

PROPOSAL 19

5 AAC 01.610. Fishing seasons.

Allow salmon to be taken for subsistence purposes at any time between May 1 and November 30 in the Copper River District, as follows:

(g) Salmon may be taken in the districts described in 5 AAC 01.605(b), [ONLY] from May **01** [15] through [OCTOBER 31] **November 30 at any time, independent of any area closures imposed upon the Copper River Area E Drift Gillnet commercial salmon fishery.** [, DURING FISHING PERIODS AS FOLLOWS:

(1) FROM MAY 15 UNTIL TWO DAYS BEFORE THE COMMERCIAL OPENING OF THAT SALMON DISTRICT, SEVEN DAYS PER WEEK;

(2) DURING THE COMMERCIAL SALMON SEASON, ONLY DURING OPEN COMMERCIAL SALMON FISHING PERIODS IN THAT DISTRICT;

(3) FROM TWO DAYS FOLLOWING THE CLOSURE OF THE COMMERCIAL SALMON FISHING SEASON IN THAT DISTRICT THROUGH OCTOBER 31, SEVEN DAYS A WEEK.]

(3) FROM TWO DAYS FOLLOWING THE CLOSURE OF THE COMMERCIAL SALMON FISHING SEASON IN THAT DISTRICT THROUGH OCTOBER 31, SEVEN DAYS A WEEK.]

What is the issue you would like the board to address and why? The Copper River District drift gillnet subsistence fishery is challenging to access for reasons both inherent to the fishery, and imposed by regulation. The fishery is inherently difficult to access because it occurs in the Gulf of Alaska, a great distance away from Cordova through narrow channels that are not always well marked. Thus, a user must own, or have access to, a boat that can not only safely navigate to the Gulf of Alaska, but then fish in the open ocean running through bar entrances, breaking waves, and heavy seas to do so. The expense of owning such a vessel can be staggering, and a complete barrier to those on a limited budget, such as elders and youth who are all but cut off from the resource whose purpose is to provide wild, traditional food without incurring great expense. While little can be done but meet the challenges inherent to fishing on this remote coastline, the challenges unnecessarily imposed by regulation can easily be swept away with the acceptance of this proposal without any negative impact on the resource, only a benefit to its users.

Challenges imposed by regulation surround the unnecessary requirement that subsistence opportunity occur only when and where Commercial Fishing openers are announced. With inside closures being the norm during these openers, the fishery is conducted outside the protection of barrier islands increasing risk, danger, and cost. Imposing these restrictions on when and where a subsistence user can access the resource makes no sense when the fishery is already catch-limited.

Subsistence users in the Glennallen Subdistrict harvesting the same resource can access the resource at any time during the season, and enjoy limits ranging from 2x-13x greater for individuals to 2x-8x greater for households of two or more compared to users in the Copper River District drift gillnet subsistence fishery. While this has some merit due to the gillnet fishery resource being harvested prior to being counted at Miles Lake (sockeye) or Baird Canyon

(Chinook) for management purposes, the burden of these more conservative limits is unnecessarily compounded by the unique requirement that the subsistence fishery occur only during commercial fishing periods.

Managing the commercial fishery by discreet open and closed fishing periods throughout the season is due to this fleet's unique ability to legally harvest an unlimited number of salmon during open periods. Closed periods allow salmon to pass through the fishery and enter the river. Mirroring this management in the subsistence fishery, which is already operating under the most restrictive subsistence catch limits on the river is not necessary to manage the resource, and increases the time, cost and danger of participation, without a benefit to the resource. In other words, imposing a time restriction intended to manage the fish taken in an unlimited commercial fishery upon a catch-limited subsistence fishery does not provide the same resource benefit in both fisheries, and it is totally unnecessary for the catch-limited subsistence fishery, and is in direct conflict with the Board of Fish's requirement that subsistence allocations be prioritized. **These two fisheries must be managed independently from one another.**

This has been proposed previously, and the Board of Fish has largely determined that Cordova is harvesting their allocation of subsistence salmon and so no change to the regulation was needed. However, this determination can only be reached if commercial fishing "Home-Pack" is improperly counted as subsistence fish, rather than commercial fish. Home-pack fish can be, and are, legally taken by individuals not eligible to participate in the subsistence fishery, and harvested with gear that is illegal in the subsistence fishery. According to a recent ADFG subsistence report, Home-Pack represents 43% of the salmon used in Cordova and the vast majority of sockeye salmon harvest (Fall & Zimpelman 2016). If Home-Pack is not recorded as subsistence (it should be recorded as commercial harvest because it is taken by commercial fishing permit holders without a residence requirement using commercial gear) then harvest data suddenly show a very different story for the year-round Cordovans who are simply consuming less salmon, the report found that use of salmon is at its lowest level since data began being recorded in 1985, and shifting fishing pressure away from abundant, prime quality Copper River sockeye stocks to less desirable coho salmon on smaller systems less able to sustain the fishing pressure. This report further identified:

Numerous Cordova residents expressed the need for additional subsistence salmon fishing opportunity because under the current regulatory framework community households may not have any opportunity to subsistence salmon fish. In addition to the problems related to the timing of subsistence and commercial fishing openings, survey respondents noted that many community households cannot go subsistence salmon fishing because of a lack of appropriate motorized transportation, the need to work at the time of fishery openings (which during the 2014 study year occurred almost exclusively on weekdays), or because of the increasing costs of gas and boat maintenance. Furthermore, survey respondents pointed out that when planning their marine water subsistence salmon fishing, they also need to take into consideration the weather and tides; if these are not conducive for fishing at a time when all the other factors are positively lined up, they are not be [sic] able to go subsistence salmon fishing. Because of the reasons described above, the overall sentiment in the community is that current fishing regulations are not working and that more subsistence opportunity, separate from the commercial opportunity, is needed. (Fall & Zimpelman, 2016)

The separation of commercial and subsistence fisheries should be done in such a way that subsistence users in the Copper River District drift gillnet fishery may access the resource at any time within the season, and because specific Chinook salmon harvest limits are imposed, without restriction upon fishing location within the regulatory area, allowing subsistence users fish “inside” (behind the protection of the barrier islands) regardless of commercial fishery restrictions intended to reduce Chinook salmon harvest in the unlimited commercial fishery.

To resolve this issue, the Copper River District drift gillnet subsistence fishery should be managed independently of the commercial fishery by regulation, with the harvest limit alone constraining users as to time and location of access to the fishery, within the larger season and regulatory area: a Copper River District user may take their limit of subsistence salmon at any place and time that salmon are available without any further restriction. Furthermore, the season should be expanded to include any times where these salmon are present.

Works Cited

Fall, J. A. and G. Zimpelman, editors. 2016. Update on the Status of Subsistence Uses in Exxon Valdez Oil Spill Area Communities, 2014. Alaska Department of Fish and Game Division of Subsistence, Technical Paper No. 412. Anchorage.

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(EF-F17-100)
