



Reviewer Letter

PLEASE READ CAREFULLY

September 2022

The Alaska Board of Fisheries (board) will consider this book of regulatory proposals at its meetings from October 2022 through March 2023. The proposals concern changes to the state's fishing regulations submitted timely by members of the public, organizations, advisory committees, and ADF&G staff. Proposals are published essentially as received, with the exception of minor edits and removal of graphics and web links. If you submitted a proposal and find the published version does not reflect your intent, please contact Boards Support as soon as possible.

Proposals. Proposals are often presented as brief statements summarizing intended regulation changes. Proposed changes are also often written in accordance with the Department of Law's drafting standards: additions are **bolded and underlined** while deletions are [BRACKETED AND CAPITALIZED].

Reading all proposals in this book is encouraged. Proposals may apply statewide, affect one region or fishery of the state, or recommend change to multiple fisheries within an area.

The proposals are grouped by board meeting (see the Proposal Index). Within each meeting, proposals are organized by region, fishery, or species. This book notes if a proposal will be heard at more than one meeting. About two weeks before each meeting, the board makes a "roadmap" with the tentative order proposals will be considered and deliberated on. This usually differs from the order of proposals in the book. The board also develops an agenda for each meeting to coordinate with the roadmap.

Public comment requested. The board relies on written comments and oral testimony. Public comment, in combination with advisory committee recommendations and ADF&G staff presentations, provide the board with useful biological and socioeconomic information. Written comments become public documents.

Submit your comments.

Online	boardoffisheries.adfg.alaska.gov
Fax	(907) 465-6094
Mail	P.O. Box 115526 Juneau, AK 99811-5526

More about public comments. Comments are encouraged to be submitted by each meeting's deadline (typically two weeks prior to a meeting - see the Tentative Meeting Schedule for the deadlines of each specific meeting). They are included as part of board member workbooks, listed in each meeting's Index of Comments, and posted on the Boards Support website in advance of the meeting. Requirements include:

- Submitted by mail, fax, in office, or through the Boards Support website.
- 100 single-sided pages or less from any one individual or group.
- Fits on 8½" x 11" paper with adequate margins for three-hole punching.
- Web links to external documents or multimedia are not accepted.
- Include the author's name and contact information.
- For charts or graphs, cite the source.

Record copies. Written materials received after the on-time deadline, during board meetings, are termed "record copies". Requirements are the same as above, except:

- Comments are not accepted via email.
- Comments may be submitted by mail, fax, or hand delivered.
- Comments may be submitted via the online record copy submission form at the start of the meeting.
- Record copies are limited to 10 single-sided pages or less from any one individual or group per proposal until the board begins deliberations on proposals. Once deliberations start, no more than five single-sided pages are accepted.

Oral testimony. The board welcomes oral testimony at each regularly scheduled regulatory meeting. Testimony generally begins the first day of the meeting, extending as long as necessary. There is a sign-up period for testimony at each meeting, found on the meeting agenda. Each person who wishes to speak is generally allotted three minutes for testimony. Advisory committee, federal regional advisory council, and Pacific Northwest Crab Industry Advisory Committee representatives are generally allotted 10 minutes.

Updates related to public testimony will be provided via advisory announcement closer to the start of each meeting. Please watch the board's website for any updates or sign up to receive announcements via email at www.boardoffisheries.adfg.alaska.gov.

Tips for comments.

- Identify proposal(s). Clearly state the proposal number you wish to discuss and if you support or oppose the proposal. If the comments support a modification in the proposal, indicate "support as amended" with the preferred amendment in writing.
- Commenting on more than one proposal. If making comments on more than one proposal, simply list the next proposal number followed by your comments. There is no need for separate pages or to submit multiple comments.
- Explain why. Help the board understand your rationale by identifying factors to take into account when acting on a proposal.
- Keep comments brief and clear. Board members are extremely busy. Clearly stating proposal numbers and one's position with supporting rationale will assist board members.
- Follow the requirements. Pages in excess of the page limit and comments not in the proper format will be discarded. Testimony greater than the allotted time will be cut short.
- The sooner the better. As a practical matter comments submitted after the board begins deliberations are likely to receive less consideration than comments submitted earlier.

- Write clearly. Whether typed or handwritten, use dark ink and write legibly.
- Use the committee process for detailed comments. The board considers specific proposals, grouped by subject, during committees as a way to receive much greater detail from the participating public. Public testimony should be tailored to encompass major items of importance. Fine details may be reserved for committee work.
- Be polite. Inflammatory material may be excluded or redacted, and public testimony may be cut short.

Advisory committees. Advisory committees written recommendations should be submitted in the format prescribed by the board; boards staff can provide the right form. Recommendations should note the number of committee members in attendance as well as other stakeholders in attendance during meetings. Remember, advisory committee recommendations must be developed at a meeting where the conditions of the Open Meetings Act (AS 44.62.310) were met. When providing public testimony, provide commentary and explain the committee's current discussion. Expressing minority opinions is helpful. Reading off proposal numbers and committee recommendations is difficult to follow; your written comments should cover this sort of summary. For additional information on providing public comment, refer to the Advisory Committee Manual.

Additional instructions for advisory committee chairs. Advisory committee chairs are responsible for calling committee meetings to review proposals and provide recommendations. In order to efficiently budget and provide for travel, pre-planning is essential. Chairs are to identify to Boards Support well in advance of each board meeting if they anticipate an advisory committee representative might attend one of the meetings. Failure to provide early notice may prevent the advisory committee from traveling should adequate funding be unavailable.

Special notes. The board applies various statutes and policies when considering proposals. When addressing proposals affecting subsistence uses, the board provides for a reasonable opportunity for subsistence consistent with Alaska Statute 16.05.258 and regulation 5 AAC 99.010(b). When addressing allocations among commercial, sport, guided sport, and/or personal use fisheries, the board applies its Allocation Criteria (AS 16.05.251(e)). When addressing salmon fisheries it may apply the Mixed Stock Salmon Policy (5 AAC 39.220) and the Sustainable Salmon Fisheries Policy (5 AAC 39.222). You may wish to review these statutes, regulations, and policies when preparing comments for the board. See the board's website or call Boards Support staff listed in this book to learn more about the board process.

Persons with a disability needing special accommodations in order to comment on the proposed regulations should contact the Executive Director at (907) 267-2292 no later than two weeks prior to the scheduled meeting to make any necessary arrangements.

Thank you for taking an active role in Alaska's fisheries management regulatory process.

Sincerely,



Art Nelson
Executive Director



ALASKA BOARD OF FISHERIES

2022/2023 Cycle Tentative Meeting Schedule

Alaska Peninsula, Aleutian Island, Bering Sea and Chignik Pacific Cod; Bristol Bay Finfish; Arctic, Yukon, and Kuskokwim Finfish; Alaska Peninsula, Aleutian Island, and Chignik Finfish; Statewide Finfish and Supplemental Issues

Meeting Dates	Topics	Location	Comment Deadline
October 25-26, 2022 [2 days]	Work Session ACRs, cycle organization, Stocks of Concern	Anchorage Egan Civic and Convention Center	Oct. 11, 2022
October 27-28, 2022 [2 days]	Alaska Peninsula, Aleutian Islands, Bering Sea, and Chignik Pacific Cod Meeting	Anchorage Egan Civic and Convention Center	Oct. 11, 2022
Nov. 29-Dec. 3, 2022 [5 days]	Bristol Bay Finfish	Anchorage Dena'ina Center	Nov. 14, 2022
January 14-18, 2023 [5 days]	Arctic / Yukon / Kuskokwim Finfish	Anchorage Egan Civic and Convention Center	Dec. 30, 2022
February 20-25, 2023 [6 days]	Alaska Peninsula / Aleutian Island / Chignik Finfish	Anchorage Dena'ina Center	Feb. 3, 2023
March 10-13, 2023 [4 days]	Statewide Finfish and Supplemental Issues	Anchorage Egan Civic and Convention Center	Feb. 23, 2023

Proposal Deadline: Monday, April 11, 2022

Total Meeting Days: 24

Agenda Change Request Deadline: Friday August 26, 2022 [60 days prior to fall work session]

Updated August 30, 2022



Alaska Department of Fish and Game
 Board of Fisheries
 P.O. Box 115526
 Juneau, AK 99811-5526
 (907) 465-4110
 www.adfg.alaska.gov

Long-Term Meeting Cycle (Three-year cycle)

The board meeting cycle generally occurs from October through March. The board considers changes to regulations on a region-based schedule. The fisheries include subsistence, sport, guided sport, personal use, and commercial. Special petition and agenda change request procedures are available for the board to consider out-of-cycle requests.

NOTES:

- 1) In the year preceding a board cycle, the board will announce a call for proposal that prescribes which regions, species, and fisheries are set for regulatory review.
- 2) The proposal deadline is April 10 every year. If April 10 falls on a weekend, the proposal deadline is the Friday preceding that weekend.

Meeting Areas and Species
Alaska Peninsula/Bering Sea-Aleutian Island/Chignik Areas all Finfish Arctic-Yukon-Kuskokwim Areas all Finfish Bristol Bay Area all Finfish Statewide Provisions for Finfish Meeting Cycle Years: 2022/2023 2025/2026 2028/2029 2031/2032
Cook Inlet Area all Finfish Kodiak Area all Finfish Meeting Cycle Years: 2023/2024 2026/2027 2029/2030 2032/2033
Prince William Sound Area all Finfish and Shellfish (except Shrimp) Southeast/Yakutat Areas all Finfish and Shellfish Statewide (except SE/Yakutat/PWS) Shellfish* Meeting Cycle Years: 2024/2025 2027/2028 2030/2031 2033/2034

**Starting in 2021-2022, the Statewide (except Southeast/Yakutat/PWS Tanner Crab) King & Tanner Crab meeting will become part of Statewide (except SE/Yakutat/PWS) Shellfish.*

The meeting cycle repeats itself every three years. This schedule was adopted November 9, 1990 and revised based on workload and public participation.



Alaska Department of Fish and Game
Board of Fisheries
P.O. Box 115526
Juneau, AK 99811-5526
(907) 465-4110
www.adfg.alaska.gov

Member List

July 2022

NAME	TERM EXPIRES
McKenzie Mitchell	6/30/2023
Märit Carlson-Van Dort (Chair)	6/30/2024
Thomas Carpenter	6/30/2025
John Jensen	6/30/2023
Mike Heimbuch	6/30/2023
David Weisz	6/30/2025
John Wood	6/30/2024

Alaska Board of Fisheries members may be reached at:

ALASKA DEPARTMENT OF FISH AND GAME

Boards Support Section

P.O. Box 115526

Juneau, AK 99811-5526

(907) 465-4110 PHONE

(907) 465-6094 FAX

www.boardoffisheries.adfg.alaska.gov

Art Nelson, Executive Director, Alaska Board of Fisheries

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Alaska Department of Fish and Game
Boards Support Section
P.O. Box 115526
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(907) 465-4110
www.boards.adfg.alaska.gov

Boards Support Section Staff List

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Southeast Region (South of Frederick Sound)
Henry Leasia (see above contact info)

Southeast Region (North of Frederick Sound)
Annie Bartholomew (see above contact info)

www.adfg.alaska.gov/index.cfm?adfg=process.regcoordinators

NOTICE OF PROPOSED CHANGES IN THE REGULATIONS OF THE ALASKA BOARD OF FISHERIES

The Alaska Board of Fisheries proposes to adopt, amend, or repeal regulation changes in Title 5 of the Alaska Administrative Code, dealing with fishery and aquatic plant resources in the areas designated below, including the following regulations:

1. IN THE BRISTOL BAY AREA, INCLUDING THE BRISTOL BAY COMMERCIAL HERRING AREA; IN THE ARCTIC-KOTZEBUE, NORTON SOUND-PORT CLARENCE, YUKON, AND KUSKOKWIM AREAS (collectively referred to as Arctic-Yukon-Kuskokwim or A-Y-K Areas), INCLUDING THE KUSKOKWIM COMMERCIAL HERRING AREA, AND IN THE YUKON RIVER, TANANA RIVER, AND KUSKOKWIM-GOODNEWS SPORT FISH AREAS; IN THE ALASKA PENINSULA, ALEUTIAN ISLANDS, CHIGNIK, AND ATKA-AMLIA AREAS, INCLUDING THE ALASKA PENINSULA-ALEUTIAN ISLANDS COMMERCIAL HERRING AREA AND THE ALASKA PENINSULA-ALEUTIAN ISLANDS SPORT FISH AREA; IN THE EASTERN GULF OF ALASKA, PRINCE WILLIAM SOUND, COOK INLET, KODIAK, SOUTH ALASKA PENINSULA, CHIGNIK, BERING SEA-ALEUTIAN ISLANDS, AND CHUKCHI-BEAUFORT COMMERCIAL GROUND FISH AREAS; AND STATEWIDE (GENERAL PROVISIONS) FINFISH REGULATIONS OR OTHER POSSIBLE SUPPLEMENTAL ISSUES, INCLUDING ISSUANCE OF BOARD FINDINGS, DELEGATIONS OF AUTHORITY FROM THE BOARD OF FISHERIES, OR HATCHERY OPERATIONS.
 - A. In the **commercial, sport, guided sport, personal use, and aquatic plant fisheries:** fishing seasons, periods, and opening and closing times; bag, possession, size, sex, age, annual or other harvest limits; harvest levels, thresholds, goals, and quotas; definitions; bycatch provisions; districts, subdistricts, sections, subsections, areas, and other management boundaries; locations open and closed to fishing; methods and means; gear and vessel restrictions, including marking and operational requirements; registration and permit requirements; registration areas (including nonexclusive, exclusive and superexclusive registration areas); recordkeeping and marking requirements; management plans for conservation and development, including escapement, inriver, and other management goals; landing requirements; provisions for development and allocation among beneficial uses; guiding principles; provisions to regulate, require, restrict or prohibit the retention, tendering, transportation, dispatch, possession, sale, release, or purchase of fish; methods of release; registration, licensing, reporting, and other requirements for sport fishing guides and operators, guided anglers, catchers, processors, buyers, and transporters; onboard observer requirements; fish storage and inspection requirements.
 - B. In the **subsistence fisheries:** identification or modification of customary and traditional subsistence uses and amounts reasonably necessary for subsistence; fishing seasons, periods, and opening and closing times; bag, possession, size, sex, age, annual or other harvest limits; definitions; districts, subdistricts, sections, subsections, areas, and other

management boundaries; locations open and closed to fishing; methods and means; gear and vessel restrictions, including marking and operational requirements; registration and permit requirements; recordkeeping and marking requirements; management plans for conservation and development, including escapement, inriver, and other management goals; regulations for the subsistence priority; landing requirements; provisions for development and allocation among beneficial uses and users, including creating and regulating tier II fisheries; guiding principles; otherwise establish, regulate, change, or adjust subsistence fisheries.

2. OTHER CHANGES TO TITLE 5 AS NECESSARY TO ACCOMMODATE ANY CHANGES TO TITLE 5 AS DESCRIBED ABOVE SUCH AS CROSS REFERENCES OR OTHER AFFECTED FISHERIES.

The proposed regulations changes are available on the Board of Fisheries meeting information website at www.boardoffisheries.adfg.alaska.gov or from the ADF&G Boards Support Section office at (907) 465-4110.

Anyone interested in, or affected by, the subject matter contained in this legal notice should make written or oral comments to have their views considered by the board. You may comment on the proposed regulation changes, including the potential costs to the private persons of complying with the proposed changes, by submitting written comments by the announced deadlines listed below, limited to no more than 100 single-sided or 50 double-sided pages.

New this cycle, Boards Support will utilize an online form at www.boardoffisheries.adfg.alaska.gov, that will allow comments to be uploaded as a file or entered manually. With the new online form in place, Boards Support will no longer accept comments via email. Written comments are strongly encouraged to be submitted online. Additionally, comments will be accepted if sent by mail to ADF&G, Boards Support Section, at P.O. Box 115526, Juneau, AK 99811-5526 or by facsimile to (907) 465-6094.

Comments are generally due no later than two weeks prior to the meeting during which the topics are considered. The specific comment deadline for each meeting is listed below. Individuals and advisory committees directing public comment at an ADF&G office or personnel other than as prescribed above are advised that such comments will not be received and entered as public comment.

ADDITIONAL PUBLIC COMMENT STANDARD:

Once the meetings begin, comments will again be accepted online at www.boardoffisheries.adfg.alaska.gov, by hand delivery at the meeting, or via fax to 907-465-6094. Comments submitted during the meetings are limited to ten single-sided pages until proposal deliberations begin. At that time, the board will **ONLY** accept written comments that are not more than five single-sided pages unless specific information is requested by the board that requires more pages than allowed under this standard.

As a practical matter, comments submitted after the board begins deliberations on relevant proposals are likely to receive less consideration than comments submitted earlier. Additionally, groups of people submitting numerous, form-like comments containing similar language during the meeting is not advisable, and Boards staff will be unable to process and distribute the comments to the board during the meeting. These types of comments will be grouped together or summarized for the board in a single submission.

Each meeting will generally start at 8:30 a.m. on the first day of the meeting dates below unless the board directs a different start time. The public oral testimony period of each regulatory meeting begins after staff reports and continues until everyone who has signed up on a timely basis and is present at the meeting has an opportunity to be heard. The board will take oral testimony only from those who register before the cut-off time announced by the board chair at each meeting. The length of oral statements may be limited to three minutes or less for the public and 10 minutes or less for fish and game advisory committee and regional advisory council representatives. Updates related to public testimony and submitting public comments will be provided via advisory announcement closer to the start of each meeting. Please watch the board's website for any updates or sign up to receive announcements via email at www.boardoffisheries.adfg.alaska.gov.

TENTATIVE MEETING SCHEDULE

Work Session

October 25–26, 2022

Egan Civic and Convention Center, Anchorage

Comment deadline: October 11, 2022

Alaska Peninsula, Aleutian Islands, Bering Sea, and Chignik Pacific Cod Meeting

October 27–28, 2022

Egan Civic and Convention Center, Anchorage

Comment deadline: October 11, 2022

Bristol Bay Finfish

November 29–December 3, 2022

Dena'ina Center, Anchorage

Comment deadline: November 14, 2022

Arctic / Yukon / Kuskokwim Finfish

January 14–18, 2023

Egan Civic and Convention Center, Anchorage

Comment deadline: December 30, 2022

Alaska Peninsula / Aleutian Island / Chignik Finfish

February 20–25, 2023

Dena'ina Center, Anchorage

Comment deadline: February 6, 2023

Statewide Finfish and Supplemental Issues

March 10–13, 2023

Egan Civic and Convention Center, Anchorage

Comment deadline: February 23, 2023

Any changes to meeting locations, dates or times, or rescheduling of topics or subject matter will be announced by advisory announcement. Please watch for these announcements on the board's website or call (907) 465-4110. Please carefully review the **PROPOSAL INDEX** available for the meeting for specific proposals to be addressed by the board. Copies of the proposal indices are in the proposal book, available online at www.boardoffisheries.adfg.alaska.gov, and at the relevant meeting. Any additional proposals will be noticed and made available online and upon request.

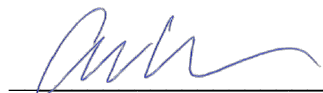
Anyone interested in or affected by subsistence, personal use, commercial fishing, sport, guided sport, aquatic plant regulations or hatchery operations are hereby informed that the Board of Fisheries may consider any or all of the subject areas covered by this notice. Under AS 44.62.200(b), the board may review the full range of activities appropriate to any of the subjects listed in this notice. The board may make changes to the subsistence, personal use, sport, guided sport or commercial fishing regulations as may be required to ensure the subsistence priority in AS 16.05.258. On its own motion, after the public hearing, the board may adopt, amend, reject, supplement, or take no action on these subjects without further notice. In addition, the board may adopt other regulations necessary to implement, administer, or enforce the regulations adopted. **THE BOARD IS NOT LIMITED BY THE SPECIFIC LANGUAGE OR CONFINES OF THE ACTUAL PROPOSALS THAT HAVE BEEN SUBMITTED BY THE PUBLIC OR ADF&G.** The language of the final regulations may be different from that of the proposed regulations. **YOU SHOULD COMMENT DURING THE TIME ALLOWED IF YOUR INTERESTS COULD BE AFFECTED.**

If you are a person with a disability who needs special accommodation in order to participate in the proposed regulation process, please contact Art Nelson at (907) 267-2292 no later than two weeks prior to the beginning of each meeting to ensure necessary accommodations can be provided.

Statutory Authority: AS 16.05 - AS 16.20, AS 16.40

Statutes Being Implemented, Interpreted, or Made Specific: AS 16.05 - AS 16.20, AS 16.40

Fiscal Information: The proposed regulatory actions are not expected to require an increased appropriation.



Art Nelson, Executive Director
Alaska Board of Fisheries

9/12/2022

Date

ADDITIONAL REGULATIONS NOTICE INFORMATION

(AS 44.62.190(g))

1. Adopting Agency: Alaska Board of Fisheries.
2. General subject of regulations: IN THE BRISTOL BAY AREA, INCLUDING THE BRISTOL BAY COMMERCIAL HERRING AREA; IN THE ARCTIC-KOTZEBUE, NORTON SOUND-PORT CLARENCE, YUKON, AND KUSKOKWIM AREAS (collectively referred to as Arctic-Yukon-Kuskokwim or A-Y-K Areas), INCLUDING THE KUSKOKWIM COMMERCIAL HERRING AREA, AND IN THE YUKON RIVER, TANANA RIVER, AND KUSKOKWIM-GOODNEWS SPORT FISH AREAS; IN THE ALASKA PENINSULA, ALEUTIAN ISLANDS, CHIGNIK, AND ATKA-AMLIA AREAS, INCLUDING THE ALASKA PENINSULA-ALEUTIAN ISLANDS COMMERCIAL HERRING AREA AND THE ALASKA PENINSULA-ALEUTIAN ISLANDS SPORT FISH AREA; IN THE EASTERN GULF OF ALASKA, PRINCE WILLIAM SOUND, COOK INLET, KODIAK, SOUTH ALASKA PENINSULA, CHIGNIK, BERING SEA-ALEUTIAN ISLANDS, AND CHUKCHI-BEAUFORT COMMERCIAL GROUND FISH AREAS; AND STATEWIDE (GENERAL PROVISIONS) FINFISH REGULATIONS OR OTHER POSSIBLE SUPPLEMENTAL ISSUES, INCLUDING ISSUANCE OF BOARD FINDINGS, DELEGATIONS OF AUTHORITY FROM THE BOARD OF FISHERIES, OR HATCHERY OPERATIONS.
3. Citation of regulations: 5 AAC 01 - 5 AAC 99.
4. Department of Law file numbers:
 - 2022200302 - AK Peninsula/Aleutians/Bering Sea/Chignik Pacific Cod Board Meeting October 2022
 - 2022200303 - Bristol Bay Finfish Board Meeting November 2022
 - 2022200304 - Arctic/Yukon/Kuskokwim Finfish Board Meeting January 2023
 - 2022200305 - AK Peninsula/Aleutians/Chignik Finfish Board Meeting February 2023
 - 2022200306 - Statewide Finfish & Supplemental Issues Board Meeting March 2023
5. Reason for proposed actions: Implement, interpret, or make specific the provisions of AS 16.05 - AS 16.20, AS 16.40.
6. Appropriation/Allocation: Natural Resources and all RDUs
7. Cost of implementation to the state agency and available funding: It is not possible to estimate the costs. However, these actions are not expected to require any additional costs.

8. The name of the contact person for the regulations:

Art Nelson, Executive Director
Alaska Board of Fisheries
PO Box 115526
Juneau, AK 99811-5526
(907) 267-2292
Email: art.nelson@alaska.gov

9. The origin of the proposed action:

☒ staff or state agency
☒ general public

10. Date: Prepared by:

Art Nelson, Executive Director
Alaska Board of Fisheries
(907) 267-2292

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Aleutians Islands Subdistrict Pacific Cod Management Plan (4 proposals)

PROPOSAL 1

5 AAC 28.647. Aleutian Islands Subdistrict Pacific Cod Management Plan.

Coordinate season opening dates, clarify reporting and landing requirements, and require pot vessels to deliver their catch prior to hauling stored gear after the fishery closure, as follows:

AAC 28.647(c)(2)(A) is amended to read:

(c) The commissioner shall open and close, by emergency order, a state-waters season in the Aleutian Islands Subdistrict as follows:

...

(2) all waters of the Aleutian Islands Subdistrict shall open as follows:

(A) for nonpelagic trawl gear, pot gear, longline gear, hand troll gear, and mechanical jigging machines four days after the Bering Sea and Aleutian Islands parallel "A" season for the catcher-vessel greater than or equal to 60 feet in overall length pot gear fishery is closed **or at 12:00 noon Alaska standard time on March 15, whichever is earlier;**

(B) for vessels over 60 feet in overall length using nonpelagic trawl gear and vessels over 100 feet in overall length using pot gear, at 12:00 noon **Alaska standard time** on March 15;

5 AAC 28.647 is amended to read:

(d) During a state-waters season,

...

(3) a vessel used to harvest Pacific cod when

...

