board took up during his tenure and marked a “fundamental shift” in how the state had previously counted salmon.

“The thing that I — today still — am really concerned about and don’t understand is that, if we knew we had a down-going trend for large fish, why we made that change at that time,” Ruffner said. “It really didn’t make sense because we didn’t have enough years of overlapping data to really understand what the percentages of a large fish were.”

Setnetters have been vocal about their opposition to the way their fishery is managed. During a two-hour town hall with setnetters at the Cook Inlet Aquaculture Association last summer, Vincent-Lang repeatedly told the room, packed with roughly 100 people, that any concerns over fishery closures need to be taken up with the Alaska Board of Fisheries.

When the board convened earlier this month, local setnetters took action.

An emergency rejected

Three petitions submitted by local setnetters to the Alaska Board of Fisheries called on members to implement emergency measures for the east side setnet fishery this fishing season.

Alaska Statute says that the board may find that an emergency exists for a particular fishery in “rare instances.” An emergency may exist, among other circumstances, in an unforeseen, unexpected resource situation “where a biologically allowable resource harvest would be precluded by delayed regulatory action,” board policy says.

Petitions were submitted by the Kenai Peninsula Fishermen’s Association, the South K-Beach Independent Fishermen’s Association and setnetter Gary Hollier, all of which asked the board to reconsider the planned closure of the east side setnet fishery.

“SOKI in conclusion is only requesting that the Board of Fisheries reevaluate the management plans to determine if they are still applicable and if modifications are

necessary to overt continued irreparable harm to the commercial fishing industry within UCI,” the SOKI petition, authored by Christine Brandt, says.

The board ultimately voted 6-1 against making any adjustments to the current plan to keep the east side setnet fishery closed, arguing that the department’s preseason closure wasn’t unforeseen. Member John Wood, of Willow, was the only board member to vote in favor of the petitions.

“This isn’t unforeseen, in my opinion,” said board member John Jensen. “It’s not unexpected, the department does put out preseason forecasts and they eventually manage to them. It’s not an unforeseen, unexpected resource situation. We’ve known there’s problems there both ways. As we’re supposed to do, we have to manage for the weaker stock.”

Kenai Peninsula Fishermen’s Association Vice President Ken Coleman, who authored the KPFA petition, called the board’s decision “maddening.” Cook Inlet’s east side setnet fishery, he said, has borne the “burden of conservation” more than other user groups, who can pivot to other species.

The Board of Fisheries operates on a three-year cycle. Cook Inlet was last in front of the board in 2020, which means Cook Inlet normally would have been given consideration at a meeting this month.

The COVID-19 pandemic caused the schedule to be bumped back by a year, though, so Cook Inlet won’t be considered until next year.

Lisa Gabriel, who also works for the Kenai Peninsula Fishermen’s Association, said her fishery is being “held hostage” by a management plan that aims to conserve fish she said setnetters aren’t trying to catch.

Department data show that while most king harvests come from the Northern District and the east side setnet fishery in the Central District, the share of king salmon caught by setnetters has gone down in the last 10 years.

In 2021, for example, Upper Cook Inlet commercial fisheries, which include drift and set gillnet operations, harvested about 4,000 king salmon of all sizes and stocks. Though an increase from the previous year, it was the fourth-smallest king harvest since 1970. Among all fisheries in 2021, 411 large king salmon — fish longer than 34 inches — were caught.

Among the commercial fisheries in the Upper Cook Inlet Management Area that caught king salmon in 2021, east side setnetters caught the most. That fishery harvested about 1,300 king salmon of all sizes and stocks — roughly one-third of all the king salmon harvested by those groups.

Gamblers with a grim outlook

Even as the board struck down the three emergency petitions earlier this month, Vincent-Lang said that the closures were based on the department's predictions. If enough king salmon run this season, the emergency orders can and will be rescinded.

Coleman, however, says that dangling the promise of the season opening later this year isn't so reassuring.

"People are going to have to do the best they can to kind of gear up," Coleman said. "They're going to have to decide what they're going to do, how much they're going to do. It's virtually impossible to get a crew under these circumstances."

Despite that, Coleman said he doesn't have any hopes for a big return this year. He said years of closures and gear restrictions haven't seemed to work.

