

PROPOSAL 230

5 AAC 01.220. Lawful gear and specifications.

Allow the use of drift gillnets to harvest salmon for subsistence purposes in Yukon River Subdistricts 4-B and 4-C, as follows:

5 AAC 01.220(e) is amended to include paragraphs (4) and (5) to read:

(4) in Subdistricts 4-B and 4-C to the mouth of the Yuki River,

(A) king salmon may be taken by drift gillnets from June 10 through July 14, unless closed by emergency order;

(B) from June 10 through August 2, the commissioner may open, by emergency order, fishing periods during which chum salmon may be taken by drift gillnets; and

(C) chum salmon may be taken by drift gillnets after August 2.

(5) a person may not operate a drift gillnet that is more than 150 feet in length and more than 35 meshes in depth during the seasons and areas described in (4) of this subsection.

What is the issue you would like the board to address and why? Subsistence fishermen have noted the limited number and loss of fishing sites for stationary subsistence fishing gear in Yukon River Subdistricts 4-B and 4-C. This has resulted in some Subdistrict 4-B and 4-C subsistence fishermen choosing to pay additional fuel costs to participate in the subsistence drift gillnet fishery in Subdistrict 4-A. Subsistence fishermen have reported an increasing number of fishermen fishing in Subdistrict 4-A and that there is increased competition for available drift sites. The loss of sites and additional competition in District 4 subsistence fishing sites resulted in the unforeseen consequence of inadequate opportunity for subsistence fishermen to harvest salmon.

PROPOSED BY: Louden, Nulato, and Koyukuk Tribes

PROPOSAL 231

5 AAC 05.360. Yukon River King Salmon Management Plan.

Repeal the prohibition on subsistence fishing in Yukon River Districts 1 and 2 during the first pulse of king salmon, as follows:

5 AAC 05.360 is amended to read:

(J) Notwithstanding the provisions of this section, the department shall manage the king salmon subsistence fishery in Districts 1 – 6 during the first pulse of the historical three distinctive pulses of king salmon that enter the Yukon River drainage, as follows:

[(1) IN DISTRICTS 1 AND 2, TO ACCOUNT FOR THE UNCERTAINTY IN THE PRESEASON KING SALMON RUN PROJECTIONS, THE DEPARTMENT SHALL MANAGE THE KING SALMON SUBSISTENCE FISHERY CONSERVATIVELY AND NOT OPEN ANY SUBSISTENCE FISHING PERIODS DURING THE FIRST PULSE OF KING SALMON ENTERING THE DISTRICTS;]

[(2) IN DISTRICTS 3-6.]

(1) if inseason run assessment information indicates insufficient abundance of king salmon to meet escapement objectives on specific components of the run and subsistence harvest needs, the department will not open any subsistence fishing periods during the first pulse implemented chronologically in the applicable district, consistent with migratory -timing as the king salmon run progresses upstream;

(2) if inseason run assessment information indicates sufficient abundance of king salmon to meet escapement objectives on specific components of the run and subsistence harvests needs, subsistence fishing will revert to the fishing periods as specified in (d) of this section.

What is the issue you would like the board to address and why? The mandatory first pulse king salmon subsistence fishing closure in Yukon River Districts 1 and 2 is unnecessary and has resulted in the unintended consequence of causing a hardship to subsistence fishers when the Yukon River king salmon run is strong and fishing restrictions are not needed to meet escapement goals. The current regulation unnecessarily restricts the department and does not allow the department to meet the objective of the Yukon River King Salmon Management Plan.

PROPOSED BY: Kwik’pak Fisheries, LLC

PROPOSAL 232

5 AAC 05.360. Yukon River King Salmon Management Plan.

Allow sale of Yukon River king salmon caught incidentally during open commercial fishing periods for other salmon species, as follows:

5 AAC 05.360 is amended to read:

(i) If the department projects that the Yukon River king salmon escapements are below the escapement goals or king salmon subsistence fishing is restricted in more than one district or portion of a district, the commissioner shall, by emergency order, close a fishery and immediately reopen a fishery during which king salmon may be retained, but not sold; **if the department thereafter projects that Yukon River king salmon escapements will achieve escapement goals and king salmon subsistence fishing is not restricted, and the department determines that there are king salmon surplus to escapement and subsistence needs and the sale of incidentally caught king salmon will not have a significant impact on escapement or subsistence uses of king salmon, the commissioner may, by emergency order, open a fishery during which incidentally caught king salmon taken during the summer and/or fall chum salmon commercial fisheries may be sold.**

What is the issue you would like the board to address and why? The *Yukon River King Salmon Management Plan* does not provide clear direction and criteria for lifting a prohibition on the sale of incidentally caught king salmon. Regulatory direction and triggers for prohibiting the sale of incidentally caught king salmon in Yukon River commercial salmon fisheries are well defined; however, regulatory direction and criteria for lifting a prohibition on the sale of incidentally caught king salmon that is no longer needed are ambiguous, resulting in potential foregone economic opportunity.

PROPOSED BY: Alaska Department of Fish and Game

PROPOSAL 233

5 AAC 05.200. Fishing districts and subdistricts; 5 AAC 05.330. Gear; and 5 AAC 05.350. Closed waters.

Clarify the District 1 boundary and allow set gillnets to be operated up to three nautical miles seaward from any grassland bank in District 1 after July 15, as follows:

5 AAC 05.200. Fishing districts and subdistricts

(a) District 1 consists of that portion of the Yukon [RIVER DRAINAGE] **Area** from the latitude of Point Romanof extending south and west, **including the coastal waters within three miles seaward from any grassland bank,** along the coast of the delta to **the ADF&G regulatory marker located on the beach approximately one nautical mile south from the mouth** [THE TERMINUS] of Black River upstream to the northern edge of the mouth of the Anuk River and all waters of the Black River.

5 AAC 05.330. Gear

(a) In Districts 1 – 3, set gillnets and drift gillnets only may be operated, except that in District 1 after July 15 set gillnets only may be operated in the following locations:

(8) waters within [ONE] **three** nautical [MILE] **miles** seaward from any grassland bank in District 1.

5 AAC 05.350. Closed waters

(2) waters farther than three nautical miles seaward from any grassland bank in District 1 from [APOON PASS] **Point Romanof** extending west and south to a line extending seaward from an ADF&G regulatory marker located on the beach approximately one nautical mile south from the mouth of Black River;

What is the issue you would like the board to address and why? This seeks guidance and clarification from the Board of Fisheries on intent regarding the set gillnet fishery in coastal waters of Yukon Area District 1 and the new drift gillnet fishery in expanded coastal waters of District 1. The intent of the original proposals that lead to creation of this new fishery was to maintain the set gillnet fishery in coastal waters of District 1, not to create a new drift gillnet fishery in expanded coastal waters, and it is unclear if the board was aware of this unforeseen effect/error when the regulation was adopted.

PROPOSED BY: Kwik'pak Fisheries, LLC