(B) all waters all waters of the Aleutian Islands Subdistrict are open under (c)(2) of this section, with

(iii) nonpelagic trawl gear, may not be more than 60 feet in overall length prior to 12:00 noon **Alaska standard time** on March 15, and may not be more than 100 feet in overall length after 12:00 noon **Alaska standard time** on March 15;

(iv) pot gear, may not be more than 100 feet in overall length prior to 12:00 noon **Alaska standard time** on March 15 and may not be more than 125 feet in overall length prior to 12:00 noon **Alaska standard time** on March 15;

...

(6) a vessel may harvest up to 150,000 **round** pounds of Pacific cod per day and may not have more than 150,000 **round** pounds of unprocessed Pacific cod on board the vessel at any time; a vessel may not have on board the vessel more processed fish than the round weight equivalent of the fish reported on ADF&G fish tickets; [A VALIDLY REGISTERED VESSEL MUST REPORT DAILY TO THE DEPARTMENT THE POUNDS OF PACIFIC COD TAKEN AND ON BOARD THE VESSEL;]

...

(8) once an offload begins, a vessel may not operate groundfish gear until all Pacific cod onboard the vessel has been delivered. Partial deliveries may occur as described in 5 AAC 28.070; however, vessels may not operate groundfish gear in between partial deliveries including partial deliveries to shorebased processors, floating processors, tenders, transporters, or motherships;

(9) in the state-waters season, a participating vessel owner or operator must report, as specified on the registration form, to the local representative of the department

(A) the amount of gear operated by the vessel during the designated period;

(B) the number of pounds of Pacific cod retained during the designated period; and

(C) any other information that the commissioner determines is necessary for the management and conservation of the fishery.

(k) At the time of the closure for the Aleutian Islands Subdistrict Pacific cod state-waters season, all fishing gear must be completely removed from the water, except that pot gear may be stored in the water with all bait and bait containers removed and doors secured fully open. Pot gear stored in the water after closure of the state-waters season may not be retrieved until all Pacific cod onboard the vessel has been delivered.

(l) For the purposes of this section,

(1) “day” means the 24-hour period of time between 12:00 midnight and 11:59 p.m. of the same calendar day;

(2) “harvest” or “catch” means the total weight (or total number) of fish or shellfish removed from the water by commercial fishing operations.

What is the issue you would like the board to address and why? Currently, the Aleutian Islands Subdistrict (AIS) state-waters Pacific cod management plan provides for three triggered season opening dates based on geographic location, vessel size, and gear type. The second triggered season opening date was established in 2020 and opens the AIS to pot gear vessels between 61 and 100 feet overall length (OAL) four days after the federal/parallel Bering Sea and Aleutian Islands “A” season for catcher-vessels greater than or equal to 60 feet OAL pot gear fishery closes. This opening also expands the fishery from waters of the Adak Section (state waters between 175° and 178° W longitude) to all waters of the AIS to all other vessels eligible to fish at that time (pot, nonpelagic trawl, and jig gear vessels less than or equal to 60 feet OAL and longline vessels 58 feet OAL or less). The third triggered opening occurs on March 15 and allows trawl gear vessels up to 100 feet OAL and pot gear vessels up to 120 feet OAL to enter the fishery.

Since 2010, the federal over 60 pot gear closure needed to trigger the second AIS season opening predominantly occurred before March 15, except in 2015 and 2016 when the fishery closed on June 10. As written, if the federal over 60 pot fishery does not close at the time of the third regulatory AIS season opening date on March 15, only pot vessels over 100 feet OAL and nonpelagic trawl gear vessels over 60 feet OAL are permitted to fish outside the Adak Section which is inconsistent with historical practice and intent of this management plan. Therefore, the department seeks to clarify that if the second AIS triggered season opening date has not occurred at the time of the third triggered opening on March 15, the second opening date becomes null and all waters of the AIS shall open at 12:00 noon on March 15 to all vessels eligible to participate in the AIS. Additionally, since the subdistrict covers two time zones, the department seeks to clarify that all closure and opening times are in Alaska time, not Hawaii-Aleutian time.

Regulations governing partial offloads that occur during the season are poorly specified in the AIS state-waters Pacific cod management plan. Vessels are required to retain all Pacific cod brought onboard during a directed Pacific cod fishery and are limited to harvesting or delivering no more than 150,000 round pounds per day. Occasionally, vessels are unable to deliver their full 150,000 harvest limit due to processor or tender capacity limits and an unreported amount of Pacific cod remains onboard the vessel after a partial landing. Existing regulation is unclear on whether a vessel can resume fishing after a partial offload occurs. Inseason management and harvest limit compliance depend on accurate catch accounting. Therefore, the department seeks to clarify that all Pacific cod onboard must be delivered before a vessel can start fishing again and that a vessel may not operate groundfish gear in between partial deliveries.

Harvest reporting requirements are poorly defined in current regulation. Clarifying reporting times, what information the department requires, and how vessels provide fishery reports will assist the department in managing this fishery. Landing requirements at the time of season closure are additionally undefined in regulation. Adding provisions that requires all trawl, longline, and jig gear be removed from the water and pot gear be either removed from the water or open and unbaited at the time of the closure will aid enforcement and catch accounting for this fishery. Also amending regulation to specify that pot vessels must deliver all fish onboard before retrieving stored gear after the fishery closure is consistent with other regional state-waters fishery regulations.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F22-043)

PROPOSAL 2

5 AAC 28.647. Aleutian Islands Subdistrict Pacific Cod Management Plan.

Restrict legal gear to pot and mechanical jigging machines, increase pot limit, and limit total harvest by vessels greater than 58 feet in length, as follows:

Open the entire AI P cod Management area on Jan 1st to pot vessels (100' and less) and jig vessels (58' and less) as the only legal gear type in the AI P cod fishery. Removing all other triggers for opening dates. Limit pots to single line gear with a total number of 120 pots. And last item, limit 59' to 100' pot vessels to a maximum 25 % of the GHL

What is the issue you would like the board to address and why? I wish to align the AI management plan with other State Water P cod management plans.

PROPOSED BY: Ronald J. Kavanaugh

(EF-F22-075)

PROPOSAL 3

5 AAC 28.647. Aleutian Islands Subdistrict Pacific Cod Management Plan.

Change season start date from March 15 to March 1 for trawl gear vessels over 60 feet in length, as follows:

Amend as follows:

(c) The commissioner shall open and close, by emergency order, a state-waters season in the Aleutian Islands Subdistrict as follows:

(1) the Adak Section shall open January 1;

(2) all waters of the Aleutian Islands Subdistrict shall open as follows:

(A) for nonpelagic trawl gear, pot gear, longline gear, hand troll gear, and mechanical jigging machines four days after the Bering Sea and Aleutian Islands parallel "A" season for the catcher-vessel greater than or equal to 60 feet in overall length pot gear fishery is closed;

(B) for vessels over 100 feet in overall length using potgear, at 12:00 noon on March 15,

(C) for vessels over 60 feet in overall length using trawl gear, at 12:00 noon on March 1

...

What is the issue you would like the board to address and why? The AI subdistrict Pacific Cod Fishery has historically included trawl vessels. The trawl vessels that have participated in the AI P Cod fishery have both developed and relied upon the fishery. The March 15th opening of the fishery to trawl boats 60' OAL and greater has negatively impacted vessels that have previously been important participants and have relied on this fishery.

Trawl vessels are only successful at P Cod fishing in the AI when the fish are aggregated. This happens very quickly and in late winter. Limiting entrance of historic trawl participants to a start date of March 15th has resulted in the vessels missing the cod aggregations and therefore missing fishing opportunities; in years where other gear types are less successful, this could result in a poorly executed fishery. Allowing a start date of March 1 for trawl vessels 60' OAL and greater would both allow a reasonable amount of time for vessels under 60' OAL (and pot vessels under 100' OAL) to fish alone and allow a little extra time for trawlers to be able to fish while the important cod aggregations are occurring. (Trawl vessels over 100' OAL are never allowed in the AI P Cod fishery)

All recent scientific evidence indicates changing ocean conditions and changing P Cod migration patterns. During times of such flux, limiting the fisheries by gear type has the potential to impact the execution of the fishery. Allowing trawl vessels that are historical participants to fish beginning March 1 will help execute the fishery and avoid leaving potentially stranded fish in the water.

The BOF proposal which led to this regulation states that the intent is to "Give fishermen operating vessels 60 feet or less overall length (OAL) for trawl, jig, and pot gear and 58 feet or less OAL for vessels operating longline gear, more opportunity to harvest Pacific cod in the Adak Section of the AIS prior to larger vessels entering the fishery." However, pot vessels of 100' OAL are now allowed an earlier start date than trawl vessels 60' OAL and, as such, LARGER vessels are in fact starting earlier than many trawl vessels that are SMALLER. Further, regardless of the OAL of a vessel, ALL vessels are limited to the 150,000 lb trip limit. The regulation, as it stands, was adopted by the BOF out of cycle at a meeting that very few cod trawl participants could attend because the meeting occurred right as the federal BSAI cod trawl season was opening; these fishermen had to get prepared to go fishing. This resulted in little to no advocacy for the trawl fleet at the time the proposal was adopted.

The F/V Miss Leona is an example of a cod trawl vessel that has extensive fishing history in Adak and has been fishing the state AI fishery since its inception. We are a family owned and operated 87' vessel that has fished in Alaska since the 1970's. The owner began working on the vessel as a deckhand and eventually purchased the vessel; he spent 40 years on this vessel. The vessel is now run by the owner's son, who lives in Alaska, and has Alaskan residents as crew, all of whom have been hurt by this regulation. The vessel has slips in Dutch Harbor and Kodiak where it stays year round, purchases all food and supplies in these two ports and has repair and maintenance done in Alaska. In the last few years alone, the vessel has done a several month long shipyard project in Dutch Harbor and has been hauled out in Kodiak. We support Alaskan fishing communities and have always delivered shoreside in Adak when a plant was available. We embody the ideals that the BOF and ADF&G attempt to support when supporting "small" fishing vessels..

PROPOSED BY: Chris Allinson (EF-F22-062)

PROPOSAL 4

5 AAC 28.647. Aleutian Islands Subdistrict Pacific Cod Management Plan.

Change season start date from March 15 to March 1 for trawl gear vessels over 60 feet in length, as follows:

Allow trawl vessels to begin fishing the AI subdistrict P Cod fishery on March 1

Amend as follows:

c. The commissioner shall open and close, by emergency order, a state-waters season in the Aleutian Islands Subdistrict as follows:

1. the Adak Section shall open January 1.

2. all waters of the Aleutian Islands Subdistrict shall open as follows:

A. for nonpelagic trawl gear, pot gear, longline gear, hand troll gear, and mechanical jigging machines four days after the Bering Sea and Aleutian Islands parallel "A" season for the catcher-vessel greater than or equal to 60 feet in overall length pot gear fishery is closed.

B. for vessels over 100 feet in overall length using pot gear, at 12:00 noon on March 15,

C. For vessels over 60 feet in overall length using trawl gear, at 12:00 noon on March 1

...

What is the issue you would like the board to address and why? The AI subdistrict Pacific Cod Fishery has historically included trawl vessels. The trawl vessels that have participated in the AI P Cod fishery have both developed and relied upon the fishery. The March 15th opening of the fishery to trawl boats 60' OAL and greater has negatively impacted vessels that have previously been important participants and have relied on this fishery.

Trawl vessels are only successful at P Cod fishing in the AI when the fish are aggregated. These aggregations happen very quickly and in late winter. Limiting entrance of historic trawl participants to a start date of March 15th has resulted in the vessels missing the spawn aggregations and therefore missing fishing opportunities; in years where other gear types are less successful, this could result in a poorly executed fishery. Allowing a start date of March 1 for trawl vessels 60' OAL and greater would both allow a reasonable amount of time for vessels under 60' OAL (and pot vessels under 100' OAL) to fish alone and allow a little extra time for trawlers to be able to fish while the important spawn aggregations are occurring. (Trawl vessels over 100' OAL are never allowed in the AI P Cod fishery)

All recent scientific evidence indicates changing ocean conditions and changing P Cod migration patterns. During times of such flux, limiting the fisheries by gear type has the potential to impact the execution of the fishery. Allowing trawl vessels that are historical participants to fish beginning March 1 will help execute the fishery and avoid leaving potentially stranded fish in the water.

The BOF proposal which led to this regulation states that the intent is to "Give fishermen operating vessels 60 feet or less overall length (OAL) for trawl, jig, and pot gear and 58 feet or less OAL for vessels operating longline gear, more opportunity to harvest Pacific cod in the Adak Section of the AIS prior to larger vessels entering the fishery." However, pot vessels of 100' OAL are allowed an earlier start date than trawl vessels 60' OAL and, as such, LARGER vessels are in fact starting earlier than many trawl vessels that are SMALLER. Further, regardless of the OAL of a vessel, ALL vessels are limited to the 150,000 lb trip limit. The regulation, as it stands, was adopted by

the BOF out of cycle at a meeting that very few cod trawl participants could attend because the meeting occurred right as the federal BSAI cod trawl season was opening; these fishermen had to get prepared to go fishing. This resulted in little to no advocacy for the trawl fleet at the time the proposal was adopted.

The F/V Golden Pisces is an example of a cod trawl vessel that has extensive fishing history in Adak and has been fishing the state AI fishery since its inception. The F/V Golden Pisces is a 98 ft trawler, homeported in Dutch harbor, using local vendors for support, repairs, etc. with a fishing history in the Aleutians that dates to 1983, years before the start of the state cod fishery in 06. We have participated in the state fishery since inception excluding a few years when a market was unavailable and will continue to participate as the state cod fishery has been a large part of our fishing plan since 2006.

PROPOSED BY: Steve Beard

(HQ-F22-033)

Dutch Harbor Subdistrict Pacific Cod Management Plan (2 Proposals)

PROPOSAL 5

5 AAC 28.648. Dutch Harbor Subdistrict Pacific Cod Management Plan.

Reduce maximum allowable vessel size to 55 feet in length inside state waters near Unalaska Bay, as follows:

(e) During a state-waters season,

(2) Pacific cod may be taken only with ground fish pots and mechanical jigging machines as follows:

(C) a vessel registered to take Pacific cod may not be longer than 58' in overall length

except in the area around Unalaska Bay where a vessel registered to take Pacific cod may not be longer than 55' between Priest rock 166.22 and Bishop pt. 166.57

What is the issue you would like the board to address and why? Small boats using longline gear to fish for cod in and around Unalaska Bay are being displaced by larger boats (58') using pots.

All small boats (less than 55'), whether local or from other communities in our State, who deliver into Unalaska, fish within 15 miles from town. They have no where else to go. When the larger 58' boats using pots move in, the smaller vessels using longline gear are displaced and have no option but to quit fishing. We feel that the larger 58' boats do have other options. Preservation of the small fishing vessel culture is one of the cornerstones of the Unalaska Native Fishermen's Association's mission statement which is, "To create and preserve opportunities for the subsistence and small boat commercial fishermen of Unalaska Bay, recognizing the natural environment as the essential component to both".

We believe that in order for our small boat heritage and culture to survive, certain protections must be put in place. In order to nurture and encourage entry level participation into the cod fishery, we must provide access to the resource.

A look at Unalaska's history going back many, many years shows that all local boat owners got started with a boat 50' or less..

PROPOSED BY: Unalaska Native Fishermen's Association (EF-F22-089)

PROPOSAL 6

5 AAC 28.648 Dutch Harbor Subdistrict Pacific Cod Management Plan.

Establish new framework for setting annual state-waters Pacific cod GHLS, as follows:

We propose to create a GHL fishery that addresses the conservation needs of the Pacific Cod Stock, particularly in periods of low abundance while balancing Alaska's economic interests in all sectors of the fishery, knowing that both federal and state fishery participants benefit along with Alaskan communities, harvesters, the CDQ program and processors. We recognize the importance of the state water opportunities for Alaskans and seek a framework that balances these opportunities with the historical dependency on the federal fishery for the 65 coastal Alaska communities in the CDQ program and other Alaskan participants in the federal sectors.

In 2015, a key point in the Board of Fisheries deliberations to increase the DHS GHL to 6.4% was the limited impact to Federal participants, due to the buffer between the ABC and TAC. However, this buffer no longer exists under the current low Pacific Cod biomass levels. A framework providing for the GHL to fluctuate relative to ABC is consistent with the BOF's original intent:

- In years of high abundance, cod is less constraining and the GHL is increased
- In years of low abundance, the GHL decreases to minimize the economic impact to Alaskan communities, fisherman and CDQ groups participating in Federal fisheries.

We propose a 4-tier approach for setting the DHS GHL. Under this approach, the GHL would continue to be set as a percentage of the federal Bering Sea ABC each year. The %ABC in a given year, however, would be determined by a combination of the latest estimate of Pcod biomass and recent fishery performance. If, for example, the fishery is expected to fully harvest the GHL, then the %ABC used for the subsequent year GHL would be based on *biomass tier* (see below). If, on the other hand, the GHL will not be fully harvested, then the subsequent year's GHL would be reduced by one percentage point relative to ABC. Such a performance-based GHL reduction would not be applied, however, if a tier-based reduction in GHL is going to be necessary due to a decline in biomass. In addition, if the ABC goes up a biomass tier and the GHL was not harvested in the current year the corresponding percentage increase in the subsequent year would not apply. The GHL as a percentage of ABC would be a minimum of 10%, and the maximum would be 13%.

Biomass tiers:

- | | |
|----------------------------|--|
| - ABC < 100,000 mt | GHL = 10% ABC |
| - ABC 100,000 – 125,000 mt | GHL = 11% ABC (GHL 2022 level is 11% = 37.2 mill lbs.) |
| - ABC 125,000 – 150,000 mt | GHL = 12% ABC |

- ABC > 150,000 mt

GHL = 13% ABC (maximum GHL= 44,092,400 lbs)

Consistent with the original intent of the BOF, we believe this approach strikes a balance between the harvest capacity of both DHS and offshore fisheries and the conservation needs of the Pacific cod stock.

Draft Language

5AAC 28.648. Dutch Harbor Subdistrict Pacific Cod Management Plan

e. During a state-water season,

(1). the guideline harvest level for Pacific cod in the Dutch Harbor subdistrict is set annually based on the Pacific cod acceptable biological catch for the federal Bering Sea Subarea as follows:

(A) when the annual Bering Sea Subarea Pacific cod acceptable biological catch is less than 100,000 metric tons the guideline harvest level is set at 10 percent of the Bering Sea Subarea Pacific cod acceptable biological catch;

(B) when the annual Bering Sea Subarea Pacific cod acceptable biological catch is equal to or greater than 100,000 metric tons but less than 125,000 metric tons the guideline harvest level is set at 11 percent of the Bering Sea Subarea Pacific cod acceptable biological catch;

(C) when the annual Bering Sea Subarea Pacific cod acceptable biological catch is equal to or greater than 125,000 metric tons but less than 150,000 metric tons the guideline harvest level is set at 12 percent of the Bering Sea Subarea Pacific cod acceptable biological catch;

(D) when the annual Bering Sea Subarea Pacific cod acceptable biological catch is equal to or greater than 150,000 metric tons the guideline harvest level is set at 13 percent of the Bering Sea Subarea Pacific cod acceptable biological catch, not to exceed 44,092,400 pounds (20,000 metric tons);

(2). If the guideline harvest level established under this section is not projected to be harvested by the end of the calendar year the subsequent year 's guideline harvest level will be reduced by 1 percent, however, the annual guideline harvest level may not be reduced below 10 percent. The reduction of 1 percent would not take effect if the subsequent years guideline harvest level was reduced due to the Bering Sea Subarea Pacific cod acceptable biological catch dropping in biomass so that the fisheries guideline biological harvest was less than the current years. In addition, if the ABC goes up a biomass tier and the GHL was not harvested in the current year, the corresponding percentage increase in the subsequent year would not apply. The GHL as a percentage of ABC would be a minimum of 10%, and the maximum would be 13%.

...

What is the issue you would like the board to address and why? In 2015, the BOF increased the 2016 GHL for Pacific Cod in the Dutch Harbor Subdistrict (DHS) from 3.2 % to 6.4 % of the federal allowable biological catch (ABC) for Pacific Cod in the Bering Sea. The GHL remained at 6.4% of ABC until 2019 when it the BOF increased it to 8% of ABC. In 2018 the BOF also created a step-up provision so that if the DHS GHL is fully harvested, the subsequent year's GHL would increase by 1% of the federal ABC. The DHS GHL is considered to have been achieved if, by November 15, 90% of the GHL is projected to be harvested by the end of that calendar year. Currently, in 2022, the DHS GHL is 11% of ABC (37.2 million lbs.). Although ABC is designated by federal managers and is the basis for the DHS GHL, TAC (total allowable catch) is the term for the harvest available to fishermen that fish in federal waters, and therefore, TAC = ABC – GHL. In its 2018 action, the BOF established an upper limit on the increases in the DHS GHL, which is 15% of the federal ABC.

The BS Pacific Cod stock is experiencing unprecedented shifts in distribution, biomass and recruitment due to warming ocean temperatures. Case in point is the BS Pacific Cod ABC which has decreased more than 58% in the last 5 years. During the past nine years (2014-2022), the Bering Sea Pacific Cod ABC has been set at a maximum of 255,000 metric tons to a minimum of 106,000 metric tons.

All the available information shows that there is considerable uncertainty regarding the long-term health of the Pacific Cod stock. Taking the conservation of the Pacific Cod stock into consideration it's reasonable to implement a management plan that links access to the resource to the health of the resource. In other words, link the state water GHL to the federal ABC as determined in the Federal BSAI harvest specifications process. .

PROPOSED BY: Aleutian Pribilof Island Community Development Association, Bristol Bay Economic Development Corporation, Coastal Villages Region Fund and Yukon Delta Fisheries Development Association (HQ-F22-041)

Bering Sea-Aleutian Islands and South Alaska Peninsula Area Legal Gear, Landing Requirements, and Season Dates (2 proposals)

PROPOSAL 7

5 AAC 28.629. Lawful gear for the Bering Sea–Aleutian Islands Area and 5 AAC 28.681. Landing Requirements for the Bering Sea–Aleutian Islands Area.

Clarify gear marking and landing requirements for groundfish fisheries in the Bering Sea-Aleutian Islands area, as follows:

5 AAC 28.629 is amended by adding new subsections to read:

(h) At least one buoy on each groundfish pot must be legibly marked with the permanent ADF&G vessel license plate number of the vessel operating the gear. The buoy may bear only the number of the vessel operating the gear. The number must be placed on the top one-third of the buoy in numerals at least four inches high, one-half inch wide, and in a color that contrasts with the color of the buoy. The buoy markings must be visible on the buoy above the water's surface when the buoy is attached to the groundfish pot.

(i) A groundfish pot may not be attached to a line connected to another groundfish pot, except that, in the Aleutian Islands Subdistrict Pacific cod and Aleutian Islands-Western District sablefish fisheries, groundfish pots may be connected if each end of the buoy line is marked as specified in (j) of this section.

(j) Each end of a groundfish pot longline must have a buoy attached and each buoy must be marked with the permanent ADF&G vessel plate number of the vessel operating the groundfish longlined pot gear and the letters GFL to designate the gear as longlined groundfish pot gear; the numbers and letters must be marked on the top one-half of the buoy in numbers and letters that are at least four inches high, one-half inch wide, and in a color that contrasts with the color of the buoy; the buoy markings must be visible on the buoy above the water's surface when the buoy is attached to the longlined pot gear; for the purposes of this paragraph, "longlined" means more than one groundfish pot is attached to a stationary, buoyed, and anchored line;

5 AAC 26.681 is amended to read:

(a) The landing requirements for sablefish in the Aleutian Islands District are specified in 5 AAC 28.640.

(b) After 72 hours following the closure of any directed groundfish season within the Bering Sea-Aleutian Islands Area, a vessel that participated in that fishery may not have that species of groundfish on board unless,

(1) that species has been designated as bycatch for another directed fishery and the amount on board is permissible under retained bycatch restrictions specified in regulation; or

(2) the vessel has been delayed due to extraordinary circumstances beyond the control of the vessel operator, and the vessel operator has contacted a local representative of the department within 72 hours following the closure of the season and the representative has granted a reasonable amount of time for the vessel to reach the port of delivery or processing location; any amount of additional time shall be determined under the assumption that the vessel departed the fishing grounds immediately after the closure and proceeded directly to the port of delivery or processing location.