"That indicates it's not necessarily the catching going on in the river," he said. "None of this is something that's going to be helpful in the long term. If I were a biologist and I said, 'We've got to rehabilitate this run,' I would probably be making some of the moves these folks are making, but it's not necessarily helping."

Johnson also isn't so sure about a potential return of kings.

"I've just seen bad king runs year in and year out now for a few years," he said. "I have a hard time believing that they're gonna find kings. Last year, we caught 32 kings, the east side setnetters. ... This year, by not having us there, you're gonna get 32 more kings, but the goal is 15,000."

Coleman said that fishermen are optimists and gamblers, that they always believe the next season will be better, but that without fundamental changes, the situation is grim for the setnet fishery.

"Who would want to buy into a fishery that just doesn't fish?" he said. "We are systematically, by the system, getting starved out."

Looking upstream

As king runs stay small in Cook Inlet, Lipka said the department will continue to follow the management plan that they've been given by the Board of Fisheries.

"That is our process," he said. "As far as what we're going to do in the future, we'll follow the management plans."

Coleman and Gabriel said they're hard at work drafting proposals to the Board of Fisheries on behalf of the Kenai Peninsula Fishermen's Association. With the board's rejection, Coleman said their only recourse is to prepare for the 2024

meeting. Proposals can be submitted by any member of the public through April 10 via the Alaska Department of Fish and Game website.

A key focus, Gabriel said, will be getting the board to understand that the way the east side setnet fishery is currently managed is not economically viable. Right now, the east side setnetters are the only group not harvesting.

“The plan as it is right now is working for some,” she said. “It is absolutely not working for setnetters.”

The other thing fishermen said they’re keeping an eye on is a bill in the Alaska Legislature that aims to reduce the amount of fishing gear in Cook Inlet.

Sen. Jesse Bjorkman, R-Nikiski, has resurrected this session a bill that would establish a voluntary permit buy-back program for Cook Inlet’s east side setnet fishery. That bill was long carried by former State Sen. Peter Micciche as a way to reduce tensions between eastern Cook Inlet’s commercial setnet fishermen and other fishing user groups on the Kenai and Kasilof rivers.

“The idea is that if there are less permits and nets fishing in the water, they’ll catch less chinook, and thus have a lesser impact on that and allow for those fishing families and fishing businesses to continue,” Bjorkman said last week.

If the bill passes, the program would only become effective after an affirmative vote by permit holders, through which a lottery-style system would be used to retire existing fishing permits. Funding for the program would come from nongovernmental stakeholders.

Bjorkman, who commercial driftnets in Cook Inlet, said that fleet reduction in the east side setnet fishery “needs to happen” because of the economic toll restrictions have taken on the economic viability of the fishery. He said that as the bill moves through the Legislature, he expects pushback to come from lawmakers who view the program as a bailout for a specific group.

“That’s not what this is,” he said. “These setnet permit holders have had their livelihood taken away from them because of changing tastes and preferences and how people want the fishery to be managed.”

A future that doesn’t resemble the past

As it stands, the commercial setnet and sport fisheries remain closed for king salmon fishing in the Kenai River and Cook Inlet this season.

Roberts said anglers are being forced to move away from the pursuits that once filled their summer months.

“The reality is a lot of people have got different jobs,” he said. “I’ve got a different winter job now, and I do not expect to make my money off my summers like I did 20 years ago. So we adapt and we move on.”

Johnson is taking a similar approach.

“I mean, I’m going to make the best of it one way or another,” Johnson said. “Don’t get me wrong, this is a big deal. This is how we made our living and so I don’t know how that will all work out. I probably will have to work a little bit, maybe with a backhoe or driving (a) truck or something.”

Johnson said Judy joked recently that she’s never had a summer off from fishing. This year, she will. He said that, because they’re probably not going to be fishing, they won’t make their temporary move to the cabin at their fish site, but instead do home projects and spend some time gardening.

Even as the future of their fishery remains uncertain, the Gabriels said they’re going to prepare for a fishing season anyway. That prep work includes, among other things, buying fishing licenses, permit fees and lease fees on their beach site and locating potential deckhands. Brian said, during a regular season, it takes them about four or five days to prepare their gear on the site.

Long gone, they said, are the types of fishing seasons reflected in old pictures, some of which show their boats laden with lights installed when setnetters were still able to fish at night.

“A lot of the charm has been whittled out of our fishery,” Gabriel said.

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