What is the issue you would like the board to address and why? State-waters Pacific cod fisheries in the Bering Sea and Aleutian Islands have recently developed into the largest Pacific cod fisheries managed by the department. While fishery management plans have advanced with development of these fisheries, other areawide regulations, such as gear marking and landing requirements, have yet to be updated. The proposed changes would align the Bering Sea–Aleutians Area regulations with most other groundfish fisheries around the state and reflect current management practices.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F22-045)

PROPOSAL 8

5 AAC 28.577. South Alaska Peninsula Area Pacific Cod Management Plan.

Amend South Alaska Peninsula season opening weather delay criteria, as follows:

5 AAC 28.577(l) is amended to read:

(l) The opening of the state-waters season for vessels using pot gear will be delayed for 24 hours if the National Weather Service marine forecast issued at 4:00 a.m. on the scheduled opening date specified in (e)(1) of this section [FOR THE CURRENT DAY AND NIGHT OR THE FOLLOWING DAY AND NIGHT FOR THE STATE WATERS BETWEEN CASTLE CAPE AND CAPE SARICHEF] contains a gale warning. If, after the initial weather delay, the following day's 4:00 a.m. National Weather Service marine forecast [FOR THE CURRENT DAY AND NIGHT OR THE FOLLOWING DAY AND NIGHT] contains a gale warning, the opening of the state-waters season will be delayed an additional 24 hours. The season opening delays may continue on a rolling 24-hour basis for seven days beyond the initial opening date, when the season will open regardless of any gale warning forecast. **For the purposes of this subsection, the corresponding National Weather Service marine forecast area for the South Alaska Peninsula Area is Area PKZ155.**

What is the issue you would like the board to address and why? Regulations established to delay opening of the South Alaska Peninsula Area state-waters commercial Pacific cod season is based on National Weather Service (NWS) marine weather forecasts. However, existing regulations do not reflect current NWS forecasting areas and practices. The state-waters Pacific cod season in the South Alaska Peninsula Area is delayed if a gale warning is forecasted during the 48-hour period beginning the day the fishery is scheduled to start. However, current NWS marine warnings only extend 36 hours beyond the initial forecast. Additionally, forecasting areas have been redefined since these regulations were established. This proposal aligns weather delay regulations with current NWS forecasting areas and practices.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F22-047)

***Chignik, South Alaska Peninsula, Dutch Harbor Subdistrict, Aleutian Islands
Subdistrict Jig Gear Registration and Season Dates (1 proposal)***

PROPOSAL 9

5 AAC 28.506. Chignik Area registration; 5 AAC 28.537. Chignik Area Pacific Cod Management Plan; 5 AAC 28.556. South Alaska Peninsula registration; 5 AAC 28.577 South Alaska Peninsula Pacific Cod Management Plan; 5 AAC 28.647. Aleutian Islands Subdistrict Pacific Cod Management Plan; 28.648. Dutch Harbor Subdistrict Pacific Cod Management Plan.

Remove vessel registration exclusivity for state-waters jig gear fisheries and open state-waters Pacific cod seasons for jig gear on January 1, as follows:

Open all state water jig seasons on January 1st and remove the exclusivity requirements from all cod and rockfish jig fisheries statewide.

What is the issue you would like the board to address and why? Remove all exclusive and super exclusive designations for jig fishing statewide and open state waters cod seasons on January 1 each year. This would eliminate the federal parallel jig fishery in state waters and promote harvest opportunities for the jig fleet. For example, there has been no jig harvest in the super exclusive Chignik management area for pacific cod and the rollover provision to the pot fleet has gone unharvested. This has lead to stranded GHF, failed to optimize opportunities for the jig fleet, has not provided a benefit to the pot fleet, and has not been the best use of the resource in providing a return to the State of Alaska.

PROPOSED BY: Gregory Gabriel

(EF-F21-010)

Aleutian Islands District and Western District of the South Alaska Peninsula Sablefish Management Plan (1 proposal)

PROPOSAL 10

5 AAC 28.640. Aleutian Islands District and Western District of the South Alaska Peninsula Sablefish Management Plan.

Define harvest allocation for the Aleutian Islands and Western District of the South Alaska Peninsula state-waters sablefish fishery, as follows:

5 AAC 28.640 is amended to read:

(b) The commercial fishing season for sablefish in state waters will open and close concurrently with the federal IFQ season for directed fishing for sablefish in adjacent federal waters, unless closed by emergency order. **During a state-waters season, the combined guideline harvest level for sablefish in the Aleutian Islands District and the Western District of the South Alaska Peninsula is 5 percent of the federal acceptable biological catch for sablefish in the combined federal Bering Sea and Aleutian Islands Subareas.**

...

(i) In this section, “acceptable biological catch” means the annual acceptable biological catch (ABC) established by the North Pacific Fishery Management Council for Bering Sea and Aleutian Islands sablefish, including the harvest of sablefish in a state -waters season defined in this subsection.

What is the issue you would like the board to address and why? The Aleutian Islands and Western District of the South Alaska Peninsula state-waters sablefish fishery was established in 1995. The initial GHF of 400,000 pounds was based on annual average harvest that occurred inside state waters of these districts for the previous four years. This harvest represented approximately 5% of the annual combined federal Bering Sea and Aleutian Islands sablefish ABC. The GHF has been fixed at 5% of the federal ABC since 2006, however, the allocation was never defined in regulation. Formalizing the Aleutian Islands sablefish GHF allocation in regulation will provide stability and transparency for managers and stakeholders participating in this fishery.

What is the issue you would like the board to address and why? The Aleutian Islands and Western District of the South Alaska Peninsula state-waters sablefish fishery was established in 1995. The initial GHL of 400,000 pounds was based on annual average harvest that occurred inside state waters of these districts for the previous four years. This harvest represented approximately 5% of the annual combined federal Bering Sea and Aleutian Islands sablefish ABC. The GHL has been fixed at 5% of the federal ABC since 2006, however, the allocation was never defined in regulation. Formalizing the Aleutian Islands sablefish GHL allocation in regulation will provide stability and transparency for managers and stakeholders participating in this fishery.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F22-050)

Policy (1 proposal)

PROPOSAL 161

5 AAC 28.XXX. New section.

Create and establish Alaska Board of Fisheries policy regarding the management of groundfish fishery resources in waters of Alaska, as follows *(To be heard at the Pacific cod meeting and deliberated during the Statewide Finfish and Supplemental Issues meeting)*:

GOAL AND BENEFITS

It is the goal of the Alaska Board of Fisheries and the Alaska Department of Fish and Game to manage groundfish stocks in a manner that will protect, maintain, improve, and extend these resources for the greatest overall benefit.

Management of these fisheries for the purpose of achieving this goal will result in a variety of benefits which include but are not limited to:

Maintaining healthy stocks of groundfish to ensure their continued reproductive viability and the maintenance of their role in the ecosystem;

Providing a sustained and reliable supply of high-quality product to consumers and substantial and stable employment in all sectors of the economy relating to these fisheries; and

Providing opportunities for sport, subsistence, and personal use fisheries.

The Alaska Board of Fisheries also recognizes the benefits of managing for the highest socio-economic benefit consistent with the below objectives.

OBJECTIVES

To achieve the management goal and provide the benefits available from these resources, it is necessary to set objectives which will protect stocks and provide for optimum utilization of these resources. With regards to the management of groundfish fishery resources in State of Alaska waters, the Alaska Board of Fisheries has the following objectives:

Minimize adverse interactions with other stocks and fisheries.

Protect habitat from unsustainable fishing practices.

Utilize management measures that ensure adherence to annual and seasonal catch limits.

Harvest the resource to optimize quality and value of product.

Harvest the resource with consideration of ecosystem interactions.

Coordinate with federal management agencies responsible for groundfish fishery management.

Manage fisheries based upon the best available information.

Manage fisheries consistent with conservation and sustained yield of healthy groundfish resources.

Avoid sport, subsistence, and personal use conflicts.

What is the issue you would like the board to address and why? At its March 23, 2013 meeting, the board repealed 5 AAC 28.089. GUIDING PRINCIPLES FOR GROUND FISH FISHERY REGULATIONS, citing an interest in removing duplicative and unnecessary regulatory wording pertaining to the State's management of its groundfish fisheries. However, we believe that the board did not fully recognize the value that this regulation had in documenting sound and precautionary conservation management practices for the public's consideration.

The Board has a history of adopting policies in other fisheries which are intended to give guidance to future Boards, department staff, and the public (i.e., policies for the management of sustainable salmon stocks, King and Tanner crab, mixed stock fisheries, and statewide escapement goals). The Board and public will benefit from an overall groundfish policy that provides guidance in decision-making during consideration of future proposals. Formalizing this policy for groundfish is consistent with the State's approach in managing the health and sustainability of other Alaska's fisheries and will help document Alaska's record as a leader of fisheries conservation and responsible management.

PROPOSED BY: Alaska Fisheries Development Foundation (EF-F22-090)

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Nushagak-Mulchatna King Salmon Management Plan (3 proposals)

PROPOSAL 11

5 AAC 06.361. Nushagak-Mulchatna River King Salmon Management Plan and 5 AAC 67.022. Special provisions for season, bag, possession, and size limits, and methods and means in the Bristol Bay Area.

Make numerous amendments to the Nushagak-Mulchatna King Salmon Management Plan, as follows:

As part of a larger comprehensive solution to issues facing management of the king salmon fisheries in the Nushagak drainage, the committee recommends the following regulatory changes. The list below includes eight regulatory action items with consensus among the Nushagak King Salmon Committee, of about 15 considered. Actions listed below, in draft regulatory format, would fall under the Nushagak-Mulchatna River King Salmon Management Plan (5 AAC 06.361), except where noted under #6 which would fall under sport fishing Special Provisions (5 AAC 67.022).

- 1. Define specific management objectives for the Plan by adding the language below to, or following, section (a) of the Plan:**

The department shall manage the Nushagak fisheries for the following management objectives:

- 1) Provide consistent sport fishing opportunity within and among seasons. This includes a level of inriver abundance as a given year's run timing allows, and a predictably open season.**
 - 2) Provide a directed commercial king salmon fishery when surplus is available.**
 - 3) Provide for an uninterrupted commercial sockeye salmon fishery (i.e., minimize disruptions to the sockeye salmon fishery).**
 - 4) Provide for reasonable opportunity for subsistence harvest of king salmon.**
 - 5) The subsistence fishery is the last fishery to be closed.**
 - 6) Achieve escapement goals for all species in the district.**
 - 7) Maintain a representation of age classes in the escapement similar to the run.**
- 2. Manage large sockeye runs so that escapements fall in the upper portion of the escapement goal range, which would reduce incidental catch of king salmon, by adding new provisions to section (b) as follows:**

(X) Consistent with 5 AAC 06.367 Nushagak District Commercial Set and Drift Gillnet Sockeye Salmon Fisheries Management and Allocation Plan, the department in an attempt to conserve king salmon shall manage for sockeye escapements in the Nushagak District to fall within the

(1) lower half of the escapement goal range when the Wood River sockeye salmon run is 8 million or less and/or the Nushagak sockeye salmon run is 4 million or less, or the

(2) upper half of the escapement goal range when the Wood River sockeye salmon run is greater than 8 million and/or the Nushagak sockeye salmon run is greater than 4 million based on the preseason forecast and in-season assessment of run size.

(X) On or after June 25, the department shall consider when evaluating total run of sockeye salmon to the Nushagak District all possible data sources including but not limited to: pre-season forecast, Port Moller test fishery indices and stock and age composition, total C+E to date, age composition of C&E and district test fishing.

3. Use a Nushagak District Test Fishery to assess relative abundance of sockeye and king salmon by adding the following new provision to (b):

(X) From June 1 through June 30 the department in an attempt to conserve king salmon shall conduct a drift gillnet test fishery to assess the abundance of sockeye and king salmon prior to opening by emergency order a fishing period directed at sockeye salmon.

4. Modify the Wood River trigger and establish a Nushagak River trigger by adding the following new provisions to (b) and repealing (e)(1):

(X) close, by emergency order, the sockeye salmon commercial fishery in the Nushagak District until the projected sockeye salmon escapement past the Wood River tower exceeds 100,000 within the next 12 hours if the forecasted Wood River sockeye run is 8 million or less. If the Wood River sockeye run is forecasted to be more than 8 million the fishery shall close by emergency order until the projected sockeye salmon escapement past the Wood River tower exceeds 300,000 within the next 12 hours.

(X) (1) independent of whether the Wood River tower count exceeds 100,000 or 300,000, open, by emergency order, the sockeye salmon commercial fishery in the Nushagak District when the sockeye salmon escapement past the Nushagak River sonar counter exceeds XXXXXX when the forecasted Nushagak River sockeye run is XXXXXXXX. If the Nushagak River sockeye run is forecasted to be more than XXXXXXXX, the fishery shall open by emergency order when the projected sockeye salmon escapement past the Nushagak River sonar exceeds XXXXXXXX.

e) If the spawning escapement of king salmon in the Nushagak River is projected to be less than 55,000 fish, the commissioner

[(1) shall close, by emergency order, the sockeye salmon commercial fishery in the Nushagak District until the projected sockeye salmon escapement into the Wood River exceeds 100,000 fish;]

5. Provide a directed commercial fishery for king salmon when surplus clearly exists by modifying section (c) as follows:

(c) If the total inriver king salmon return in the Nushagak River is projected to exceed 95,000 fish,

(1) the guideline harvest level described in (b)(1)(C) of this section does not apply[.], and
(X) the department will consider a directed commercial king salmon fishery.

6. Modify the annual limit for king salmon by modifying 5 AAC 67.022 and section (c) of the Plan as follows:

5 AAC 67.022. Special provisions for season, bag, possession, and size limits, and methods and means in the Bristol Bay Area.

(g) In the Nushagak River drainage, excluding the Wood River drainage, and unless otherwise specified in [5 AAC 06.361](#) or [5 AAC 06.368](#), the following special provisions apply:

(1) the bag and possession limit for king salmon 20 inches or greater in length is two fish, of which only one fish may be 28 inches or greater in length; the annual limit for king salmon 20 inches or greater in length is four fish, **of which only one fish may be 28 inches or greater in length**; the bag and possession limit for king salmon less than 20 inches in length (jack salmon) is five fish; ...

5 AAC06.361 Nushagak-Mulchatna King Salmon Management Plan.

(c) If the total inriver king salmon return in the Nushagak River is projected to exceed 95,000 fish, **(1) the guideline harvest level described in (b)(1)(C) of this section does not apply[.], and (X) the commissioner may increase the annual limit for king salmon to 4 king salmon 20 inches or longer (no restriction to one fish over 28 inches).**

7. Avoid complete closures of the sport fishery when possible by modifying section (e) as follows:

(2) shall [close]**restrict to catch and release**, by emergency order, the sport fishery **for king salmon** in the Nushagak River [to the taking of salmon] and prohibit the use of bait for fishing for all species of fish until the end of the king salmon season specified in 5 AAC 67.020 and 5 AAC 67.022(g); and

8. Provide the department with flexibility to restrict but not close the subsistence fishery in low inriver run scenarios and standardize subsistence fishing schedule and area under a restricted scenario by modifying section (e) as follows:

(3) [shall]**may** establish, by emergency order, fishing periods during which [the time or area is reduced for the inriver king salmon subsistence fishery in the Nushagak River]**the subsistence fishery is restricted to 3 days per week in the Nushagak District; and the waters above the district including Dillingham beaches, Wood River up to Red Bluff, and the Nushagak River drainage.**

What is the issue you would like the board to address and why? The Nushagak River fisheries that harvest king salmon have been managed under the direction of the Nushagak-Mulchatna King Salmon Plan (5 AAC 06.361) since 1992. Salmon fishery dynamics changed notably over the life of the Plan. King salmon runs declined to some of the lowest levels recorded and sockeye runs to the Wood and Nushagak Rivers increased in magnitude to some of the highest levels recorded. Commercial fishing directed at king salmon has remained closed since 2014, and sport fishing regulations have become increasingly conservative. At the same time, substantial uncertainties have expanded over the ability of the sonar to estimate inriver run abundance.

Restrictions to the sport fishery due to low early season inriver passage of king salmon combined with sometimes intense fishing for sockeye in the Nushagak District in the mid-2010's led to calls to enact paired restrictions in the commercial and sport fishery in 2018 (Proposals 41 and 42, 2018

Bristol Bay Board meeting). The Board, in response to the proposals, removed several triggers in the Plan that affect the sport fishery. The Board also established a committee to develop a comprehensive solution to the Plan through RC 84 and a charge statement (2018-291-FB) and charged the committee with reporting back to the Board. At the 2018 Board meeting, the Bristol Bay Science and Research Institute (BBSRI) committed to supporting the committee's work through a stakeholder-led technical analysis of options the committee was expected to consider (RC 80).

The committee first met in Anchorage on October 21, 2019 (a meeting summary can be found on the Alaska Board of Fisheries website) and break-out groups met in December 2019 and February 2020. At the Upper Cook Inlet meeting in February 2020, the Board disbanded the formal committee but encouraged stakeholders on the committee to continue to work together in preparation for the next in-cycle Bristol Bay meeting. BBSRI reasserted its commitment to serving the committee and moving toward its original mission outlined in the charge statement: a comprehensive solution to the Plan. Committee makeup remained the same as selected by the Board initially in February 19, minus the two Board members. The committee met on a consensus basis 15 times from Fall 2019 through early April 2022; 9 times as a full committee and 6 partial committee meetings.

This regulatory proposal is one part of a larger, more comprehensive solution envisioned by the committee to address issues plaguing management of the Nushagak king salmon fisheries. Other components will include additional technical analyses, recommendations for improving stock assessment, and other non-regulatory actions or recommendations. As one example of a non-regulatory action, BBSRI has secured funding to field a district test boat program to better inform managers of sockeye and king salmon abundance in the Nushagak District and thereby reduce incidental harvest of king salmon and better target sockeye salmon in the district. A report will be made available in advance of the November 2022 Board meeting to summarize the committee process and work products and present the full scope of the comprehensive solution. Work products including the report will be posted on the BBSRI website as they become available.

PROPOSED BY: Nushagak-Mulchatna King Salmon Committee (HQ-F22-028)

PROPOSAL 12

5 AAC 06.361. Nushagak-Mulchatna King Salmon Management Plan.

Make several changes to the management plan to reduce commercial king salmon harvest and increase sockeye salmon harvest, as follows:

Require a 4.75" maximum mesh restriction until July 1st to mitigate chinook harvest which should prove to more effectively optimize sockeye:chinook catch ratios in multiple ways: a) chinook migrate deeper in the water column (4.75" vs. 5.125" is approximately 1 foot shallower), b) smaller mesh size decreases chances of catching chinook, c) catch efficiency of sockeye is higher with smaller mesh and less overall fishing time can be utilized for similar sockeye harvest and can increase time corridors for migrating chinook, d) July 1st follows historic and current patterns for when the majority of chinook have migrated into the Nushagak River, e) since two independent triggers are suggested to be used (Wood River or Nushagak River), projected escapement should

be increased from the current metric of ~14% of minimum biological escapement goal in the Wood River to 20% of minimum biological escapement goal for each river. This will reduce the sensitivity of the Wood River triggering event and likely provide more chinook migration time prior to a district opening. Although the Nushagak River escapement would have triggered an earlier opening in 2021, the use of a smaller mesh size earlier would have increased the sockeye harvest while still offering protection for chinook salmon.

Amend 5AAC 06.361(e)(1) to read: shall close, by emergency order, the sockeye salmon commercial fishery in the Nushagak District until the projected sockeye salmon escapement into the Wood River or the Nushagak River exceeds 20% of the minimum biological escapement goal and will restrict mesh size to not exceed 4.75” until July 1st or until chinook escapement is projected above 55,000 fish. This change will have an effective sunset date at the next Board cycle, to review data and overall effectiveness.

What is the issue you would like the board to address and why? Mitigating chinook harvest to better optimize sockeye:chinook harvest ratios during times where in-season chinook returns fall below the curve established for the minimum biological escapement goal or 55,000 chinook.

Ecological conditions for run size between the Nushagak River and the Wood River have changed greatly, where sockeye sizes have been smaller and the Nushagak River can now greatly exceed historic returns. Recently, we have seen that a Wood River projection for a minimum of 100,000 sockeye is not always the best trigger to initiate openings in the Nushagak District. This is especially true for years with high volumes of Nushagak River sockeye, where the high-end biological escapement goal can be reached prior to a 100,000 projected sockeye salmon escapement into the Wood River.

Salmon size has also decreased, and a large percent of fishermen have already transitioned to a smaller mesh size since 2018. This smaller mesh size is more efficient at harvesting sockeye while simultaneously decreasing chinook harvest. However, fishermen trends do exhibit a multi-year lag effect. In consideration of future conditions, if chinook numbers remain depressed, smaller mesh sizes should be considered as a tool for management.

We recognize that there is no perfect solution at this time, and data is severely limited and desperately needed concerning chinook in the Nushagak/Mulchatna River Drainage, including more accurate enumeration methods. In the interim of this data discrepancy, this proposal seeks to decrease overall chinook harvest. When better data is available, best management practices can then be implemented. However, this proposal works toward providing some chinook harvest mitigation by the commercial fleet..

PROPOSED BY: Nicholas Dowie, Michael Jackson, Frank Woods (HQ-F22-035)

PROPOSAL 13

5 AAC 06.361. Nushagak-Mulchatna King Salmon Management Plan.

Structure fishing periods in the Nushagak District so that pulses of king salmon, not subjected to commercial fishing pressure, may enter the Nushagak River, as follows:

The Department of Fish and Game will create opportunities for pulses of King salmon to enter the Nushagak River. From June 1 through July 10 this will be done by issuing commercial openings no earlier than 1 hour before the forecasted high tide at Clark's Point. The Department will close fishing at least 4 hours before the next scheduled high tide. This will allow for pulses of Kings to make it into the Nushagak River while still allowing for the commercial fleet and set users to access the resource and have economic opportunities. For example:

High tide at Clark's Point on June 28 is at 0600 and again at 1630 and then on June 29 at 0530.

An opener for both set and drift is announced for June 28 from 0500 (1 hour before high tide) to 1230 (4 hours before next high tide) 7 hours 30 minutes, and again from 1530 (1 hour prior to high tide) June 28 until 0130 (4 hours before next high tide) June 29, 10 hours of fishing.

The Department can allow for continuous fishing starting on July 11

What is the issue you would like the board to address and why? 5 AAC 06.361. Nushagak-Mulchatna King Salmon Management Plan with regards to King salmon states in Section (b)(2):

(b) The department shall manage the commercial and sport fisheries in the Nushagak District as follows:

(2)in order to maintain a natural representation of age classes in the escapement, the department shall attempt to schedule commercial openings to provide pulses of fish into the river that have not been subject to harvest by commercial gear;

The Department has not always followed through with this mandate while managing the sockeye commercial openers which has an unintended intercept of King salmon. To meet the requirement of the NMKSMP there must be meaningful breaks in commercial fishing that facilitate opportunity for Kings to move into the river thus meeting the requirement set forth in the plan. These breaks need to be realistic in timing as to when the most kings are pushing through the commercial district while still maximizing opportunity for the commercial fishers to harvest sockeye. The flood stage of an incoming high tide time is by far the best time to hold the commercial fishery to allow pulses of fish into the river that have not been subject to harvest by commercial gear.

PROPOSED BY: Brian Kraft

(EF-F22-060)

Subsistence Salmon (3 proposals)

PROPOSAL 14

5 AAC 01.320. Lawful gear and gear specifications.

Reinstate provision that set gillnets are the only lawful gear for subsistence fishing for salmon in the Naknek, Alagnak, and Wood River Special Harvest Areas, as follows:

5 AAC 01.320. (b) is amended to read:

...

(b) Outside the boundaries of any district **and within the Naknek, Alagnak, and Wood River special harvest areas**, salmon may only be taken by set gillnet, except that salmon may also be taken by dip nets in the waters described in 5 AAC 01.310(d) if fishing other than from a vessel, and salmon may also be taken as follows:

...

What is the issue you would like the board to address and why? In 2018, the Alaska Board of Fisheries clarified the definition of a district to include special harvest areas. This unintentionally opened the Naknek, Alagnak, and Wood River special harvest areas to subsistence fishing for salmon with drift gillnet gear. These areas had previously been restricted to subsistence fishing for salmon with set gillnets only with a maximum length of 10 fathoms.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F22-066)

PROPOSAL 15

5 AAC 01.320. Lawful gear and gear specifications.

Allow use of small fishwheels to harvest salmon for subsistence purposes in the Ugashik Bay, Ugashik River, and Dago Creek drainages, as follows:

Add to 242.27 Subsistence taking of fish.

(5) Bristol Bay Area

(iv) Unless otherwise specified, you may take salmon by set gillnet only.

(A) You may also take salmon by spear in the Togiak River, excluding its tributaries.

(aa) *You may also take salmon by fish wheel in the Ugashik Bay, Ugashik River and Dago Creek.*

What is the issue you would like the board to address and why? Allow the use of small fish wheels in the Ugashik Bay, Ugashik River and Dago Creek for Subsistence use only. Why?

- (a) For better quality of subsistence catch of salmon for home use. Net caught salmon are many times bruised and marked by nets.
- (b) For better control of how many fish are caught. Fish wheels can be designed to allow only so many fish to be caught such as dumping into a tote that will hold 10 to 20 fish at a time with the overflow simply sliding off a fish holding tote back into the river or into a live well for unharmed removal of live fish not needed or protected.
- (c) For use by ADF&G or Fish & Wildlife at the upriver test sites to measure salmon run escapement during test fisheries without harm to the fish.

PROPOSED BY: Gust Sonny Griechen (HQ-F22-012)

PROPOSAL 16

5 AAC 01.330. Subsistence fishing permits.

Repeal requirement that subsistence salmon fishing permits for the Naknek River Drainage may only be obtained at the King Salmon office of the Alaska Department of Fish and Game, as follows:

5 AAC 01.330. (d) is amended to read:

...

(d) **Repealed.** [SUBSISTENCE SALMON FISHING PERMITS FOR THE NAKNEK RIVER DRAINAGE WILL BE ISSUED ONLY THROUGH THE ADF&G KING SALMON OFFICE.]

...

What is the issue you would like the board to address and why? Bristol Bay subsistence salmon permits, except for Naknek River subsistence permits, are available online. This regulation prevents the issuance of subsistence permits for Naknek River online or from Alaska Department of Fish and Game offices other than the King Salmon office. Repealing this regulation will increase availability of subsistence permits.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F22-067)

Sport Fishing Guides (1 proposal)

PROPOSAL 17

5 AAC 67.022. Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area.

Limit guided angler access to sport fishing in a section of the Naknek River, as follows:

The new regulation should read:

Upstream from ADF&G markers located ½ mile above Rapids Camp to ADF&G markers at Trefon's cabin at the outlet of Naknek Lake:

June 8 – October 31: no commercial entity (Lodges, guide services, businesses including LLC's, rental boat operators, fishing clubs, transporters, etc) may have more than 8 fishermen in this section of the Naknek River at any one time. They may take multiple groups in a day, but they may not have more than 8 fishermen on this section of the river at any given time.

A formula for identifying a commercial entity and their clients should can be developed. One option would be to issue up to 8 identification badges to each commercial entity, to be worn by anglers while fishing in this section of river. The Board may want to consider other option for identifying the 8 anglers. I will present options at the Board of Fish in their December meeting.

This will greatly enhance quality of experience and particularly reduce pressure on rainbow trout

What is the issue you would like the board to address and why? In the last cycle, the Naknek/Kvichak Advisory Committee supported a proposal that would limit the number of

fishermen for guided and transported fishermen by any commercial entities (Lodges, guide services, businesses including LLC's, rental boat operators, fishing clubs). The proposal read as follows:

Upstream from ADF&G markers located ½ mile above Rapids Camp to ADF&G markers at Trefon's cabin at the outlet of Naknek Lake:

September 1 – October 31: Each commercial entity will have four badges, one per angler, to sport fish for Rainbow Trout, Dolly Varden, Arctic Char and Arctic Grayling. Badges must be worn on the arm of the angler and visible at all times.

The Board through its subcommittee found this proposal too restrictive and rejected it. The issues that prompted this original proposal was intense overcrowding and loss of quality of experience for which this river was once famous. The vast majority of the communities of King Salmon and Naknek signed a petition supporting this proposed regulation. Local residents find it very difficult to even find a place to fish. Spatial distribution and level of effort help determine quality of experience. There are far too many fishermen, mainly guided, on this section of river. Residents who live here do not want to see the Naknek River reduced to combat fishing.

PROPOSED BY: Joe Klutsch (EF-F22-082)

Methods and Means (3 proposals)

PROPOSAL 18

5 AAC 67.020. General provisions for seasons and bag, possession, annual, and size limits for the Bristol Bay Area.

Prohibit the use of salmon eggs for sport fishing, as follows:

Banning the use of spawn for sportfishing

What is the issue you would like the board to address and why? Sport fishermen using spawn to catch salmon, trout, dolly varden. The fish swallow the spawn, and the hook is deep in their mouths. I have seen it when they are targeting King salmon, they are accidentally catching rainbow trout and dolley varden. When the hook is deep in a King salmon its hard on them also, their survival rate goes down.

PROPOSED BY: Mark Gagliano (EF-F21-006)

PROPOSAL 19

5 AAC 67.022. Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area.

Prohibit the use of certain sport fishing tackle in a section of the Naknek River, as follows:

On the Naknek River from the upper ADF&G boundary marker at Trefon's Cabin down to the lower ADF&G boundary marker at Rapids Camp, use of all salmon egg imitation patterns are not

permitted. These patterns includes all hard and soft beads, glow bugs, spin and glows and any other stand alone egg imitation, unless the egg imitation is a fixed part of a fly or lure longer than 1 inch in length (for example egg sucking leeches).

What is the issue you would like the board to address and why? This proposal will address the means and methods of fishing for rainbow trout on the Naknek River from the upper ADF&G boundary marker at Trefon's cabin Lake Camp to the lower ADF&G boundary marker at Rapids Camp. I believe it is imperative we eliminate all forms of bead fishing in this section of the river. The increased pressure from this technique is having a huge detrimental impact on both the rainbow trout and the quality of experience on the water. It also has a negative effect on the remnant king salmon populations. Smaller age class rainbows are also vulnerable to bead fishing.

We cannot continue down this path and expect the fishery to remain healthy for much longer. I've noticed a sharp decline in certain age classes over the last five seasons and this will invariably affect our trophy class of rainbow trout in the next few years. On some days as much as 80 percent of the total fishing pressure are using the bead technique. Beads increase the mortality rate, wound and maim the trout because they tend to swallow the bead deeply thus causing the fish to bleed upon release and eventually die. The popular technique is to peg the bead a few inches up the line. Sometimes the trout miss the bead but the hook may end up in their eye or under their chin causing in some cases blindness in one eye or serious infections to the wound area. Conventional flies such as wooly worms and egg sucking leeches are taken in the mouth, and the angler feels the bite immediately. He must respond quickly to the strike and the fish will be hooked somewhere in the mouth, and is easily released. Beads on the other hand, are almost always swallowed deeply into the throat area which greatly increases the mortality rate. Even if released, they often would and maim the fish, and they eventually die.

The Naknek River was known for its pristine beautiful rainbow trout. Let's eliminate this method of fishing and maybe help alleviate some of the pressure on the river as well.

I will offer the board examples of "bead baits" at the Boar of Fish meeting.

PROPOSED BY: Joey Klutsch (EF-F22-080)

PROPOSAL 20

5 AAC 67.022. Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area.

Prohibit the use of bait and barbed hooks in the Wood River Lakes system, as follows:

From the outlet of the Agulapak River into Lake Nerka north to Kulik Lake and its streams and tributaries only unbaited, single barbless/pinched barbed hook artificial lures Sept 1-June 7; only unbaited, single barbless/pinched barbed hook artificial flies June 8-Aug 31.

What is the issue you would like the board to address and why? The issue I would like to address is the use of barbed hooks on the Agulapak River in Bristol Bay. This river is roughly 50 river miles from the closest town, Aleknagik. After my 4 years guiding on the Agulapak I have

never seen people from town drive up and fish that river. They have either the Wood River and/or Agulawok River that are significantly closer to them. The Agulapak gets pressured through local fishing lodges, whom practice catch and release methods. They use oversized hooks that tend to harm fish by scaring their face. The large hooks have disproportionate sized barbs on them too which causes fish to die when the unhooking technique is poor. It will also cause the fish to bleed out if hooked deep in the mouth and on the bottom of the head. Since I have been guiding on that river the amount of scarred fish outnumber the 'clean' fish without scars of being caught before. If the regulation continues as it stands that number will only increase because the fishing lodges are getting busier. And it is also a shame people are paying \$7,000 to \$12,000 to catch fish that look like they belong in the Kenai with all of the scars. If guided properly, fish can be landed at the same rate using a barbless hook than a barbed hook.

I am recommending the board to consider making the upper Wood River draining, approximately everything north of the outlet of the Agulapak River to a barbless/pinched barb fishery. That would include Agulapak River, Lake Beverley, Peace River, Mikchalk Lake, Wind River, Kulik Lake, and all streams and tributaries. This will not cause the angler or business any more money because all they need to do is pinch the barb. The lodge that I work for already operates on a barbless standard. This change will increase survival rate of the fish in the drainage due to the ease and simplicity of removing the barbless hook from the fish.

PROPOSED BY: Jordy Perrego

(EF-F21-019)

Rainbow Trout (1 proposal)

PROPOSAL 21

5 AAC 67.022. Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area.

Prohibit harvest of rainbow trout by nonresident anglers in a section of the Naknek river drainage, as follows:

Naknek River Drainage:

Rainbow Trout Limits:

Upstream from ADF&G markers located ½ mile above Rapids Camp to ADF&G markers at Trefon's cabin at the outlet of Naknek Lake and to include Naknek Lake:

Closed to the harvest of rainbow trout year-round for non-residents

What is the issue you would like the board to address and why? The rainbow trout population on the Naknek River is undergoing excessive and unsustainable fishing effort. This is causing increased hook mortality and reduction of quality of experience. Hook mortality on catch and release rainbows has grown incrementally as a result of unsustainable commercial effort which is primarily non-resident based. This has resulted in a biological problem which needs to be addressed. The proposed regulatory changes are not arbitrary. They are based on historical

knowledge of the Naknek River sport fishery by not only conservation-oriented guides, but also local residents who have had enough of loss of opportunity and abuse of the fishery resource.

Unlike other major rivers in the Bristol Bay region, the Naknek River is only 34 miles long from its mouth to Naknek Lake. Only ½ of this affords good fishing opportunity for salmon and freshwater species. The portion of the River as described under current regulation “upstream from the ADF&G regulatory markers located ½ mile upstream from Rapids Camp to ADF&G markers at Trefon’s Cabin at the outlet of Naknek Lake” has undergone a dramatic and unsustainable level of effort for both the quality of experience (all species) and biological health of Rainbow Trout stocks

What would happen if nothing is changed?

The health and future of our rainbow population would continue to be jeopardized, not allowing future generations of anglers the opportunity to catch and release beautiful, healthy and pristine rainbows that this watershed has always been known for. The economic viability for conservation-oriented guides will be eliminated.

What Other Solutions have you considered?

Time and area closures for guided, transported, boat and equipment rental commercial entities – i.e. limit days of operation I would also consider making a zero fish limit to both residents and non residents, though would prefer to see it limited to non residents, since the vast majority of effort is guided non residents.

PROPOSED BY: Joey Klutsch

(EF-F22-044)

Sport Salmon (8 proposals)

PROPOSAL 22

5 AAC 67.022. Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area.

Close Big Creek to sport fishing for salmon, as follows:

We propose Big Creek to be closed from June 1 to July 31 for all salmon. This would eliminate the possibility of anglers catching kings while “targeting” other salmon species.

New regulation:

5 AAC 67.002 (11) in the Big Creek drainage, upstream of its confluence with the Naknek River, **shall be closed to sport fishing of all salmon June 1 though July 31** [KING SALMON MAY NOT BE RETAINED OR POSSESSED; KING SALMON MAY NOT BE REMOVED FROM THE WATER AND MUST BE RELEASED IMMEDIATELY]

What is the issue you would like the board to address and why? We would like the board to address the catch and release fishery of king salmon on Big Creek. Big creek is a vital tributary to

the Naknek River drainage with king salmon numbers that are 30 to 40 percent of the total aggregate run of the Naknek River drainage. It is also one of two main tributaries of the Naknek River drainage that is significant to kings, along with King Salmon Creek. Current regulations call for a complete year round closure of fishing for king salmon in both Pauls Creek and King Salmon Creek in order to protect the species. However, Big Creek remains open to catch and release of Kings. Why are Pauls Creek and King Salmon Creek afforded more protection than Big creek? All three tributaries provide vital spawning habitat for king salmon. With the king runs at historic lows, all three should be protected.

Kings are easier to target in smaller water. Over the years as the king numbers declined, boat traffic and fishing pressure up Big Creek has significantly increased. The horsepower on jet boats has increased, causing more erosion and altering spawning habitat. All these factors put additional, unnecessary stress on already precarious survival rate. It is also important to note that the mortality rate for catch and release is approximately 6.5 – 10%. However, there are no current studies indicating what the mortality rate is when the fish are caught over and over again both commercially and on rod and reel. As is the case with big creek, fish move with the high tide and settle in holes for the low tide. In a small creek it is easy to target the school of fish as they move upriver with the tide, catching them multiple times. Additionally, these same kings have been stressed from commercial nets and run a gauntlet of sportfishing hooks before they even reach Big Creek. When these remaining kings miraculously make it to the final leg of their journey we should protect them just as we have done on the other tributaries of the Naknek.

PROPOSED BY: Naknek Kvichak Advisory Committee (EF-F22-038)

PROPOSAL 23

5 AAC 67.022. Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area.

Allow retention of king salmon less than 20 inches in length in Big Creek, as follows:

I would propose that sport fisherman be allowed to retain any jack king salmon caught in Big Creek, any king salmon less than 20 inches. Jack salmon do not spawn so there would not be any risk to the salmon population to retain these fish up big creek.

What is the issue you would like the board to address and why? I would like the fishing regulations for the Naknek river drainage in Bristol Bay changed. specifically the regulations on Big creek and not being able to retain any king salmon on big creek.

PROPOSED BY: Andrew K. Christiansen (EF-F21-013)

PROPOSAL 24

5 ACC 67.022. Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area.

Reduce king salmon bag and possession limits and prohibit harvest of female king salmon in the Naknek River drainage, as follows:

We recommend dropping the proposed bag limit down to two King Salmon per season, one King Salmon over 28 inches and one King Salmon under 28 inches. Only male fish may be retained. The current reg allows for an annual bag limit of 5 king salmon.

The new regulation should read as follows:

(1) king salmon: (A) in fresh waters, as follows: (i) 20 inches or greater in length; may be taken only from May 1 through July 31; bag and possession limit of two [THREE] fish, of which only one fish may be 28 inches or greater in length; annual limit of two [FIVE] fish 20 inches or greater in length taken in combination from fresh waters and salt waters; only male fish may be retained; a harvest record is required as specified in 5 AAC 75.006;

What is the issue you would like the board to address and why? Due to the urgent and continual decline of King Salmon in the Naknek River Drainage, we propose to adopt a reduced King Salmon bag limit. The current regulation allows for 5 kings to be taken annually; a number that is way too high considering our extremely low returns. Dropping the bag limit and allowing only males to be retained will help safeguard a species that is in dire need of protection.

PROPOSED BY: Naknek Kvichak Advisory Committee; Joey Klutsch (EF-F22-037)

PROPOSAL 25

5 ACC 67.022. Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area.

Reduce king salmon bag and possession limits and prohibit harvest of female king salmon in the Naknek River drainage, as follows:

I recommend dropping the bag limit down to two King Salmon per season, one King Salmon over 28 inches and one King Salmon under 28 inches, MALES ONLY. All females must be released. The current regulation allows for an annual bag limit of 5 king salmon.

The new regulation should read as follows:

(1) king salmon: (A) in fresh waters, as follows: (i) 20 inches or greater in length; may be taken only from May 1 through July 31; bag and possession limit of two [THREE] fish, of which only one fish may be 28 inches or greater in length; annual limit of two [FIVE] fish 20 inches or greater in length taken in combination from fresh waters and salt waters; **ONLY MALES MAY BE RETAINED**; a harvest record is required as specified in 5 AAC 75.006;

What is the issue you would like the board to address and why? Due to the urgent and continual decline of King Salmon in the Naknek River Drainage, I propose to adopt a reduced King Salmon bag limit, males only, all females must be released. The current regulation allows for 5 kings to be taken annually; a number that is way too high considering our extremely low returns. Dropping the bag limit and allowing only males to be retained will help safeguard a species that is in dire need of protection.

Background

I have lived in King Salmon my entire life, 36 years, and have spent nearly every summer on the Naknek River, personal fishing and guiding. I grew up guiding and have guided on the river for over 15 years. During that time, I have watched a drastic reduction in the King fishery, to the point that it is a mere remnant of what it was in the late 1990s and early 2000s. I feel that at this point the Kings on the Naknek River will probably never come back to levels they used to be. **Again, it is a remnant fishery, and I would go as far to say that Kings are endangered.** After nearly 15 years of guiding fishermen, primarily for Kings on the Naknek, I gave it up because I could no longer look a paying client in the eye and tell them that the King fishing was good, and promise them a good trip. The run is more or less gone. It is a very sad fate that Kings have suffered. At this point it is so bad that I don't even enjoy fishing with my family for Kings, because there is almost nothing to catch.

During the last two decades, there has been a complete and utter disregard for these amazing fish by both the Department and the Board of Fish. (The in-river commercial fishery in the mouth of the Naknek is a prime example). No efforts have been made to count their numbers, determine the health of the run, limit the level of effort, reduce bag limits, or anything management related what so ever. To me, this is nothing short of a dereliction of the Department's duties. It is a travesty of the highest order and represents a complete and utter failure in management, the likes of which I can think of no comparison. It is especially sad for me to see the river which I have grown up on, and which I have spend so many days of my life on, and more importantly, the river where so many locals once enjoyed sport fishing kings with their families or catching them for subsistence, to be reduced to this sorry and pathetic state. Will my son and daughter ever see kings the way I saw them when I was young? HIGHLY DOUBTFUL.

It must be at least acknowledged that the commercial fishery in Bristol Bay has not helped the King population. Again, the in-river fishery was a huge mistake in my opinion, but the fact of the matter is that our river is managed for the commercial fishing of red salmon, and red salmon alone. All other fish are an afterthought, or more accurately, not thought of at all. I can say this as a commercial fisherman myself, for the last 6 years. Commercial fishermen catch more than our fair share of kings, that is for sure, even with the in-river fishery days long over. The commercial red salmon fishery, takes a large number of kings each year, which on a river like the Naknek that does not get many kings for their overall run, ends up being a large percentage of the King run taken in nets. I think there are solutions to this that work for both the commercial fishery and for the kings, but I am not going to mention them now, as it is no doubt a much larger topic, and certainly a more controversial one. I simply want to point out that lack of kings is surely not just a sport fishing related cause. However, what I am offering with this proposal, is at the very least a simple and easy to implement "first start" to conserving kings on the Naknek River, one in which most of my fellow sport fishermen in this community would be happy to support. In fact, I have spoken with many people in our community who support this. I am not the only one who is upset about what has happened to our kings, and the lack of action.

Other rivers reduce bag limits on kings, such as the Nushagak. I realize that the Nush has a King management plan, and they count Kings. The Naknek does not. Again, I go back to my previous

statement on complete disregard for the kings on the Naknek River by the department. I realize that you will say there is no data available, no surveys, etc etc etc. Whatever excuse you want. Well, that may be true, but who's fault is that? Should the fish continue to suffer? Should we just ignore them further until there are none left, to the point where even subsistence no longer is an option? Because that is what is happening right before our eyes. Our community members who fish this river year after year know there is a major issue on the Naknek River king salmon run. You may not have the data, but the people who live here know. We see it with our own eyes, year after year steadily getting worse, to the point no one wants to even fish for Kings on this once world-famous king salmon fishing destination. It is sad.

This is a small sacrifice, an easy first step, which will no doubt help. Bag limit reductions will be extremely beneficial. Once in the river, a higher percentage of fish will be able to spawn. Let those fish that manage to run the gauntlet of commercial fishing nets, miraculously making through the web, be free to spawn. Further, by making sport fishermen release all females, more females will be on the spawning beds, which is crucial. I have heard from the department at our AC meeting say that this regulation is "unenforceable, because you can't distinguish between females and males all the time." I have heard them actually say that in a study, "40% (or some percentage in this range) of department staff could not tell, so how can the average person tell the difference?" This is an utter joke to me. First off, I have been able to tell a male from a female king since I was a kid. You don't need a PHD to do so. Second, if you are not sure, let it go. I will point to the many hunting regulations with size restrictions in place, that are certainly much more difficult to judge than the sex of an adult King. For example, have you ever tried to determine legality of a dall sheep? There are numerous ways for a sheep to be legal, none of which are obvious or easy to tell, all of which are open to interpretation even by biologists, and in fact I would say, as a dall sheep hunting guide myself, are extremely difficult. Yet they are regulations. I would point to the wonderful publication the ADF&G put out on Judging sheep. The same argument can be made for moose, determining spread (50" minimum), or brown tine count. Do not tell me it is hard to tell the difference between male and female kings. Further, they always say when sheep hunting – if you are not sure it is full curl, 8 years old, or broken past the lamb tip on both sides, (the 3 primary ways to determine legality), then DO NOT SHOOT. The same can be said for kings – if you are not sure if it's a male, throw it back. Simple as that. **This is sport fishing. Not subsistence fishing. The idea behind sport fishing is that we are ok releasing fish. It is not done as a way to fill the freezer.**

The enforceability of something should never be the determining factor on whether or not it is put into regulation!

You can tell from my comments that I am very upset by the lack of any action on trying to preserve what remains of our Kings, and I am. I hope the department takes my comments seriously. It is sad what has happened here. You have the power to help make it better. .

PROPOSED BY: Joey Klutsch

(EF-F22-043)

PROPOSAL 26

5 AAC 67.022. Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area.

Close tributaries and upper section of the Naknek River to sport fishing for king salmon, as follows:

King salmon fishing is closed on the Naknek River from “Painter Bob’s Cabin” upstream to the ADF&G marker at “Trefon’s Cabin” near the mouth of Naknek Lake and on all major creek tributaries draining into the Naknek River, including Big Creek, King Salmon Creek, and Pauls Creek. (These are all areas where king salmon actively spawn). In these closed areas, king salmon may not be targeted at all, and if they are accidentally hooked while targeting other species, must NOT be removed from the water and will be released immediately.

Naknek River Drainage:

Naknek River main stem

King Salmon: Closed year round to all king salmon fishing from Painter Bob’s Cabin” upstream to the ADF&G marker at “Trefon’s Cabin” near the mouth of Naknek Lake.

Big Creek – upstream of its confluence with the Naknek River to its headwaters.

King Salmon: Closed year round to all king salmon fishing

King Salmon Creek – upstream from the ADF&G markers at the confluence of the Naknek River to its headwaters

King Salmon: Closed year round to all king salmon fishing

Pauls Creek - upstream of its confluence with the Naknek River to its headwaters.

King Salmon: Closed year round to all king salmon fishing

What is the issue you would like the board to address and why? Over the years the Naknek River has seen a drastic increase in the number of guided sport fisherman. At the same time, we have seen a notable decrease in the numbers of king salmon in our river. Recognizing this decrease, ADF&G has already closed fishing of king salmon in certain areas, including the mouth of King Salmon Creek to the King Salmon Creek Bridge, and the mouth of Pauls Creek up past the Pauls Creek Bridge. However, this does not stop anglers from fishing the remaining portions of the tributaries king salmon actively spawn.

Currently the upper Naknek River, above the first ADF&G marker located half mile upstream above Rapids Camp, is open to catch and release king fishing. These areas are fished very hard, and it takes a significant toll on the kings when they are most vulnerable. Even catch and release fishing while kings are near or at their spawning stage results in high mortality rates. Anglers end up removing the fish from the water to release them, which is in violation of the law, either because

of the difficulty of releasing one of these big powerful fish, or to take pictures. This can easily result in the death of the fish. We are not able to enforce catch and release king fishing and evidence of this is shown on numerous lodge social media sites, web sites, brochures, tv shows and promotional material

It can be argued that the Naknek River is no longer a premier destination for king fishing, as it once was. Once king salmon reach the spawning grounds, the point at which they are most exhausted from their long journey home and therefor the most vulnerable, they should be left alone to spawn, and ensure a viable fishery in future years

What will happen if nothing is done?

If nothing is done we risk the health of the world famous Naknek River king run. Future generations will not be able to enjoy our salmon for which the area is world famous for. The Naknek River will cease to be a premier destination for sport fishermen. Local subsistence users who depend on king salmon for an important food source may also suffer. IF THESE CHANGES ARE NOT IMPLEMENTED WE WILL CONTINUE TO SEE A DECLINE IN OUR OVERALL KING SALMON RETURNS. The pressure from the commercial fishing industry on king salmon entering our tributaries is very high. The added pressure of sport fishermen catching king salmon on their spawning grounds will in no way help the future of the Naknek River's once great king run.

PROPOSED BY: Karl Anderson

(EF-F22-073)

PROPOSAL 27

5 AAC 67.022. Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area.

Create a nonresident annual limit for coho salmon in the Naknek River drainage, as follows:

We recommend adding an annual bag limit of 15 Silvers for nonresident anglers in the Naknek River Drainage.

New Regulation:

(C) Annual bag limit of 15 Silver Salmon for nonresidents.

...

What is the issue you would like the board to address and why? This proposal is to add an annual bag limit of 15 silvers for nonresident anglers in the Naknek River Drainage. Low silver salmon returns, have negatively impacted the silver run the past few years. As we have no fish and game data on the size of the silver salmon run on the Naknek River drainage, we are left to gather our information from fellow guides and local sports fisherman. It is our general consensus that prior to a few years ago our silver salmon run was very strong. Silver salmon bag limits throughout Alaska river drainages average a daily bag limit of two or three silver salmon. Adopting a reduced

bag limit or an annual limit will help ensure a sustainable silver salmon run for future generations in the Naknek River Drainage.

PROPOSED BY: Naknek Kvichak Advisory Committee (EF-F22-039)

PROPOSAL 28

5 AAC 67.022. Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay area.

Close the Nushagak, Mulchatna, and Nuyakuk river drainages to sport fishing for king salmon, as follows:

Sport fishing for chinook salmon in the Mulchatna river drainage, the Nuyakuk river drainage and the Nushagak river drainage upstream of the confluence with the Nuyakuk river will be closed to the fishing of chinook year round. Chinook salmon will not be targeted during fishing in these waters.

What is the issue you would like the board to address and why? Declining numbers of Chinook salmon area wide and the excess amounts of pressure on the spawning areas for Chinook salmon.

PROPOSED BY: Nancy Morris Lyon (HQ-F22-023)

PROPOSAL 29

5 AAC 67.022. Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area.

Restrict the Togiak River king salmon sport fishery until a minimum king salmon commercial harvest is achieved, as follows:

Section 5 AAC 67.022 (L)

(l) In the Togiak River Drainage, until the annual commercial catch in the Togiak River section has harvested 2000 king salmon, the following special provisions apply:

1. only barbless, unbaited, single-hook artificial lures or flies may be used; and
2. the bag and possession limit for king salmon less than 20 inches in length (jack salmon) is five fish and;
3. any king salmon caught that are 20 inches or greater in length must be immediately released.

What is the issue you would like the board to address and why? The number of king salmon returning to the Togiak River is at an all-time low. This is reflected in the commercial, sport, and subsistence harvest assessments. Attempts to monitor king salmon escapement have been unsuccessful to date. There is not an escapement monitoring program in place, nor is there a management plan specific to King Salmon in the Togiak River drainage.

Without the ability for managers to monitor escapement of king salmon on the Togiak River, and continual reports of low abundance, additional conservation actions are needed.

The escapement goal of king salmon on the Togiak River was recommended to be discontinued by the ADF&G and was repealed by the BOF in 2012. (Fair et al, 2012)

The oldest continuous documentation on the presence and abundance of king salmon is in the form of traditional knowledge held by subsistence users, which has indicated that the abundance has been relatively low, and returning smaller in recent history. (Jones et al 2019)

Another long-running collection of abundance information are the incidental catch of king salmon in the Togiak River Section of the Togiak District of Bristol Bay's commercial fishery. These catch numbers indicate that the returns of king salmon to the Togiak River are the lowest on record. (Tiernan et al., 2021) (Sands et al., 2021)

In addition to not having the ability to monitor the population , reportedly in decline, there is no daily or annual limit to the number of anglers fishing for king salmon on the Togiak River. Therefore, there is no total annual harvest limit, leaving the king salmon population susceptible to over exploitation..

PROPOSED BY: Jimmy Coopchiak (EF-F22-027)

Miscellaneous Sport (1 proposal)

PROPOSAL 30

5 AAC 67.022. Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area.

Create a youth-only sport fishery in the Naknek River drainage, as follows:

We recommend the second Sunday of each month beginning in June and ending in September be designated youth-only fishery on the Naknek River, similar to the ADF&G youth only fisheries already in existence in the Southcentral region. No commercial guiding or fishing for persons 16 and older within the designated youth fishery areas is permitted.

Naknek River Area from the ADF&G counting tower to the entrance of Smelt Creek will be designated a youth sport fishery and will occur the second Sunday of each month beginning in June and ending in September. During the four designated youth fishing days, a person 16 years of age or older may not sport fish. Guiding within these boundaries is not permitted.

What is the issue you would like the board to address and why? We would like the board to consider a Youth-Only Fishery on the Naknek River. Over the past 30 years we have seen the number of local residents, specifically families, out enjoying the river less and less. The increase in the number of guides and the competitive nature of the fishery has discouraged families from coming out and enjoying a casual day of fishing in their own backyard. Very few school students go out on the river for salmon and trout, due to a combination of angler pressure and low salmon

runs. We propose that four days be designated to families and youth only fishing throughout the summer. A person 16 years or older may not sportfish. No adults are permitted to fish unless they are assisting youth. There will be no guided fishing in the areas designated for youth only fishery. Youth only fisheries have already been successfully implemented in other areas throughout the state experiencing an increase in commercial and recreational pressure, such as Knik Arm drainage, Resurrection Bay drainage, Tanana River Area to name a few. It is our hope that in response to the increasing pressure on the Naknek River, a youth only fishery be implemented to allow equally opportunity and access to the resource. We believe creating a space for youth to connect to the river will foster future stewardship of our natural resources.

PROPOSED BY: Patricia Edel

(EF-F22-040)

King Salmon Harvest Reporting (2 proposals)

PROPOSAL 31

5 AAC 06.377. Reporting requirements and 5 AAC 67.XXX new section.

Require reporting of king salmon harvest in guided sport fisheries and commercial fisheries in Bristol Bay, as follows:

Require all sport fishing operations to turn in a seasonal tally of King salmon retained. This number is to be inclusive of clients, guides, staff, or any person that utilized the services of the operation. This tally sheet will be filled out daily and a running total logged with a final cumulative total at the end of the operator's season. There will also be a size category as well for a total of fish over 28" and those under 28".

All commercial drift permit holders must turn in a King salmon tally log that keeps track of total king salmon retained by any person while under the command of the captain. This includes employees, contract workers, deck hands, mechanics, guests, or any person that retains a King salmon because of the gill net being implemented in the commercial fishery targeting sockeye salmon. This tally sheet will be filled out daily and a running total logged with a final cumulative total at the end of the operator's season. This does not pertain to any King salmon directive commercial openers.

All commercial set net permit holders must turn in a King salmon tally log that keeps track of total king salmon retained by any person that was caught through use of implementation of a set net during a commercial sockeye opening. This includes employees, contract workers, general laborers, mechanics, guests, or any person that retains a King salmon because of the implementation of a set net being used in the commercial fishery targeting sockeye salmon. This tally sheet will be filled out daily and a running total logged with a final cumulative total at the end of the operator's season. This does not pertain to any King salmon directive commercial openers.

Penalties for non-compliance or falsification of data are up to the department however we recommend that they are severe as to deter under-reporting on non-reporting. A fine along with suspension from the fishery (Guides/captains lose ability to have clients for a year, com captain permit suspended for a year, set net permit suspended for a year).

What is the issue you would like the board to address and why? The King salmon runs of Bristol Bay have faced some very tough times over the last few years. We are seeing less and less Kings returning to the system and the size composition is declining. We need to get a better handle on the amount of King salmon that are being retained. The sport fishing industry no longer has the log-books that were required to be on hand and filled out before getting onshore. The commercial fishery intercepts kings in their effort to catch sockeye and many of those fish go into "home packs" and do not get reported. This self-reporting will help the department get a handle on king retention and allow for tools to help protect the king runs of the Bristol Bay rivers.

PROPOSED BY: Brian Kraft

(EF-F22-041)

PROPOSAL 32

5 AAC 06.377 Reporting requirements. and 5 AAC 67.XXX New section.

Require reporting of king salmon harvest in guided sport fisheries and commercial fisheries in Bristol Bay, as follows:

Require all sport fishing operations to turn in a seasonal tally of King salmon retained. This number is to be inclusive of clients, guides, staff, or any person that utilized the services of the sport fishing operation. This tally sheet will be completed daily and a running total logged with a final cumulative total at the end of the operator's season. There shall also be a size category reporting requirement, as well as quantity of fish over 28" and those under 28".

All commercial drift permit holders must submit a King salmon fishing registration sheet that records the total king salmon retained by any person while under the command of the captain along with their annual fishing license number. This includes employees, contract workers, deck hands, mechanics, guests, or any person that retains a King salmon. While Gill nets are being deployed in the commercial fishery targeting sockeye salmon, they are also harvesting Kings. This fishing registration sheet will be completed daily and a running total logged with a final cumulative total reported at the end of the operator's season. This does not pertain to any King salmon directive commercial openers.

All commercial set net permit holders must also complete a King salmon fishing registration sheet that records the total King salmon retained by any person when caught through use of implementation of a set net during a commercial sockeye opening. This includes retention by the Captain, any employee, contract workers, general laborers, mechanics, guests, or any person that retains a King salmon. because the implementation of a set net being used in the commercial fishery targeting sockeye salmon. This tally sheet shall be completed daily and a running total logged with a final cumulative total at the end of the operator's season. This does not pertain to any King salmon directive commercial openers.

Penalties for non-compliance or falsification of data will be designed by the department; however, we recommend that they be severe to deter under-reporting or non-reporting. Sport fishing lodges/camps should receive a significant fine along with suspension from the fishery, losing the ability to have clients for a year. Commercial drift-net Captains should receive a significant fine

along with suspension from the fishery and their permit suspended for a year. Set-net permit holders should also receive a significant fine along with suspension from the fishery for a year as well.

What is the issue you would like the board to address and why? The King salmon runs of Bristol Bay have faced some very tough times over the last few years. We are seeing less and less Kings returning to the system and the size composition is rapidly declining. We must get a better handle on the amount of King salmon that are being retained in the bay. The sport fishing industry no longer has the log-books that were required to be on-hand and completed before stepping ashore. The commercial fishery intercepts kings in their effort to catch sockeye; and by many accounts, many if not most of those Kings find their way into "home packs" and are not reported. This self-reporting will help the department get a handle on King salmon retention and allow for tools to help protect the King runs of the Bristol Bay rivers.

PROPOSED BY: Bristol Bay Sport Fishing Association (EF-F22-078)

Gear Specifications and Operations; Vessel Specifications and Operations (15 proposals)

PROPOSAL 33

5 AAC 06.331. Gillnet specifications and operations.

Increase maximum offshore operation distance for set gillnets in Ugashik District, as follows:

We propose that the maximum offshore distance be increased from 600 feet from the 18-foot high tide mark to 800 feet from the 18-foot high tide mark. Increasing the offshore distance allowed will enable the set gillnets in this area to effectively fish their historic fishing time as determined by the tides of the day. The eleven sites currently fishing in this area would all have the ability to fish farther offshore negating any allocative effects potentially arising from this solution. At the time of the submittal of this proposal ten out of the eleven sites concur that the maximum offshore distance should be amended by the board to 800 feet from the 18-foot high tide mark.

Draft language:

5AAC 06.331(m) (8) in the Ugashik District, in that portion of the east bank of the UGashik River from a point at 57° 32.27' N. lat., 157° 24.36' W. long., no part of a set gillnet may be more than (600) **800** feet from the 18-foot high tide mark.

What is the issue you would like the board to address and why? During the last four seasons an extensive mudbank has developed along the inshore end of our area in which we fish our set gillnets. This impedes us from fishing as effectively as we have in the past (decrease in functional fishing time). The current offshore distance limitation of 600 feet from the 18-foot high tide mark precludes us from fishing the full extent of our allowable gear and denies us the efficient use of the fishing time allowed. We have lost an estimated 20% of our opportunity due to fewer hours of available fishing time because our nets are not in the water.

In 2016 the BOF adopted the “Criteria for Board Deliberations on Commercial Set Gillnet Proposals Impacted by Coastal Erosion” (2016-238-FB) which outlines the criteria that the board will consider and weigh when deliberating on a proposal related to set gillnet sites impacted by coastal erosion. The case stated above clearly fits Criteria #1 which states that issues that arise from land that has either eroded or accreted through natural or artificial causes contiguous to the leasehold.

PROPOSED BY: Ugashik Village Set Netters

(HQ-F22-017)

PROPOSAL 34

5 AAC 06.335. Minimum distance between units of gear.

Increase minimum distance between units of drift and set gillnet gear in the Ugashik District, as follows:

The following regulation would become 5 AAC 06.335 (d)

(d) In the Ugashik Bay district, no drift gillnet may be operated within 1000 ft of the 18 ft high tide line on all waters south of a line from Cape Greig at 57° 43.54' N. lat., 157° 41.82' W. long., to a point approximately one mile offshore at 57° 43.54' N. lat., 157° 43.80' W. long., then east of a line from 57° 43.54' N. lat., 157° 43.80' W. long. to Cape Menshikof at 57° 28.34' N. lat., 157° 55.84' W. long. during the regulatory season.

The following regulation would become 5 AAC 06.335 (e).

(e) No part of a drift gillnet may block navigable waters for other boats underway in or out of Dago Creek, on all waters north of a line from approximately 57° 36.70' N. lat., 157° 36.75' W long., to 57° 36.53' N. lat., 157° 36.75' W. long. during the regular

What is the issue you would like the board to address and why?

- (a) *I would like to address the safety and protection of set-gillnetters persons & gear. Many drift gillnetters have no concern for how close they fish to set gillnets in the Ugashik district because of limited law enforcement protection. In a frenzy, many drift gillnets ignore the 300' from side and 100' from offshore end of set gillnet minimum distance requirements (5 AAC 06.335b), and run over with boats or drift over setnet nets running lines and buoys and anchors, sometimes destroying setnet gear and/or causing great danger to setnetters trying to operate their gear along the beaches out to the regulatory 1000 ft. boundary for setnetters.*
- (b) *Setnetters pay annual leases to the State of Alaska and must remain within 1000' of the 18' high tide mark (5 AAC 06.331m), and cannot fish outside of 1000' of the beach while drifters pay no fees wherever they fish.*
- (c) *There is limited or minimum law enforcement protection in the Ugashik fishing district. Knowing this, many drifters ignore the minimum distance regulations and fish too close to setnetters.*
- (d) *Without land references on the seaward side it is difficult for setnetters to produce pictures or videos for enforcement to use in complaints.*

- (e) While fishing just outside and inside of Dago Creek fishboats with their nets out completely block all navigable waters to the entrance of Dago Creek. This causes danger and stress of captains trying to navigate in the narrow channel using this waterway to deliver fish to the tenders anchored outside in the main river. It also blocks tender, barge service and emergency personnel trying to go in and out of Dago Creek, the only navigable waters during low tide conditions to reach shore services and the airport facilities for medivacs.

PROPOSED BY: Gust Sonny Griechen

(HQ-F22-074)

PROPOSAL 35

5 AAC 06.335 - Minimum distance between units of gear.

Increase minimum distance between units set and drift gillnet gear, as follows:

- (a) In the Naknek-Kvichak, Egegik, Ugashik, and Togiak Districts, no part of a set gillnet may be set or operated within 300 feet of any part of another set gillnet. In the Nushagak District, no part of a set gillnet may be set or operated within 450 feet of any part of another set gillnet. The provisions of this subsection do not prohibit a CFEC permit holder from operating a set gillnet seaward of another set gillnet operated under the authority of the same CFEC permit.
- (b) No part of a drift gillnet may be operated within 300 feet of the side of a set gillnet and within **300** [100] feet of the offshore end of a set gillnet. The **300-foot** [100-foot] restriction does not apply seaward of the offshore setnet distance restrictions set out in 5 AAC 06.331(m) and (n).
- (c) In the Nushagak District, no part of a drift gillnet may be operated within 100 feet of the inshore end of a set gillnet, except that in the locations described in 5 AAC 06.331(n), no part of a drift gillnet may be operated inshore of a set gillnet.

What is the issue you would like the board to address and why? The current regulation: “No part of a drift gillnet may be operated within 100 feet of the offshore end of a set gillnet...” is no longer adequate. With the advent of D permits and a higher percentage of shallow draft drift boats this distance is too small.

Drift nets repeatedly come into contact with the outside of set gillnets resulting in consequences listed below. Increasing the distance to 300 feet is a more realistic regulation for the drift fleet to adhere to and more realistic for enforcement to gain the documentation they need and for attaining the goal of keeping nets and gear from colliding.

- a) Safety.

When a drift gillnet drifts onto set gillnet gear / nets, the drift boat skipper often tows on their net attempting to separate the gear. This creates a great amount of tension on the set net lines. Many times, set net skiffs are under the net lines picking fish or attached to lines at the time of this high-power tow creating a dangerous situation which can be compounded by strong current, darkness and wind. There is no communication between the drift boat and set net skiffs when this happens. Many driftnet skippers have never set net and may not be thinking about the danger they are putting the skiff fishermen in.

This situation has become worse with more D permits fishing the Bay because D-permit boats have 33% more net to handle, and a third more pull from current. A D-permit drift skipper may be over 1200' away from the entangled end of their net with little visual awareness or understanding of people working the setnet site.

The Bristol Bay fishery now has more high-horsepower jet boats than in the past who are working the shallows and maneuvering in and amongst set net sites increasing this problem.

Having a 300' buffer instead of 100' will give everyone more time to rectify the situation of getting too close. Drift boat won't have to determine so closely if they are legal, and from the set net side of things it allows skiff workers more time to determine if they will indeed get wrapped.

b) Changing fishery.

Fisheries are constantly changing. The Board of Fish helps us keep our fishery orderly and productive by allowing changes in regulations to meet these changes to technology and other areas. The current trend in boats is more power, jets, and a greater ability to fish in the shallows. This has increased the number of gear interferences as well as the severity of consequences from these interferences with set nets. This is a particularly unsafe and serious situation in our fishery. It is time to address this situation and make changes before the changes are forced to be made by injuries or death.

c) Enforcement

In order to enforce the "100' minimum distance off the seaward end of a set net" regulation, enforcement officers have to see it themselves (odds aren't good they will be there), or Enforcement officers advise set netters to gather very specific photos or videos to document these violations. Oftentimes the only chance to document an interaction is after the fact as the whole incident may last only 10 min. Without these specific proofs set netters are advised that prosecution is extremely unlikely.

It is more difficult to document these occurrences than you might think. Set net skiffs are open boats where everything gets wet and keeping a phone/video camera dry and constantly at the ready is a challenge. To provide the documentation that the Troopers ask for means the set netter needs to quit picking fish, get out from under the net and get multiple angles of photographs with boat numbers, both nets, show distance, buoy numbers at just the right angle all in the same photo. This is an unrealistic burden to put on the setnetter. To prove this point...In the last 5 years only 8 incidents have been documented well enough to result in a citation in the entire Bristol Bay. Adding 200' onto this regulation, will give everyone a bit more breathing room and time to avoid problems. And if interference occurs, a better chance to document it.

d) Economic loss

Interference and damage to fishing gear often results when drift nets come into contact with stationary / anchored set net. The cost of damage to gear is one thing....but loss of fishing time

can be a large economic loss to the set netter. If critical anchoring devices are drug or broken off in an interference incident, many times a set netter may have to wait for a certain low tide to fix it. There is so little recourse to be reimbursed due to the hardship of documenting the incidents. We are all out there fishing hard for a productive fishery. We need to minimize situations where negligence with no consequences results in economic loss.

If this regulation is not adopted this gear interference situation will continue to grow in our fishery resulting in more dangerous situations, fishermen injuries, more burden on Enforcement with continued conflicts between the set and drift gear groups, and more financial burden landing mainly on the set gillnetter..

PROPOSED BY: Lower Bristol Bay Advisory Committee (HQ-F22-022)

PROPOSAL 36

5 AAC 06.331 Gillnet specifications and operations.

Limit the length of drift gillnet towlines to 100 feet, as follows:

Limit tow line to 100 feet from tow point to beginning of the net. This is more than sufficient for big weather days and to allow you to maneuver if something goes wrong. Easy for Troopers to enforce and measure, it's roughly 3 boat lengths.

What is the issue you would like the board to address and why? No limit on tow lines. The fishery has changed greatly in the last 5 years. Large influx of shallow drafted boats have entered the fishery, along with this we have seen more and more boats going really shallow and setting their net and running out to deeper water with tow lines up to a 1/4 of a mile long, as the tide falls they pull their nets and fish out of the shallows. The long tow lines preempt grounds and are dangerous. Dragging the fish out of the shallows also has a very negative impact on fish quality. Finally its not drift fishing and is Illegal.

PROPOSED BY: Alexis Kwachka (EF-F22-076)

PROPOSAL 37

5 AAC 06.331. Gillnet specifications and operations.

Limit the length of drift gillnet towlines to 100 feet, as follows:

The Board of Fish should adopt a maximum towline length limit of 100' from the tow point of a drift gillnet vessel to the beginning of the net in the Bristol Bay drift gillnet fishery.

What is the issue you would like the board to address and why? Currently, the Bristol Bay drift gillnet fishery does not have a maximum towline length limit. Towlines in excess of a full net length (150-200 fathoms or 900-1200 feet) have become common in the Bristol Bay fishery. Long towlines are used to anchor nets in shallow water and allow the vessel to transit to deeper water while still maintaining control of the net. Towlines in excess of 100' pose serious safety concerns

for other vessels fishing or traveling around vessels employing the use of excessively long towlines.

PROPOSED BY: Erik Velsko

(EF-F22-084)

PROPOSAL 38

5 AAC 06.331. Gillnet specifications and operations.

Limit the length of drift gillnet towlines to 25 fathoms, as follows:

Ammend 5 AAC 06.331 to limit the length of a tow line to 25 fathoms overall length.

What is the issue you would like the board to address and why? Some vessels are using net tow lines in the range of 1000' in length. A combination of a 1000' towline and 1200' of net is a total gear length of 2200' off of the towpoint. This configuration of gear can create problems with safety, fairness, and grounded nets.

With increasing presence of shallow water boats it can create navigation hazard to have that much gear trailing a vessel.

This gear style lends itself to fisshing with a grounded net.

I don't feel that this style of fishing is in the intent of drift gillnet operation.

PROPOSED BY: Timothy Gervais

(EF-F22-091)

PROPOSAL 39

5 AAC 06.331. Gillnet specifications and operations.

Prohibit placement of set gillnet gear on the shore fishery lease site of another set gillnet permit holder, as follows:

When a commercial fisher has a shore lease, and is fishing in the waters of said shore lease, then no other fisher shall install an anchor, running line or net within the boundaries of said shore lease. Because the Egegik District is a competitive fishery, commercial fishers should be fined for complaining to the Troopers, if the Troopers determine the commercial fishers are just trying to gain advantage of other commercial fishers for competitive reasons.

What is the issue you would like the board to address and why? I would like the board to address two concerns. First, other set netters should not be allowed to install their gear on my shore lease. The regulation in the Egegik District states that a set net must be relatively straight out from the shore, when a commercial fisher is in the act of fishing. Other commercial fishers have been complaining to the Troopers that my set net is not relatively straight. The Troopers have been letting me know about these complaints for the past four years and this has cost me fishing time at my shore lease. The problem is that one of the commercial fishers has a screw anchor that is installed 75 feet onto my shore lease. This allows him an advantage of making his set net more

relatively straight out as compared to my set net. Second, the AF&G biologist said that the Egegik District is a competitive fishery. For commercial fishers to complain to the Troopers to gain an advantage and for another commercial fisher to have his screw anchor on my lease should not be allowed.

PROPOSED BY: Christopher John Erpelding

(EF-F21-004)

PROPOSAL 40

5 AAC 06.331. Gillnet specifications and operations.

Increase area available to set gillnet fishermen in the Graveyard Point area, as follows:

Within section (m)(5) replace the coordinates and reference to the unnamed creek as follows. alternate text is underlined and italicized:

(5) in the Kvichak Section of the Naknek-Kvichak District from Libbyville Dock to a point near Graveyard Point at 58° 52.07' N. lat., 157° 00.80' W. long. and from the point on the northwest shore of Kvichak Bay at 58°51.74' N. lat., 157°08.19' W. long. north to a point on the northwest shore of Kvichak Bay at 58° 53.37' N. lat., 157° 04.26' W. long., the maximum distance that a set gillnet may be operated offshore is as follows:

What is the issue you would like the board to address and why? Presently set net fishing is allowed in the majority of the Kvichak district according to section 5 AAC 06.331(m)(5) parts A or B which require nets to be no further than 1,000 feet from the 18' high tide mark OR the shoreward end must go dry at the time of the opening.

I propose making this "OR" allowance applicable either to include an additional mile further west from the unnamed creek referenced in (m)(5). This section of the district has developed a massive mudflat extending from the 18-foot high water-mark out to about the 12' water-mark of over 1,000 feet which makes this area virtually unfishable. Changing this arbitrary reference point would enable fishing opportunities for fishermen looking for alternate fishing grounds when the fish are running on the west side channel.

PROPOSED BY: Joe Echo-Hawk, Nathan Rispler, Reid Ten Kley, Alec Capps (EF-F21-005)

PROPOSAL 41

5 AAC 06.331. Gillnet specifications and operations.

Adjust seaward boundary for set gillnet gear near in the Nushagak District, as follows:

1. To address the cumulative erosion loss, add 100 feet to the outer limit for setnet sites on Ekuik Beach as follows:

(2) from the cannery dock at Clark's Point to First Creek at 58° 47.15' N. lat., 158° 30.57' W. long., 600 feet from the 18-foot tide mark under normal weather conditions, except that from 58° 50.10'

N. lat., 158° 33.52' W. long. to 58° 49.29' N. lat., 158° 33.10' W. long., 750 feet from the mean high tide mark, whichever location is closer to the mean high tide mark;
(3) from First Creek at 58° 47.15' N. lat., 158° 30.57' W. long. to Third Creek at 58° 46.81' N. lat., 158° 28.10' W. long., 800 feet from the mean high tide mark;
(4) from Third Creek at 58° 46.81' N. lat., 158° 28.10' W. long. to Etolin Point at 58° 39.37' N. lat., 158° 19.31' W. long., 1,100 feet from the mean high tide mark.

2. To solve the problem of uncertainty and variability of outer boundaries, eliminate the minus 3-foot tide line as an outer boundary. Instead, establish the outer boundaries by surveying the mean high-water mark from downstream of the Range Marker on Ekuk Beach, based on NOAA tidal benchmarks as of August, 2022. The survey will provide a plot line based on way points which represent the outer limits defined in this proposal. This would allow both setnet fishermen and enforcement to identify a consistent outer boundary. It would also allow drift vessels to easily identify the outer limits of setnet sites to avoid entanglement with setnets, anchor equipment, and marker buoys.

The outer boundary survey would be conducted by a professional land surveyor, registered in the State of Alaska, using established benchmarks. The survey will be based upon the NOAA tidal benchmark at Clarks Point, designation 946 5621 B, set 1.399 meters above mean high water.

What is the issue you would like the board to address and why? Ekuk Beach is experiencing uncertain boundaries for setnet sites for two reasons: 1) Western Alaska is known to have significant beach erosion, which is affecting historic setnet sites on Ekuk Beach, and 2) the current regulations defining the outer limit of setnet sites create unpredictable boundaries.

Ekuk Beach is experiencing significant erosion. Portions of Ekuk Beach were surveyed in 1983 and then again in 2021 and there has been a loss of 146 feet or more in many places since 1983. The erosion is accruing from downstream from the Range Marker on Ekuk Beach. This erosion may cause historic/traditional setnet sites to be outside the boundaries defined in current regulations. Those regulations set boundaries for setnet sites based on distance limits measured from the mean high tide line, to a maximum outer limit of the minus 3-foot tide line. So as erosion moves the tidal lines, the boundaries for set net sites are being altered.

The current system of setting setnet boundaries, using the mean high tide line and minus 3-foot tide line as outer limits, introduces unnecessary uncertainty and variability. The mean high tide line can change significantly with every wind storm. The wind greatly affects the gravel berm that usually accumulates at the high tide line, which can build or be depleted depending on the direction and strength of the wind, affecting where the mean high tide line is seasonally, and even daily. So, it is possible, depending on weather, that a setnet site could fish within regulation one tide, but outside limits on the next, as wind and storms affect the mean high tide line.

The variability of tidal lines makes it very difficult to identify the outer limit of a setnet site under the current regulations. A minus 3-foot tide is affected by weather and ocean conditions. So, a minus 3-foot tide line on one day can be different the next day. This proposal would eliminate this variability by setting a consistent outer limit.

This proposal is not allocative, it addresses these two problems which imperil the current setnet fleet on Ekuk Beach. Addressing erosion and the uncertainty of the current tidal boundaries in regulation will maintain these traditional setnet locations, which have been consistently fished in these locations for decades. Disregarding the effects of erosion and variability of tidal boundaries could disrupt harvest on these historic setnet sites. Applying the tidal boundaries currently in regulation, and/or the effects of erosion, could require relocation of the outer anchoring devices of some setnet sites, which is a major endeavor, is not commonly attempted, and is often not possible during a season. Changing these outer anchoring devices is very difficult, dependent on tidal and weather conditions, and expensive. Many times, these outer anchoring devices can take years to change and are location dependent (many areas have very large rocks, clay and outer anchoring devices' stability are variable depending on conditions). Most outer anchoring devices are weak in their first year after being put in, as the substrate has been heavily disturbed, so an entire season could be lost if the outer anchoring device cannot be relocated. If an outer anchoring device were found out of compliance due to erosion or variable measurements of tidal lines and could not be moved due to tide or other conditions, that site would be eliminated from harvest, or have greatly reduced capacity. The cumulative result would be reduced capacity of the setnet fleet on Ekuk Beach.

Reducing the capacity on Ekuk Beach would immediately harm the fishermen whose sites were made less efficient and insecure due to disruption of their anchoring devices. It would also have a broader impact by reducing overall fishing efficiency of the Ekuk Beach setnet fleet. This disruption would further hinder overall catch efforts by the setnet fleet in the Nushagak, causing a deviation from district goals for optimal harvest, as well as further skewing the allocation by forcing the setnet fleet to fall further behind in allocation, which could ultimately restrict the drift fleet at a higher level..

PROPOSED BY: Nicholas Dowie, John O'Connor, Christine O'Connor (HQ-F22-031)

PROPOSAL 42

5 AAC 06.333. Requirements and specifications for use of 200 fathoms of drift gillnet in Bristol Bay.

Repeal provisions allowing operation of 200 fathoms of drift gillnet from a vessel with two CFEC permit holders onboard, as follows:

5 AAC 06.333 Requirements and specifications for the use of 200 fathoms of drift gillnet in Bristol Bay. REPEALED, 2021.

Repeal the dual drift permit regulation in Bristol Bay.

What is the issue you would like the board to address and why? Proposal/proposer requests that the Board of Fish repeal the regulation that allows two permit holders to jointly operate up to 200 fathoms of drift gillnet gear from the same vessel. If adopted only 150 fathoms of drift gillnet gear would allowed to be operate from any drift gillnet vessel regardless of how many drift gillnet permit holders are on board the vessel.

Having part of the BB drift fleet fishing 200 fathoms of gear and another part of the fleet restricted to 150 fathoms of gear has and will continue to create a significant economic disparity. Dual permit vessels are earning substantially more revenue than single permit vessels. This additional revenue leads to overcapitalization of the fishery by the dual permit vessels. An additional problem created by the economic disparity is the trend of Bristol Bay drift limited entry permit ownership outmigrating from the Bristol Bay watershed, rural Alaska, and Alaska to out of state permit holders.

Having all drift vessels fishing the same length of net ensures more parity among permit holders in the same spirit of requiring all drift vessels to be no longer than 32' in length. When the dual permit regulation was originally adopted sockeye ex-vessel prices were approximately \$0.35-0.40/lb. Now ex-vessel prices are higher such that a single permit vessel can earn a reasonable income with 150 fathoms of gillnet gear.

It is not prudent nor acceptable to manage and operate state fisheries in a manner that places local and resident fishermen at a disadvantage to non resident fishermen.

PROPOSED BY: Timothy Gervais (EF-F21-012)

PROPOSAL 43

5 AAC 06.333. Requirements and specifications for use of 200 fathoms of drift gillnet in Bristol Bay.

Repeal provisions allowing operation of 200 fathoms of drift gillnet from a vessel with two CFEC permit holders onboard, as follows:

Not a new regulation. I am asking the Board of Fish to repeal the regulation allowing dual permits from the same vessel, Repeal the entire 5AAC 06.333 , "Requirements and Specifications for the use of 200 fathoms of drift gillnet in Bristol Bay."

What is the issue you would like the board to address and why? Prohibit the use 200 fathoms of gillnet by dual permit holders.

1) The economics of the BB drift gillnet fishery have improved beyond the point where it is necessary to have two permit holders operating from the same vessel. The ex vessel price for sockeye salmon has increased enough that a drift permit holder can make good revenue from operating the original 150 fathom of drift gillnet gear. Historically the regulations of the Bristol Bay drift fishery have tried to maintain equity in harvesting potential of the drift boat operators. The dual permit system has separated the fleet into two economic classes. Dual permit operators generally have a substantially higher income than the single permit holders. This has lead to overcapitalization of the drift fishery.

2) A dual permit vessel can effectively cork off a single permit vessel with the extra 50 fathoms of net. Prior to the dual permit system the corked vessel could tow to one side and continue to harvest salmon without having to haul their net and reset in a different location.

3) There is a significant amount of fraud in the dual permit system where an established operator is the purchaser of the second permit. The operator makes a side agreement with a deckhand to act as the second permit holder without the second permit holder actually providing financing to purchase and own the second permit. This is against the spirit and potentially a violation of Limited Entry Act regulations. CFEC Commercial Fishing Permit Brochure, "The Alaska Legislature made it illegal to lease permits to ensure that fishermen could maintain control of their own livelihoods and to ensure permits would be controlled by active fishermen with a long-term stake in conservation of fishery resources. Allowing leasing could create a class of permit holders who would be absentee landlords of the fishery who could exploit the actual fishermen forced to lease their permits."

4. The dual permit system has artificially inflated the price of Bristol Bay Drift limited entry permits and emergency transfers..

PROPOSED BY: Timothy Gervais (EF-F22-079)

PROPOSAL 44

5AAC 06.333. Requirements and specifications for use of 200 fathoms of drift gillnet in Bristol Bay.

Review provisions allowing operation of 200 fathoms of drift gillnet from a vessel with two CFEC permit holders onboard, as follows:

The board look at the use and abuse of the D permit issue Beyond its intended use. D permit eliminate it D's has gone beyond the intent and usefulness. Give everyone 200 fathoms. give the d permits their own fishery, gear time and area start a whole new fishery just for D permits? Change CFEC regulations to include only D permits All of the above . Placeholder for further D removal or sunseting this regulation. Solution Sunset the D (go away) 2025

What is the issue you would like the board to address and why? Management of over escapement, allocation and forgone harvest will continue to be an issues of concern for all users. Allowing this regulation to be used goes against the original intent and now outlived its need. We need more gear in the water not less to prevent continued use of forgone harvest. In the beginning of adopting 5ACC 06 .333 the decline of the fishery and low returns the optimum number of boats fishing was a number for less to be a lesser number. Now that is no longer the case. Phasing out 5AAC 06.333 over two years, This provision has caused allocation issues ,legal CFEC and transfer of limited entry permit requirements..

PROPOSED BY: Frank G. Woods III (EF-F22-049)

PROPOSAL 45

5 AAC 06.333. Requirements and specifications for use of 200 fathoms of drift gillnet in Bristol Bay.

Provide drift gillnet vessels with a single permit holder onboard more fishing opportunity per opening than vessels with two permit holders onboard, as follows:

Let Dual less hours or let single permit fish couple hours earlier than dual.

Example: If it's an 8 hour opener, let dual fish 2 hours after single.

8 hours 12 noon closer > single

Dual 6am till noon

What is the issue you would like the board to address and why? Dual permit – lesser hours than single permits. Dual take more fish than single and dual can cork the net easily. 4 nets can cover the 3 nets and they take more fish.

PROPOSED BY: Norman Gloko (HQ-F22-004)

PROPOSAL 46

5 AAC 06.333. Requirement and specifications for use of 200 fathoms of drift gillnet in Bristol Bay.

Allow permit stacking in the Bristol Bay commercial salmon drift gillnet fishery, as follows:

The regulation would allow an individual to own and operate two permits on one vessel in the Bristol Bay drift fishery. S03T permits

What is the issue you would like the board to address and why? With the ability to fish a "D" permit in Bristol Bay, Ak for the commercial drift fleet, it seems odd that a boat owner cannot own and fish both permits. I feel you should be able to own and fish both permits on one vessel. As a young small business owner it would allow me to grow my business and make a larger profit to share with my crew and local community.

PROPOSED BY: Hayden Linscheid (EF-F21-009)

PROPOSAL 47

5 AAC 06.333. Requirement and specifications for use of 200 fathoms of drift gillnet in Bristol Bay.

Allow permit stacking in the Bristol Bay commercial salmon drift gillnet fishery, as follows:

Allow a permit holder to own and fish two Bristol Bay Drift permits, using the existing structure of the right to fish four 50 fathom shackles of gear with two permits and three shackles using one permit. This is commonly referred to as permit stacking.

What is the issue you would like the board to address and why? Allow a permit holder to own and fish two Bristol Bay Drift permits. I. E. Permit stacking. This action would reduce the number of boats and some of the gear conflicts that occur. Our fishing districts are too small and the fleet has become fast and maneuverable. Turning a chaotic line fishery down right dangerous.

Less boats and less net in the water means less chinook bycatch and less antisocial behavior. Seems like enforcement could use a bit of a break.

PROPOSED BY: Douglas R. Elwell (EF-F22-035)

Registration and Re-registration; Time and Area; Area and District Descriptions (9 proposals)

PROPOSAL 48

5 AAC 06.370. Registration and reregistration.

Delay the date at which fishermen may reregister to or from the Togiak District, as follows:

(k) Notwithstanding (b) of this section, a CFEC permit holder and fishing vessel registered before 9:00am July 27 to fish in the

(1) Togiak District may not take salmon or be used to take salmon in the Nushagak, Naknek-Kvichak, Egegik, or Ugashik District from 9:00am June 1 to 9:00am August 4. [JULY 27];

(2) Nushagak, Naknek-Kvichak, Egegik, or Ugashik District may not take salmon or be used to take salmon in the Togiak District from 9:00am June 1 to 9:00am August 4. [JULY 27].

What is the issue you would like the board to address and why? The BOF originally established a later date for vessels that fish in other districts within Bristol Bay to transfer to Togiak, mainly because the Togiak fishery is comprised of a local small boat fleet that is crucial to the economy of Togiak and its residents. However, the sockeye salmon run in Togiak has been running later than usual, and a large influx of bigger vessels have begun fishing in Togiak after 9:00am on July 27 when they can legally start to harvests salmon. This has caused economic hardships for the small boat local fleet that live in the rural coastal community of Togiak where more than 25% of the households are below the poverty line. Fishing is the main source of income for the majority of its residents. Due to the recent trends of the later salmon runs, the current regulations do not fit the original intent of why the Togiak District has a later transfer date and should be altered to accommodate the later salmon runs..

PROPOSED BY: Jimmy Coopchiak (EF-F22-021)

PROPOSAL 49

5 AAC 06.XXX. New Section.

Reestablish a General District Salmon Management Plan, as follows:

When upper escapement goals have been achieved in Eastside Districts (Naknek-Kvichak, Egegik, Ugashik). Alaska Dept. of Fish & Game may have the option to enact a General District. The General District would consist of the waters specified in the May 17th, 2004, Board of Fish-approved General District.

What is the issue you would like the board to address and why? Due to the lack of funds and manpower of Alaska Public Safety Enforcement. The orderly fishery in the eastside districts (Naknek-Kvichak, Egegik, Ugashik) deteriorates for the late season, due to a lack of enforcement effort. Because of this situation, a fishery of line violations is created, and many permit holders are forced out of the fishery. Fish revenues only go to a few, under this situation.

To remedy this, ADF&G can and should expand fishing to a General District once the upper escapement goals have been met. And Public Safety Enforcement has departed the Bristol Bay Fishery.

General District was implemented prior, per Board of Fish approval dated May 17th, 2004. General District will increase opportunity for fishing fleet, which in turn creates more revenue for fleet, processors, local and state tax jurisdictions. Additionally, late in the season. Marine mammals are a big problem in harvesting. A General District could spread things out for this situation.

PROPOSED BY: Joel A Ludwig (EF-F22-010)

PROPOSAL 50

5 AAC 06.XXX. New Section.

Reestablish a General District Salmon Management Plan, as follows:

(a) The purpose of this management plan is to provide for additional harvest opportunities in coordination with other management and allocation plans, maximize quality and harvest, and to provide management guidelines to the department for a commercial salmon fishery in the General District.

(c) **When escapement goals are met** [JUNE 1 THROUGH JUNE 30], **the General District will open to the Bristol Bay area.** [COMMISSIONER MAY OPEN AND CLOSE, BY EMERGENCY ORDER, THE GENERAL DISTRICT OR PORTIONS OF THE GENERAL DISTRICT AS NECESSARY TO HARVEST UP TO 20 PERCENT OF THE PRESEASON SOCKEYE SALMON FORECAST FOR THE BRISTOL BAY AREA.]

Open the General District when escapement goals are met.

What is the issue you would like the board to address and why? Reintroduce the repealed 5 AAC 06.356 General District Salmon Management Plan.

By not reintroducing the repealed 5 AAC 06.356 General District Salmon Management Plan, it is very difficult for small fishermen to make a profit if they only fish in one small area of the Bristol Bay District. Most of the fishermen who get "tickets" from fishing past the borderline are only following where the fish are, which is past the borderline, not inside of the Bristol Bay Fishing District. The handful of small fishermen left are only trying to "make-ends-meet" from self-marketing their fish, because all the canaries are closed and the fish in the Bristol Bay District are all dispersed throughout the district, which makes it even more difficult to make a profit.

When the General District finally opens to the Bristol Bay area, it allows the small profiting/self-marketing fishermen to make a little more profit than they already are from fishing in the Bristol Bay area.

PROPOSED BY: Kiril Z Basargin (EF-F21-026)

PROPOSAL 51

5 AAC 06.XXX. New section.

Reestablish a General District Salmon Management Plan, as follows:

Whenever the Eastside districts, Naknek, Alagnek, Kvichak, Egegik, Ugashik, have reached or surpassed the upper boundary of escapement goals, an Eastside "general district" shall take effect. The Northwestern boundary line shall be from a point at 58°41'50"N lat 157°47'51"W long extending due east 3 miles. The Southern boundary line shall extend due west 3 miles from the point 57°28'34"N lat 157°55'84"W long. All inner district boundary lines shall remain in effect. All fish buying operations shall take place inside Naknek/Kvichak, Egegik, and Ugashik districts. Duration and specific fishing times will be determined by ADF&G biologists and announced accordingly.

What is the issue you would like the board to address and why? I propose the board adopts a regulation that when all eastside rivers, Naknek, Alagnek, Kvichak, Egegik, and Ugashik have reached or surpassed the upper boundary of escapement, as per ADF&G pre season requirements, deeming the eastside systems a COMPLETE SUCCESS. When this occurs, regardless of the date, whether July 14 or August 7 (examples) an announcement be made stating the Eastside OUTER district boundary lines are no longer in effect. (General district) A new boundary line extending 3 miles east of a point 58°41'50"N lat 157°47'51"W long, thus designating an eastside/westside district line. As well as, the existing southern point of Ugashik district, 57°28'34"N lat 157°55'84"W long also on an east west axis line extending 3 miles out, designating the southern boundary line of eastside district. All inner district boundary lines remain in place.

Tenders/companies would then be restricted to buying fish INSIDE eastside river outer boundary lines (kvichak, egegik, ugashik) ensuring that fish tax, as well as catch data remains in appropriate districts. Fisherman, with today's fuel prices, will not go too far from their market.

Why? because at a certain point in the season, usually around July 18-22, fish and game enforcement is dramatically reduced, probably a budget issue, but results in extreme line violations taking place in all 3 eastside districts. This results in a two class system, those that are ok with committing offenses day after day for the reward it brings, and those that do not feel comfortable risking their boats, livelihoods or theirs and their crews freedom for getting those extra thousands of lbs. There are quite a large group of bristol bay fisherman that have other income sources which enable them to risk boat, gear, a night in jail, lawyers, buying their boat back, and all other costs associated with getting a ticket a MILE outside the district. That is not a misprint, boats are routinely fishing up to a mile OVER the line every season as of 2016, after enforcement is mostly gone.

This is an easily implemented solution to a serious issue. On larger runs, most of the aforementioned systems exceed their escapement goals so implementing this solution will in no way harm the biology of the fishery, on smaller runs the fish seem to dry up dramatically in late July which makes this an unused regulation. But the most important aspect of this proposal is that it LEVELS THE FIELD of opportunity for all drift fisherman, does not affect set net fisherman,(probably help them) and costs the state NOTHING. win-win-win for all parties. Thank you for consideration.

PROPOSED BY: Ken Dunsmore

(EF-F22-019)

PROPOSAL 52

5 AAC 06.XXX. New section.

Reestablish a General District Salmon Management Plan, as follows:

General district Management Plan. General district when all East side river systems have met their midpoint escapement goal on or after 17 of July.

The General district is all waters within 3-mile on the East side. There will be 3 subsections Naknek-Kvichak, Egegik, and Ugashik to allocate where the harvest is caught and delivered. Boundaries between subsections are the latitude of middle bluff and 57 degrees and 57 minutes

(this is approximately half way between Egegik and Ugashik).

What is the issue you would like the board to address and why? After July 17 the EO management is over and enforcement is limited. A general district will provide equal opportunity to fish by all users. Previously a subset of harvesters has taken advantage of limited enforcement and fished in closed waters.

PROPOSED BY: Alexis Kwachka

(EF-F22-083)

PROPOSAL 53

5 AAC 06.XXX. New section.

Reestablish a General District Salmon Management Plan, as follows:

Annually, when all escapement goals have been reached in the Nushagak, Kvichak, Naknek, Egegik, and Ugashik districts, and the 24 Hour Transfer Period has been waived in all districts (excluding the super exclusive Togiak district): The boundaries should be extended at the time to the year 2004 'XYZ district' boundary lines or an alternative such as the following:

A late season Western Boundary Line extending from the South Western Johnston Hill boundary marker to the Egegik North Western corner boundary marker. This same Western Boundary Line will follow the course of the Egegik West line in it's entirety and extend the South Western Corner of the Egegik District in a straight line to the North Western boundary marker in the Ugashik

District. The Walrus boundary in Ugashik would be built in at the discretion of the department (ADFG) to accommodate the safe passage of Walrus in their haul out.

Existing outer Naknek, Egegik, and Ugashik boundary lines would be amended to open up the waters south of the Naknek South Line to the waters of the Ugashik North Line to commercial fishing when escapement goals have been met and enforcement has withdrawn from the fishery. Proposed boundary change (Late Season Boundary):

58' 43.73' N LAT
157' 42.71' W LONG

TO

58' 38.50' N LAT
157' 22.23' W LONG

TO

58' 19.10' N LAT
157' 36.65' W LONG

TO

58' 11.00' N LAT
157' 38.10' W LONG

TO

57' 43.54' N LAT
157' 43.80' W LONG

TO

57' 28.34' N LAT
157' 55.84' W LONG

Additionally, proposal can be approved on a trial basis or with a sunset clause.

What is the issue you would like the board to address and why? The Alaska State Troopers cease to police the Bristol Bay gill net fishery on or around July 15th every season. This leaves the fishery with largely un-monitored boundaries aside from an increasingly rare aerial patrol. Many fishermen feel forced to quit and go home due to the lawless state caused by the lack of trooper skiffs and their absence. ADFG extends fishing time to a wide-open schedule as long as escapement goals have been met almost concurrently with the withdrawal of the State Troopers. The annual Fall fishing schedule ensues shortly thereafter.

The BOF has an opportunity to take the line fishing focus away from the Bristol Bay East side fishery, but It has to take an approach that differs from the 'pre-season XYZ district' failures which occurred nearly twenty years ago. My proposal offers a simple solution to the troubles of late season fishing by removing the congestion of line fishing in its entirety. This proposal complements the withdrawal of enforcement, and the immediate need for a more logical and less congested and stressful fishery.

PROPOSED BY: David Vardy

(EF-F22-063)

PROPOSAL 54

5 AAC 06.XXX. New section.

Adopt an Eastside Bristol Bay late-season management plan, as follows:

Late-Season Waiver of Lines:

No lines on east side after escapements are met.

(h) Regarding the Eastern commercial fishing districts of Bristol Bay, pertaining to the drift gillnet fishery: When two adjacent river systems have reached their escapements goals such that ADF&G managers have waived the 48-hour transfer period into the districts, AND both districts' fishing schedules have no non-concurrent closures, then during the time of concurrent openings, the boundary lines between those two adjacent fishing districts shall be as follows:

(1) Ugashik to Egegik Late-Season Section: The western boundary line of the areas between the Ugashik and Egegik Districts shall be all waters east of a line from 57° 43.54' N. lat., 157° 43.80' W. long. then continuing to 58° 11.00' N. lat., 157° 38.10' W. long., exclusive of waters west of the Stat 3-mile Jurisdictional Limit, and except those waters within, and those waters draining into, the regular districts described in 5AAC 06.200.,

(2) Egegik to Naknek-Kvichak Late-Season Section: The western boundary line of the areas between the Egegik and Naknek-Kvichak Districts shall be all waters east of a line from 58° 11.00' N. lat., 157° 38.10' W. long., then continuing to 58° 43.73' N. lat., 157° 42.71' W. long., except those waters within, and those waters draining into, the regular districts described in 5AAC 06.200.

(3) The geographic location of where the fish were landed shall be indicated on the fish ticket.

I) The district closest to the point of landing shall receive tax revenues generated by the landing.

II) The district closest to the point of landing shall have those fish counted towards the drift gillnet tally for purposes of tracking allocation.

What is the issue you would like the board to address and why?

Late-Season Waiver of Lines for East-Side Districts: No lines on east side after escapements are met.

The presence of fishery enforcement is a very necessary component of fishery management. Imagine how many boats would brazenly set illegally during the emergency order if there were no adverse consequence; imagine the difficulty of managing the runs if the fish poached by these “pirates” were not counted in early-season run assessments. Now please consider the inverse of this situation, when at the end of the season if someone were to set a mile or two (or ten) over the line... the fish caught then would have zero impact on fishery management, at a time when all rivers had their escapement, every district is open on a 24-hour schedule and ADF&G is no longer keeping track of the districts in which the vessels are fishing.

The situation as it currently exists: Presently at the end of the season, after most boats have gone home and enforcement efforts have basically disappeared, fishing continues much like it has all season long. Fishermen throughout the district give each other as much room as practicable, but toward the boundary lines there’s less room to be given when the fish are moving across the line, *but there’s always more room over the line.*

A subtle late-season “line show” plays out where the most brazen fishermen, who are willing to risk a ticket for the reward, get a disproportionately larger paycheck because their net (which is way over the line) is the first in front of the small trickle of fish entering the district. It’s pretty much the same cast of characters all the time, who are greatly rewarded for their risk.

The above scenario does not have to exist. When the runs are biologically secure, and the fishery is wide-open, what is the purpose of boundary lines? Their mere existence rewards illegal activity, lowers the value of the catch (through competitive, rather than sensible harvesting practices), and diminishes everyone’s paycheck except those fishing illegally).

Situation if this proposal were enacted: If there were more liberal boundary lines between districts in the late-season, fishermen would go to the place where there is the most consistent fishing, as far as practicable from other fishermen. They’d work their gear with the already significant challenges of tidal fluctuations, weather, and SEALS (“Ort! Ort! Ort!”).

The revenues earned by the fishermen would be more evenly distributed, and no one would be rewarded for illegal fishing activity.

The public safety and fleet-monitoring aspect of this expanded fishing area would be very manageable. The entry-pattern of the fish in the late season would create a very predictable fishing vessel placement scenario; boats will be working the beach/flats/bars at low water, spaced out .25 to .5 miles apart (or more if practicable), and never would you find a concentration of boats fishing “on top” of each other. There will also be effort on the regular tide streaks where fish come across in deeper and swifter-moving waters.

Taxes would still be properly accounted: Taxes for fish landed outside of a district’s boundary would be placed under the district to which the landing was closest when the fish were landed.

Enforcement efforts would remain unchanged, since there is presently almost no enforcement in the late season.

Public Safety (SAR) would be increased to a degree with the expanded area. .

PROPOSED BY: Matt Marinkovich

(HQ-F22-008)

PROPOSAL 55

5 AAC 06.200. Fishing districts and sections.

Align Naknek Section southern boundary line with Naknek-Kvichak District southern boundary line, as follows:

Change the definition of the Naknek Section south-western waypoint (ADF&G “south marker” coordinates) as follows:

(1) Kvichak Section: all waters of the Naknek-Kvichak District north and west of a line from the shore, along the dock, and to the outer end of Libbyville Dock at 58° 46.76' N. lat., 157° 03.57' W. long., to 58° 38.50' N. lat., 157° 22.23' W. long., continuing on this line to the point of intersection of the line described in 5 AAC 06.200(b); [58° 38.50' N. LAT., 157° 22.23' W. LONG. TO THE OUTER END OF LIBBYVILLE DOCK AT 58° 46.76' N. LAT., 157° 03.57' W. LONG., THEN ALONG THE DOCK TO THE SHORE]

What is the issue you would like the board to address and why?

Modification of Naknek Section south-western boundary definition

Clarifies Naknek Section fishing boundary line.

There is an obvious point of confusion surrounding the southern boundary line of the Naknek Section, compared to the Naknek/Kvichak district southern boundary line. These lines differ from each other ranging from just a few feet, to close to 300 feet. The difference occurs because the “straight” line “drawn” from the N/K southern boundary is actually curved, a result of drawing geographic lines on our curved earth.

The real problem is the waypoint initially used for the south-western corner of the Naknek Section, which was originally established by locating the intersection of the Naknek sideline and the N/K southern boundary. This worked well initially, when it was drawn on a flat paper chart, since the N/K line was established from the old Loran-C signal and that “synched” up with the drawing. When GPS technology entered the picture, it gave a more accurate location of both the N/K line, and the placement of the Naknek Section SW ADF&G waypoint. A decent estimate of this difference is that the SE waypoint is approximately 250 feet north of the N/K line.

The situation as it currently exists:

The problem exists when the open fishing area switches from the entire N/K district to the Naknek Section only, at which time it is necessary for every fisherman AND fisheries enforcement to switch their plotters to match the proper district for the opening at hand (it is still necessary to switch when the openings switch the other way, but there is no consequence of a fishing violation). Since we’re all human, sometimes people forget to do this switch, and because of the difference between the two lines, the result become an undisputable fishing violation (if fishing with the N/K

line on your plotter during a Naknek Section opening, you could be up to 250-feet over the line when your plotter says you're legal, which is no excuse for fisheries enforcement); there are several tickets each year attributed to this error.

Situation if this proposal were enacted:

If this proposal were to become regulation, there would exist a 100% accurate definition of the Naknek Section and the entire N/K district, using the already-existing waypoints that are currently used for this purpose. There would be no confusion as to which lines to use, because it would always be the same line; neither fishermen nor enforcement would have to switch their plotters when the openings switch from N/K to Naknek Section, or visa-versa.

This is a simple geometry problem. A point with two defined lines going away from it holds the same definition as a point on a defined line which is intersected by another defined line. So instead of trying to pinpoint a waypoint upon the N/K southern boundary line (which has proven infeasible from the limitations of the GPS plotters), the SW "corner" of the Naknek Section can be determined by using the existing waypoints for the already-existing two lines used to determine the (1) N/K southern line, and (2) the Naknek Section sideline.

With this regulation in place, during Naknek Section openings ONLY, it would be necessary for fishery enforcement, and any fishermen seeking the accurate location of the Naknek Section southern boundary "corner" location, and the Naknek Section "sideline," to either operate two plotters simultaneously to display the two intersecting lines (one for the southern boundary and another for the "sideline" boundary), or have a plotter that is capable of showing two independently programed lines at once (some plotters can do this). The cost of a modest GPS that can show the distance from the line is about \$100.

The effective use of locating the "corner" (point of Naknek Section SW boundary intersection) with this method is to observe the cross-track error, or "off-course" distance, from the two-waypoint line programed into a GPS plotter, which is either the N-K southern boundary, or the Naknek Section "sideline" boundary (the sideline incorporates the existing "corner" waypoint, which will no longer represent the corner, but rather constitutes the second point of an infinite line). The cross-track information will display the distance from its designated line in the form of nautical miles or fractions thereof, and then will switch to readings in feet at 600-feet or 1,000-feet from the designated line. The fishermen (or enforcement officer) will know they are on "on the corner" when both cross-track errors read zero feet; finding the "corner" isn't important; what is important is to recognize the geographic distance from the line.

This is the exact same technology currently used by fishery enforcement when determining if a fisher is set over the line, so Enforcement will have no problem using the technology. Since Enforcement has two plotters already placed on their enforcement assets, there will be absolutely NO DIFFERENCE in determining whether fishers are in legal waters (they won't even have to re-program the equipment).

The adoption of this regulation will relieve stress and confusion to a great degree when fishing the Naknek Section only openings.

PROPOSAL 56

5 AAC 06.370. Registration and reregistration.

Allow drift gillnet fishermen to make ‘test sets’ under certain circumstances, as follows:

Permit holders participating in the SO3T fishery shall be allowed to lawfully set their gear (hereinafter called a “test set”), whether or not they had dropped their “blue or green card,” under the following circumstances:

- From June 1 through June 16 in Egegik; and from June 1 through June 23 in all other areas.
- Between the hours of 8:00am – 8:00pm.
- For a duration of not more than two-hours total, set between one hour before and after high water on a tide table designated by the local ADF&G office. This time will be agreed to and under permission from ADF&G enforcement, and determined with advance notice of at least sixteen-hours.
- A test set area shall be designated in each regulatory area in which this fishing shall be allowed. This area shall be in deep, open water, away from obstructions, and considerate of the distance which may be traveled while the gear is in the water drifting (which will be near slack tide so the gear will not travel too far).
- A vessel shall not utilize this test set opportunity more than three times total in a season.
- Any and all SO3T permits associated with the vessel must be renewed for the current season, registered to the vessel which will be making the test set, and be in possession of the permit holder on the vessel when test set activities are commenced.
- Any and all fish caught shall be delivered on an ADFG fish ticket; it is the responsibility of the permit holder to assure they have a processor who is willing to make the landing of fish caught.
- Any and all revenues earned from fish sales shall be directed to ADF&G; revenues paid shall be fair market value.
- If the fisher’s permit has been registered in a different regulatory area, or if they are waiting through a transfer period, they shall be allowed to make their test set in a different regulatory area (i.e. if registered in Ugashik they can test-set in the prescribed test area in Naknek).

What is the issue you would like the board to address and why? “Test Set” Proposal:

Permit holders shall be allowed to test-set fishing gear without dropping registration card. This proposal addresses a safety concern for all fishermen, especially those with boats that have any amount of deferred maintenance.

The situation as it currently exists:

The first fishing opening of the season produces a list of repairs that weren’t seen, noticed, or existed before the equipment and gear had been tested. Often this list becomes apparent after the fisherman has left their home port, or at the start of regular and frequent fishing openings. Due to this timing, bigger things like more efficient or safer deck modifications never get completed, nor do smaller things like float-switches on bilge pumps, or “non-critical” electrical issues. It is the

combination of problems stemming from these smaller issues that combine into creating larger problems, that can lead to a catastrophic incident (this is how boats are lost).

Vessel modifications also beg for a full-stress, full-situation trial run, to assure everything will work when it is go-time. Examples are:

- New net reel installed
- New refrigeration system installed
- New steering, engine controls, hydraulic pump or any modification to these systems
- New crew member(s) working on deck
- New structural components to the vessel (like a tow bit moved to higher up in mast)
- Old operator with a new boat (like a jet boat) and needs to learn how to “drive” it.

The time for all of the above to be tested is when there is no pressure from boundary lines, piles of fish, or nasty weather.

Currently, the only way to test-run a boat is for a permit holder to drop their card and start fishing for the season, but many fishermen value “holding their card” so they can position themselves on good fish abundance when they start fishing. So they forgo the safety and sensibility of dropping their card to give their boat a “shakedown, which frequently puts their first fishing/learning/test-running opportunity right in the middle of precarious situations.

Situation if this proposal were enacted:

This proposal allows fisherman time to field test their boat and “break in” their crew before the fishing season. It will reduce the risk of injury or catastrophic incident, by allowing “first opening” problems to be encountered and addressed in a stress-free state of mind, with no dramatic variables causing extra mental and physical pressure on the situation.

Each fishing district would have an area, perhaps two square miles, that is the designated location of this “test-set” area. The allowed time would be one-hour before and after the high-water as indicated in the NOAA tide predictions, making easy accessibility for the fishermen, and easy predictability for ADF&G enforcement. The 16-hours advance notice would allow fisherman to contact the ADF&G office before closing time in the evening, then be able to make the test set if the start time is around 8:00 a.m. the next morning. Fishermen could fill out their test-set request online, which would require very little man-hours.

The cost of this proposal includes time involved in fielding fishermen’s request for test-set authorization, which will likely peak in Naknek and Nushigak in the week prior to the initiation of the emergency order, after which time the option is no longer available. There will be proportionately fewer test-sets in Egegik, and very few requests for test-sets in Ugashik because of the fewer number of boats stored in those areas in comparison to Naknek and Nushagak. I do not have the means to quantify a dollar amount on the cost of implementing this proposal, but I know it will be cost-effective to the value gained in reducing incidents on the fishing grounds in the early season..

PROPOSED BY: Matt Marinkovich

(HQ-F22-007)

East Side Management (4 proposals)

PROPOSAL 57

5 AAC 06.364. Naknek-Kvichak District Commercial Set and Drift Gillnet Sockeye Salmon Fisheries Management and Allocation Plan.

Repeal set and drift gillnet allocations in the Naknek-Kvichak District, as follows:

This proposal is to repeal Allocation in the Naknek-Kvichak District, and manage the way it was before allocation was implemented.

What is the issue you would like the board to address and why? Under the allocation plan that was developed, the allocation between Set and Drift was set at 84% Drift and 16% Set. Of which is divided equally between the Naknek Setnetters and Kvichak Setnetters. Until several years ago the allocation between percentages was kept close. Then the percentage of Set Allocation started to rise, to as much as 30% several years ago. In 2021 the Set percentage reached 47%. When the allocation between Set and Drift was implemented we thought ADFG was required to keep the harvest close to those percentages, but the N/K management has not been doing that the last several years. It had not been managed to allocation, so why even have allocation.

PROPOSED BY: Randolph Alvarez

(EF-F22-014)

PROPOSAL 58

5 AAC 06.360. Naknek River Sockeye Salmon Special Harvest Area Management Plan.

Provide increased commercial salmon fishing opportunity in the Naknek River Special Harvest Area, as follows:

5 AAC 06.360

(i) The commissioner may open, by emergency order, the NRSHA when the Naknek River escapement exceeds the mid-point of the escapement goal range and is projected to exceed the upper end of the escapement goal range.

(A) Fishing periods may open concurrently with fishing periods in the Naknek Section and the Naknek-Kvichak District, except that, drift gillnet fishing periods may close one hour before high tide.

(B) Fish harvested in the NRSHA shall be delivered prior to fishing the Naknek Section or the Naknek-Kvichak District.

What is the issue you would like the board to address and why?

NRSHA open concurrent to Naknek and/or N/K openings, which increases fishing area and reduces escapement. This proposal addresses over escapement of sockeye salmon in the Naknek River.

The situation as it currently exists: The Naknek River has experienced over escapement in recent years due to increasing runs, and unusual fish-movement patters in which the fish swim through the Naknek Section and “magically” appear in the Naknek River with an express ticket to the spawning grounds. In such instances over 1,000,000 fish have eluded fishermen and swam up the

river during a “push” of fish, even though the Naknek Section was open for fishing when the fish swam through the district. Currently fishermen are allowed to fish in the Naknek River Special Harvest Area (NRSHA) only as a conservation measure to protect the Kvichak River stocks, and are not allowed to fish with consideration of catching a push of fish that are in the river.

Situation if this proposal were enacted: When fish are “sneaking past” the fleet and winding up in the river in abundance, the NRSHA may be opened concurrently with the Naknek Section or Naknek/Kvichak district openings. This will allow for those fish to be caught, and not go up the river to add to the over-escapement tally. Since the in-river fishery will close one-hour prior to high tide, this proposal will allow for the orderly and unobstructed flow of traffic on the Naknek River for tug-and-barge, and salmon tendering activities. .

PROPOSED BY: Matt Marinkovich (HQ-F22-010)

PROPOSAL 59

5 AAC 06.365. Egegik District Commercial Set and Drift Gillnet Sockeye Salmon Fisheries Management and Allocation Plan.

Repeal provisions directing the department to avoid continuous fishing with set gillnet gear in the Egegik District, as follows:

5 AAC 06.365 Egegik District Commercial Set and Drift Gillnet Sockeye Salmon Fisheries Management and Allocation Plan

...

[(g) IN THE SET GILLNET FISHERY, THE DEPARTMENT SHALL MANAGE, TO THE EXTENT PRACTICABLE, THE EGEGIK DISTRICT TO AVOID CONTINUOUS FISHING WITH SET GILLNET GEAR.]

Remove the entire line item.

What is the issue you would like the board to address and why? In the set gillnet fishery, the department shall manage, to the extent practicable, the Egegik District to avoid continuous fishing with set gillnet gear.

Due to this line item, the set net fisherman had (in previous seasons) been required to set AND pull set gillnet gear each and every tide. This again, requires two sets and two pulls each and every day fishing periods were allowed.

In removing this, would give flexibility to the biologists to allow continuous fishing with set gillnet gear at their discretion.

PROPOSED BY: Michael A. Duta (EF-F22-011)

PROPOSAL 60

5 AAC 06.366. Ugashik District Commercial Set and Drift Gillnet Sockeye Salmon Set and Drift Gillnet Fisheries Management and Allocation Plan.

Align the Ugashik District fall fishing schedule with the Naknek-Kvichak District and Egegik District fall fishing schedules, as follows:

Abolish current Ugashik fall fishing schedule.

Add Ugashik to the current regulation regarding the fall fishing schedule for Naknek/Kvichak, Egegik. Assimilate all 3 Eastside districts together.

What is the issue you would like the board to address and why? In Ugashik, the current fall schedule is after Aug 1st, it opens Thurs 9am until Mon 9am. I propose changing the fall schedule to align with Naknek/Kvichak, and Egegik which is a Mon 9am until Sun 9am, starting on July 17. Implementation shall only occur if the minimum escapement goal has been reached as of July 17.

Why? the current regulation often results in the end of the Ugashik fishery for a given season. Markets leave when there are gaps in fishing time while other districts are open (Kvichak, Egegik) The result is local Ugashik fishers have missed opportunities for fall fishing due to markets not coming to the district, while both of the other Eastside districts are fishing. By assimilating Ugashik with Kvichak and Egegik's fall fishing schedule, it will level the field of opportunities for all fishers.

PROPOSED BY: Ken Dunsmore

(EF-F22-020)

Reporting Requirements (1 proposal)

PROPOSAL 61

5 AAC 06.377. Reporting requirements.

Require reporting of king salmon harvest by size class on fish tickets, as follows:

Addendum to 5 AAC 06.377

(c) Each processor shall report to ADF&G, after the season, the number of chinook purchased for the three size classes consistent with other chinook size regulations: under 20 inches, 20-28 inches, and over 28 inches.

What is the issue you would like the board to address and why? Inconsistent recording of chinook across user groups, results in gaps in data for future consideration for chinook management. Additional recording should start be recorded.

All chinook are treated as a number for commercial and subsistence users, but sports fish users have three categories for chinook. Jack kings are a high percent of the commercial catch and gear is optimized for harvest of sockeye and subsequently for the size of jack kings less than 20", approximately 4 pounds (similar average on many years to sockeye). Jack kings are approximately

90% male and are of less biological significance for future returns. Sports fish licensees are currently allowed to catch and keep 10 chinook under 20” per day, and 10 in possession. This illustrates the different value placed on size classes of chinook and data in the commercial fishery should be consistently collected for future use.

PROPOSED BY: Nicholas Dowie, Michael Jackson

(HQ-F22-032)

Herring (1 proposal)

PROPOSAL 62

5 AAC 27.865. Bristol Bay Herring Management Plan.

Allow all commercial gear types to fish for herring simultaneously in Bristol Bay, as follows:

The Board of Fisheries should allow the option of all commercial gear types to simultaneously fish for Bristol Bay herring in all open areas by repealing 5AAC 27.865(b)(3). The department would still have emergency order authority and can use its discretion to limit time and area for this fishery.

What is the issue you would like the board to address and why? The current Bristol Bay Herring management plan directs the department to open the commercial herring fishery by separating the gillnet and seine gear groups by area during any opening. Due to the low number of participants over the last 6 years, this management approach is unnecessary. There is no risk of gear conflict by allowing all gear types to fish simultaneously in the same areas. In fact, by restricting the gillnetters and seiners to only fishing in separate areas by regulation, the result is an unnecessary disadvantage for both groups to access areas where the resource is congregating. Additionally, the Togiak herring season is very short (lasting roughly 10 days) due to herring spawning behavior and weather challenges. By increasing access for all participants during this short fishery, the result will be more efficient and effective harvest of high-quality herring for all users.

PROPOSED BY: Raymond May and Robert Nelson

(EF-F22-046)

ARCTIC / YUKON / KUSKOKWIM PROPOSAL INDEX

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PROPOSAL 96 130

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PROPOSAL 97 131

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Chatanika Northern Pike Subsistence (2 proposals)

PROPOSAL 63

5 AAC 01.244. Minto Flats Northern Pike Management Plan.

Establish an annual bag limit of 20 northern pike and modify daily bag limit of fish greater than 30 inches in the Chatanika Harvest Area subsistence fishery, as follows:

5 AAC 01.244. Minto Flats Northern Pike Management Plan.

2 (B) There is no daily or annual bag limit, except that in the area described in (G) of this paragraph, the daily harvest limit per permit is 10 fish only one [TWO] of which may be 30 inches or greater in length, and the possession limit per permit is 20 fish only two [FOUR] of which may be 30 inches or greater in length, **and the annual bag limit is 20 fish only two of which may be 30 inches or greater in length;**

What is the issue you would like the board to address and why? The Chatanika River Winter subsistence Northern Pike fishery (CHA) harvests a significant number of Northern Pike from the Minto Flats complex. Fish harvest is biased heavily towards large females (fish > 30 inches), which provide a disproportionate contribution of eggs to the population (Gutierrez and Tyers 2020). In addition, the number of fish harvested in the CHA has led to restrictions in the sport fisheries during 2007, 2008, 2016, and 2021 (Gleason and Estensen 2018). Anecdotal reports from local cabin-owners suggests that fishing pressure has increased during the winter subsistence fisheries due to greater accessibility via snowmachine, and the likelihood of catching large pike has decreased in recent years. Increased selective harvest in the CHA has reduced the quality of sport fishing in the Minto Flats complex, yet sport fisheries pay the price for this selective harvest in the form of fishery restrictions and reduced likelihood of trophy fish. Additionally, excessive selective harvest can reduce the long-term resilience of a fishery, and the current harvest levels may not remain sustainable under future conditions (e.g., different water levels).

Gleason, C., and J. Estensen. 2018. An overview of Minto Flats northern pike subsistence and sport fisheries: a report to the Board of Fisheries. Alaska Department of Fish and Game, Special Publication No. 18-20, Anchorage.

Gutierrez, L., and M. Tyers. 2020. Investigations of length and sex in northern pike subsistence harvest from the Chatanika Harvest Area. Alaska Department of Fish and Game, Fishery Data Series No. 20-31, Anchorage.

PROPOSED BY: Will Samuel

(HQ-F22-042)

PROPOSAL 64

5 AAC 01.244. Minto Flats Northern Pike Management Plan.

Modify the daily bag limit to require retention of the first 10 fish caught and length limit for northern pike in the Chatanika Harvest Area subsistence fishery, as follows:

I recommend the that the size restriction is done away with and replaced with the regulation stating: "Daily limit 10 pike, the first 10 fish over 24" must be kept; possession limit 20 pike."

What is the issue you would like the board to address and why? I would like the board to address the size restriction of only keeping 2 pike over 30 inches for the Tolovana River drainage pike subsistence fishery.

My family can usually afford to make this 60 mile roundtrip journey once a year in the late winter or early spring. While the days are longer it is still usually still very cold and time is not a luxury we have on the river. Having to release fish because they exceed 30" after we already have two of this size is burdensome and restricts my families ability to harvest this important source of food.

PROPOSED BY: Ben Dobrovolny (EF-F22-042)

Tanana Drainage Sport Fisheries (10 proposals)

PROPOSAL 65

5 AAC 74.010. Seasons, bag, possession, and size limits, and methods and means for the Tanana River Area.

Require retention of sport caught salmon, if removed from the water, in the Tanana River Area, as follows:

(b) Except as otherwise specified in (c) and (d) of this section, the following are the general bag, possession, and size limits and means for finfish in the waters of the Tanana River Area:

(1) king salmon 20 inches or greater in length: the bag and possession limit is one fish, **as follows;**

(A) in all waters, a king salmon that is removed from the water must be retained and becomes part of the bag limit of the person that originally hooked the fish; a person may not remove a king salmon from the water before releasing the fish;

(2) salmon, other than king salmon: the bag and possession limit is three fish, with no size limit **as follows;**

(A) in all waters, a salmon, including a king salmon as specified in (1)(A) of this subsection, that is removed from the water must be retained and becomes part of the bag limit of the person that originally hooked the fish; a person may not remove a salmon from the water before releasing the fish;

What is the issue you would like the board to address and why? During the past several years, runs of Chinook, coho, and chum salmon throughout the Yukon and Tanana drainages have not met escapement goals, resulting in subsistence and sport fishing closures. The sport fishing community that enjoys fishing for salmon species for food and recreation, and also enjoys catching other fish species such as Arctic grayling that benefit from the marine-derived nutrients provided by healthy salmon runs, wishes to contribute towards minimizing stress and mortality of salmon species that can be caused through catch-and-release angling. Scientific studies have shown that removing fish from the water, thereby depriving them of oxygen, is the main cause of catch-and-release stress and mortality. Therefore, it is proposed that regulations be adopted throughout the Tanana drainage in which anglers may not remove a salmon from the water if they are not retaining it as part of their bag limit. Similar regulations are in place in the Susitna River drainage of Southcentral Alaska for Chinook and coho salmon, with the goal to minimize catch-and-release stress on these popular and important food fishes. If this regulation is adopted, sport fishermen can

do their part to facilitate the rehabilitation of salmon stocks in the Yukon and Tanana River drainages. This will help ensure that subsistence fishers regain food security associated with catching salmon, and will enhance opportunities for sport fishers to catch salmon into the future, for sustenance and for recreation.

PROPOSED BY: Midnight Sun Fly Casters

(HQ-F22-001)

PROPOSAL 66

5 AAC 74.010. Seasons, bag, possession, and size limits, and methods and means for the Tanana River Area.

Allow a catch-and-release fishery for northern pike in Harding Lake, as follows:

Allow catch and release fishing for Northern Pike in Harding Lake.

Proposed regulatory language

(c)(13)(A) in Harding Lake, northern pike may be taken by catch-and-release fishing only [SPORT FISHING FOR NORTHERN PIKE IS CLOSED].

What is the issue you would like the board to address and why? Sportfishing for northern pike is closed in Harding Lake. If nothing is changed, the restrictions will continue to deny anglers opportunity to catch-and-release northern pike in Harding Lake.

Sportfishing for northern Pike (*Esox Lucius*) has been closed to fishing since 2000 due to declining abundance during the 1990s. These restrictions did not lead to an increase in abundance of northern pike. Northern pike abundance in Harding Lake is a function of available spawning and rearing habitat, and the population abundance reaches equilibrium (carrying capacity) at each water level. The water level in Harding Lake is nearly 4 feet higher than in 2012 and there have been substantial increases in spawning and rearing habitat. Recent surveys of northern pike population indicate recruitment of young northern pike has increased. A catch-and-release fishery will be sustainable at all lake levels.

PROPOSED BY: Fairbanks Advisory Committee Fisheries Sub-Committee

(HQ-F22-036)

PROPOSAL 67

5 AAC 74.030. Methods, means, and general provisions – Finfish

Prohibit retention of northern pike caught on set lines in the Tanana River drainage, as follows:

(c) A spear or bow and arrow may be used to take suckers and burbot. Unless prohibited in 5 AAC 74.010, northern pike and whitefish, except sheefish, may be speared by a person who is completely submerged at any time, and, from September 1 through April 30, may be taken by spear or bow and arrow.

(d) Retention of pike caught on set lines is prohibited in lakes and flowing waters of the Tanana River drainage.

What is the issue you would like the board to address and why? Confusion has arisen among anglers in the Tanana River drainage as to whether northern pike caught on set lines may be targeted and/or retained. Multiple in-person and social media arguments and discussion in the last several years observed by members of the Midnight Sun Fly Casters have illuminated that the regulations booklet does not clearly state whether pike caught on burbot setlines may be retained. When members of the Midnight Sun Fly Casters have discussed the specifics and the intent of regulations for set lines with officials, Alaska State Troopers and Fisheries Management Biologists have indicated that pike cannot be targeted and retained, as this gear type is intended only for capture of burbot. The ambiguity in the regulations has led to multiple observations of anglers retaining pike caught on set lines, because they were unable to interpret the regulations. Therefore, we propose a clearer statement be included in the regulations that will minimize angler confusion and honor the intent of set line regulations, so that northern pike are not targeted/retained and their populations are not depleted to the detriment of other sport anglers.

PROPOSED BY: Midnight Sun Fly Casters (HQ-F22-003)

PROPOSAL 68

5 AAC 74.010. Seasons, bag, possession, and size limits, and methods and means for the Tanana River Area.

Repeal setline prohibition and bag and possession limit for burbot in T Lake, as follows:

5 AAC 74.010 (22) is amended to read:

(22) **repealed** //. [IN “T” LAKE, THE BAG AND POSSESSION LIMIT FOR BURBOT IS TWO FISH, WITH NO SIZE LIMIT;]

5 AAC 74.010 (d)(1)(F) is amended to read:

(d)(1)(F) **repealed** //. [“T” LAKE; AND;]

5 AAC 74.010(d)(17) is amended to read:

(d)(17) **repealed** //. [IN “T” LAKE, THE USE OF SET LINES IS PROHIBITED;]

What is the issue you would like the board to address and why? The current regulation for burbot in T lake is two fish with no size limit and is unnecessarily restrictive compared to the more accessible lakes for burbot that receive higher pressure and are less restrictive. Changing the regulations to the general regulations of 5 fish per day, no size limit, and use of setlines would reduce regulatory complexity. T Lake is a remote lake only accessible by light aircraft and fishing generally occurs for northern pike.

PROPOSED BY: Upper Tanana Fortymile Advisory Committee (HQ-F21-002)

PROPOSAL 69

5 AAC 74.010. Seasons, bag, possession, and size limits, and methods and means for the Tanana River Area.

Restrict the sport fishing season for Arctic grayling in the lower Chena River, as follows:

(3) in the Chena River and its tributaries, including Chena Slough (Badger Slough),

(C) Sport Fishing for arctic grayling, in the Chena River and its tributaries, including Chena Slough (Badger Slough), downstream from an ADF&G regulatory marker located 300 feet downstream from the Chena River flood control structure, is closed from April 1 through May 15.

What is the issue you would like the board to address and why? With the increased population growth in the Fairbanks and North Pole areas stemming from the military expansions of Fort Wainwright and Eielson Air Force Base, there has been increase and pronounced early-season sportfishing pressure on Arctic Grayling in the lower Chena River and its tributaries, including Chena Slough (Badger Slough). This is, in large part, due to these being the first and only ice-free waters in the regions during this time of year.

Over the past 25 years of fishing these waters, I have notice more anglers using treble hooks (although illegal), and increasingly poor landing and releasing technique with arctic grayling. This has resulted in my witnessing scores of injured, mangled and dead arctic grayling while fishing on the lower Chena River and its tributaries, including Chena Slough (Badger Slough) during late-April and early-May each year. Very often, my UAF sportfishing classes have been witness to these conditions as well.

Although these waters are regulated as Catch-and-Release for arctic grayling, if a limited closure is not instituted during the time the arctic grayling are preparing to spawn, and until other Interior waters are ice-free, this population will be at high risk for future sustainability.

PROPOSED BY: Shann Paul Jones (EF-F21-011)

PROPOSAL 70

5 AAC 74.010. Seasons, bag, possession, and size limits, and methods and means for the Tanana River Area.

Allow harvest of Arctic grayling in the lower Chena River from June 1 to March 31, as follows:

Allow retention of one Arctic grayling on the lower Chena River, downstream of Moose Creek Dam (300' downstream of Chena Food control project) June 1 – March 31.

Proposed regulatory language

(c)(3)(B)(i)(ii) in the Chena River and its tributaries, including Chena Slough (Badger Slough), Arctic grayling may be taken by catch-and-release fishing only, except that a person [UNDER 16 YEARS OF AGE] may retain Arctic grayling in the Chena River downstream from the Chena River flood control structure from **June 1 through March 31** [DURING A

DESIGNATED YOUTH SPORT FISHERY;.THE DESIGNATED YOUTH SPORT FISHERY FOR ARCTIC GRAYLING OCCURS DURING THE EIGHT DESIGNATED YOUTH FISHING DAYS, WHICH OCCUR ON FOUR CONSECUTIVE SATURDAYS AND SUNDAYS BEGINNING THE THIRD SATURDAY IN JUNE]; bag and possession limit of one fish, no size limit

What is the issue you would like the board to address and why? The Chena River Arctic grayling fishery has been catch-and-release since 1991 (except since 2019 a youth only bag limit of 1 fish in the lower river downstream of Moose Creek dam 4 weekends each year). If nothing is changed, the restrictions will continue to deny anglers opportunity to harvest Arctic grayling in the Chena River.

The Chena River, the fishery has been catch-and-release for 30 years and the population is stable with numerous larger and older fish distributed throughout the upper drainage. While many of these large fish spawn in the lower river in May, they generally migrate upriver for the summer. A limited harvest fishery (1 fish daily bag limit, June 1 – March 31) in the lower river (below Moose Creek dam) would allow harvest on the younger (3-6 years old), smaller grayling. Larger, older (7-25 years old) Arctic grayling will be in the upper river where catchand- release fishing will continue to be allowed. This proposal would protect larger, older fish while allowing some harvest opportunity in the lower river.

A current study will describe the spring spawner abundance and their migrations upstream after spawning. The data from the study is expected to show that A) the Chena River has a healthy population of Arctic grayling and B) the older, larger fish move upstream beyond the proposed limited harvest fishery. The level of fishing effort on the Chena River for Arctic grayling has the potential to impact the abundance and size composition of the population if harvest is allowed throughout the drainage and year-round. However, this proposal will allow a sustainable harvest in the lower river during below the dam, and still preserve the current population characteristics in the upper river..

PROPOSED BY: Fairbanks Advisory Committee Fisheries Sub-Committee (HQ-F22-037)

PROPOSAL 71

5 AAC 74.010. Seasons, bag, possession, and size limits, and methods and means for the Tanana River Area.

Remove the size limit for lake trout in Fielding Lake, as follows:

In Fielding Lake, allow retention of one lake trout of any size.

Proposed regulatory language

(c)(9)(B) in Fielding Lake, lake trout may be taken only from October 1 through August 31, with a bag and possession limit of one fish [, WHICH MUST BE 26 INCHES OR GREATER IN LENGTH; ALL LAKE TROUT CAUGHT THAT ARE LESS THAN 26 INCHES IN LENGTH MUST BE RELEASED IMMEDIATELY]

What is the issue you would like the board to address and why? In Fielding Lake, the current regulation allows harvest of 1 lake trout over 26 inches in total length. If nothing is changed, the restrictions will continue to deny anglers opportunity to harvest lake trout less than 26 inches.

The length limit concentrates fishing on the oldest and largest fish, which reduces the number of bigger fish available to anglers, prevents anglers from retaining a “foul-hooked” fish, and denies anglers the opportunity to choose the size of lake trout to harvest. Many anglers have stated that they would like to keep a dinner sized lake trout (14-20 inches), rather than a lake trout >26 inches.

Based on staff comments presented in 2019, ADF&G stated that the 26-in length limit results in a sustainable yield of 78 fish. Based on the department’s angler surveys, harvest have been well below this level. Removal of the length limit would allow a total annual harvest or yield of 202 lake trout. The length limit is unnecessarily restrictive. Similar removals of the length limit did not increased harvests in the Copper River lakes such as Paxson, Summit, Louise, Crosswind, and Susitna Lake.

PROPOSED BY: Fairbanks Advisory Committee Fisheries Sub-Committee (HQ-F22-038)

PROPOSAL 72

5 AAC 74.010. Seasons, bag, possession, and size limits, and methods and means for the Tanana River Area.

Allow for catch-and-release fishing in Bathing Beauty Pond, Bear Lake, Moose Lake, Polaris Lake, Piledriver Slough, and Moose Creek, as follows:

5 AAC 74.010(c)(17) is amended to read:

(17) in Piledriver Slough and its tributaries **and in the Moose Creek drainage,**
finfish species [UPSTREAM FROM ITS CONFLUENCE WITH MOOSE CREEK, ARCTIC GRAYLING] may be taken by catch-and-release fishing only;

5 AAC 74.010(c) is amended by adding a new paragraph to read:

(33) in Bathing Beauty Pond, Bear Lake, Moose Lake, and Polaris Lake,
finfish species may be taken by catch-and-release fishing only;

5 AAC 74.010(d)(13) is amended to read:

(d) In the Tanana River Management Area, the following special provisions to methods and means apply:

...

(13) in Piledriver Slough **and in the Moose Creek drainage** [UPSTREAM OF ITS CONFLUENCE WITH MOOSE CREEK], only one unbaited, single-hook, artificial lure may be used;

What is the issue you would like the board to address and why? In 2019, the board provided the department emergency order authority to restrict stocked waters to catch-and-release fishing when potentially unsafe levels of per- and polyfluoroalkyl substances (PFAS) were detected in the water or fish tissue. Bathing Beauty Pond, Bear Lake, Moose Lake, Polaris Lake, Piledriver Slough, and Moose Creek are within or immediately adjacent to ground water plumes contaminated with PFAS, and this contamination will likely persist for an extended period. This proposal modifies the bag and possession limits for these lakes to catch-and-release only out of an abundance of caution.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F22-056)

PROPOSAL 73

5 AAC 74.010. Seasons, bag, possession, and size limits, and methods and means for the Tanana River.

Update the Tanana River Area stocked waters regulations, as follows:

5 AAC 74.010 (c)(29) is amended to read:

(c) The following are the exceptions to the general bag, possession, and size limits, and fishing seasons specified in (a) and (b) of this section for the Tanana River Area:

...

(29) in stocked waters, the bag, possession, and size limit for rainbow trout, Arctic char/Dolly Varden, landlocked salmon, Arctic grayling, and **lake trout** is 10 of all stocked species combined, of which no more than **two fish may be lake trout and only one of the 10** fish may be 18 inches or greater in length; for the purposes of this paragraph, "stocked waters" include Backdown Lake, Ballaine Lake, [BATHING BEAUTY POND, BEAR LAKE (EIELSON AIR FORCE BASE)], Big "D" Pond, Birch Lake, Bluff Cabin Lake, Bolio Lake, Brodie Lake, Bullwinkle Lake, [CATHERS LAKE], Chena Lake, Chet Lake, CHSR 25.0 Mile Pit, CHSR 30.0 Mile Pit, CHSR 45.5 Mile Pit, CHSR 47.9 Mile Pit, CHSR 56.0 Mile Pit, Coal Mine Road #5, Craig Lake, Cushman Lake, Dick's Pond, Doc Lake, Donna Lake, Donnelly Lake, Dune Lake, Forrest Lake, Four Mile Lake, Fourteen Mile Lake, Geskakmina Lake, Ghost Lake, Grayling Lake (Eielson Air Force Base), Hidden Lake (Eielson Air Force Base), Hidden Lake (Tetlin NWR), **Horseshoe Lake**, "J" Lake, Jan Lake, Johnson Pit #2, Kenna Lake, Ken's Pond, Koole Lake, Last Lake, Lisa Lake, Little Donna Lake, Little Harding, Little Lost Lake, Lost Lake, Lundgren Pond, Manchu Lake, Mark Lake, Monte Lake, Monterey Lake, [MOOSE LAKE (EIELSON AIR FORCE BASE)], Mosquito Creek Lake, Mullins Pit, Nenana City Pond, Nickel Lake, Nordale #2, North Chena Pond, North Pole Pond, North Twin Lake, Olnes Pond, Otto Lake, Parks 261 Pond, **Parks 285 Pond**, Paul's Pond, [POLARIS LAKE], **Pyrite Pond**, Quartz Lake, Rangeview Lake, Rapids Lake, Richardson Hwy. 28 Mile Pit, Richardson Hwy. 31 Mile Pit, Richardson Hwy. 81 Mile Pit, **Sansing Pond**, Shaw Pond, Sheefish Lake, Sirlin Drive Pond, South Twin Lake, [STEESE HWY. 28.8 MILE PIT], Steese Hwy. 29.5 Mile Pit, Steese Hwy. 31.6 Mile Pit, Steese Hwy. 33.5 Mile Pit, Steese Hwy. 34.6 Mile Pit, Steese Hwy. 35.8

Mile Pit, Steese Hwy. 36.6 Mile Pit, Stringer Rd. Pond, Triangle Lake, Wainwright #6, **Weigh Station #1, Weigh Station #2**, Weasel Lake, West Iksgiza Lake, Z Pit (Chena Floodway);

...

What is the issue you would like the board to address and why? In conjunction with the Alaska Board of Fisheries cycle, the department reviews the stocked waters in each management area. Stocked waters are removed from the stocking plan and corresponding regulations due to a loss of public access, poor fish growth or survival, insufficient fishing effort, or contamination. In 2020 lake trout were added back into the stocking plan and this proposal includes that species in the bag, possession, and size limit. As new waters are identified, and stocked fish species are added and included in the stocking plan they are added to the regulations. The proposed language will update the Tanana River Area stocked waters regulations.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F22-057)

PROPOSAL 74

5 AAC 74.065. Tanana River Area Stocked Waters Management Plan

Update the Tanana River Area Stocked Waters Management Plan, as follows:

5 AAC 74.065 is amended to read:

(d) Regional management approach. Under the regional management approach, stocked waters will be managed so that there will be a reasonable expectation of high catch rates and harvesting a daily bag limit. The bag and possession limit is 10 fish in combination of all stocked species, **of which only two fish may be lake trout**, and only one of those **10 fish in combination**, [FISH] may be 18 inches or greater in length. The fishing season is open year round and bait may be used.

(e) Conservative management approach. Under the conservative management approach, stocked waters will be managed so that there will be a reasonable expectation to catch a daily bag limit with a reasonable chance of catching fish 18 inches or greater in length. The bag and possession limit is five fish in combination of all stocked species, **of which only two fish may be lake trout**, and only one of those **five fish in combination**, [FISH] may be 18 inches or greater in length. The fishing season is open year round and bait may be used.

...

What is the issue you would like the board to address and why? In 2020 the department added lake trout into the stocking program. Under current regulations for stocked waters lake trout are not included. Under the Regional management approach, which is the least restrictive of the management approaches, the regulations are 10 fish in combination of all stocked species only one of which may be 18 inches or greater in length. The Conservative management approach is the moderately restrictive management approach, and the regulations are five fish in combination of all stocked species only one of which may be 18 inches or greater in length. To remain consistent with general

regulations for lake trout in the Tanana Management Area, it is recommended that the stocked lake trout be added to the “stocked species” designation and have a bag and possession limit of two fish.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F22-058)

Norton Sound Sport Fisheries (1 proposal)

PROPOSAL 75

5 AAC 70.011. Seasons and bag, possession, annual, and size limits for the Northwestern Area.

Modify Arctic grayling bag, possession, and length limits in the Northwestern Area, as follows:

5 AAC 70.011(c)(3)(E) is amended to read:

(3) in Northern Norton Sound, which is described as all waters draining into Norton Sound from Cape Darby to Cape Prince of Wales on the Seward Peninsula, except Salmon Lake, the bag and possession limit for

(E) Arctic grayling is two [FIVE] fish, with no size limit [OF WHICH ONLY ONE FISH MAY BE 15 INCHES OR GREATER IN LENGTH];

5 AAC 70.011(c)(4) is amended to read:

(4) in the Pilgrim River drainage, including Salmon Lake, the bag and possession limit for Arctic grayling is one [TWO] fish, with no size limit [OF WHICH ONLY ONE FISH MAY BE 15 INCHES OR GREATER IN LENGTH];

5 AAC 70.011(7)(B) is amended to read:

(7) in the Snake River drainage,

...

(B) the bag and possession limit for Arctic grayling is one [TWO] fish, with no size limit [OF WHICH ONLY ONE FISH MAY BE 15 INCHES OR GREATER IN LENGTH];

What is the issue you would like the board to address and why? Stock assessment of several Northern Norton Sound Arctic grayling populations indicated abundances within established index areas to be well above desired management threshold levels. The current 15-in length limit was a conservative management measure used to protect larger fish from overexploitation because the Arctic grayling abundances within the index areas are predominately composed of fish >15 inches; this is the size most caught by anglers. Since 2010, estimates of annual fishing effort and harvest in the sport fishery have declined substantially and the conservative regulations are no longer needed. Eliminating the 15-in minimum size limit for harvest and maintaining the five fish bag and possession limit, with no size limit, may result in unsustainable harvest, but a bag limit of two fish, with no size limit, would be sustainable and allow anglers to harvest more large fish. In the Pilgrim and Snake Rivers, smaller population sizes and presence of multiple roadside access points

put Arctic grayling stocks at a higher risk of overharvest than in the larger or more remote rivers. Reducing the bag limit from two fish (only one fish ≥ 15 inches) to one fish (no size limit) would allow for harvest and not alter the size structure of the Arctic grayling populations in the Pilgrim and Snake Rivers.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F22-054)

Kotzebue Commercial Fisheries (1 proposal)

PROPOSAL 76

5 AAC 03.331. Gillnet specifications and operations.

Allow Kotzebue commercial salmon fishermen to leave their set gillnet gear unattended during commercial fishing periods, as follows:

5 AAC 03.XXX In the Kotzebue District a CFEC permit holder must be physically present for the initial deployment of the gear at the beginning of the commercial fishing period; present during any and all working of fishing gear and harvesting of fish from the gear; present at the end of the commercial fishing period to terminate operation of the gear. The CFEC permit holder must also be present when fish caught by that permit holder's gear are being sold to a licensed buyer. The CFEC permit holder (including crew) may leave their net and any fishing gear during the fishing period for reasons including to sell fish, acquire needed supplies or perform other duties, but the permit holder will remain responsible for their gear during any absence from the gear.

What is the issue you would like the board to address and why? I've commercial fished for salmon in Kotzebue Sound for 47 years--starting a few years before Limited Entry came along. During those many seasons fishermen consistently and customarily let their nets (gear) to go back to their tents, camps, homes, or wherever to eat, rest, get gas, harvest food, dry meat, gather wood, work on other projects, etc. between working their gear and picking fish. This is a small fishery, and at times a "slow" salmon fishery, mostly fished by local residents, many who are related to each other and integral to the community. Recently--this past summer season--a new trooper began citing fishermen for "leaving" their nets. Fishermen were outraged and confused at why they were being ticketed for what we've basically always done, what we need to be able to do to make this fishery viable. I've talked with the ADFG area fish biologist and the above mentioned trooper who both assisted me in writing this, and also with the local Fish Board President and other fishermen and Copper River Seafoods and our other buyers, who are all in agreement that a small change would help clarify and improve this situation and bring regulations in alignment with actual practices here.

PROPOSED BY: Seth Kantner

(EF-F21-008)

Norton Sound Commercial Fisheries (2 proposals)

PROPOSAL 77

5 AAC 04.362. Guideline harvest range for Port Clarence District.

Establish an optimal escapement goal of 7,000-12,000 sockeye salmon for the Salmon Lake drainage within the Port Clarence District, as follows:

This is a fertilized lake with the most complete salmon enumeration and out migration data of the return in the AYK Region. This regulation should convert to a management plan, perhaps with an OEG of 7,000 -12,000 sockeye salmon, assuming continued fertilization. Because the weir is well above the commercial district and there are chum salmon present there, the subsistence fishery will be the primary harvest mechanism. Managers could use the escapement counts to project final escapement, and thereby make determinations to liberalize or restrict harvest as appropriate.

What is the issue you would like the board to address and why? New analysis of the carrying capacity of the rearing habitat, Salmon Lake, has determined optimal sockeye salmon escapements for Salmon Lake Drainage should be in the 7,000 to 12,000 range with a point estimate of 10,000. Return per spawner falls below 1:1 above 12,000. The current regulation sets the upper limit at 30,000 salmon, well above the recent analysis.

PROPOSED BY: Charlie Lean

(EF-F22-047)

PROPOSAL 78

5 AAC 27.910. Fishing seasons and periods for Bering Sea-Kotzebue Area.

Modify the start and end dates of the herring sac-ro, and food and bait fishing seasons, as follows:

5 AAC 27.910 (b)(1)-(2) and (4) are amended to read:

...

(b) In the Norton Sound District, herring may be taken only as follows:

(1) from May 15 through **November 15** [JUNE 30 (SAC-ROE SEASON)] and only during periods established by emergency order;

(2) in Subdistricts 1 - 6, from **May 15** [JULY 1] through November 15 (**sac-ro or** food and bait season);

(3) repealed 5/11/85;

(4) in Subdistrict 7, from **May 15** [JUNE 15] through November 15 (**sac-ro or** food and bait season):

...

What is the issue you would like the board to address and why? This proposal would modify the date in regulation when a herring food and bait fishery can occur in Norton Sound. After 2013 there has been no buyer interest in a Norton Sound sac roe herring fishery. By regulation that fishery can occur from May 15 through June 30. Beginning in 2014 the department has opened the herring fishery continuously during the sac roe season and a local buyer has purchased an average of 50 tons a year to sell as bait. This proposal would align in regulation with what has been occurring since 2014 in the herring fishery.

Yukon Subsistence and Personal Use Fisheries (7 proposals)

PROPOSAL 79

5 AAC 01.220. Lawful gear and gear specifications.

Allow hook and line attached to a rod or pole when subsistence fishing upstream of the Nulato River mouth, to and including the Koyukuk River drainage up to the closed waters of the Koyukuk and the subsistence permit area, as follows:

(k) A person may use a hook and line attached to a rod or pole when subsistence fishing only (1) in the waters between the latitude of Point Romanof and the latitude of the westernmost point of the Naskonat Peninsula, including those waters draining into the Bering Sea and those of the Yukon River drainage downstream from the mouth of and including the Koyukuk River drainage up to and below the closed waters of the Koyukuk, and the subsistence permit area of the South Fork and Middle Fork Koyukuk. or (2) through the ice.

What is the issue you would like the board to address and why? The Koyukuk River Advisory Committee would like to include hook and line gear to the waters of the Yukon River upstream of the Nulato River mouth, to and including the Koyukuk River drainage up to the closed waters of the Koyukuk, and the subsistence permit area of the South Fork and Middle Fork Koyukuk.

PROPOSAL 80

5 AAC 01.237. Subsistence Limits for Chinook Salmon on the Yukon River.

Restrict subsistence king salmon harvest in the middle and upper Yukon River, as follows:

Regulate the number of Chinook Salmon that may be harvested under the definition of subsistence on the middle and upper Yukon River in Alaska until such time the Alaska Department of Fish and Game and the US Fish and Wildlife Service can provide factual data on the numbers of Chinook Salmon that make it to spawning grounds, are harvested under subsistence and listen to the people who know and witness others harvesting Chinook Salmon for sales under “Customary Trade.”

What is the issue you would like the board to address and why? Stakeholders on the mouth of the Yukon River (Y-1, Y-2 and Y-3) in Alaska have depended on Chinook Salmon commercial sales during the months of June and July to maintain their subsistence way of life since the early 1900’s. In the 1960’s the Alaska Department of Fish and Game began putting time constraint regulations on the harvesting season and limiting the number of salmon that can be harvested, this began the downward trend of our traditional commercial fishery also known as our subsistence utilization for our food security (using our commercial trade with canneries to live throughout the winters by buying needed supplies to gather, harvest and create/trade items such as arts and crafts, fur pelts, and other sought after items to maintain our healthy way of life).

The issue now is that the harvesting of Chinook Salmon has been moved by regulation to the Middle and Upper Yukon River under the definition of “Subsistence.” There are many Chinook Salmon unaccounted for (60 to 100 thousand in some years) and the Alaska Department of Fish and Game collaborating with the United States Fish and Wildlife Service fail to identify where these salmon are going. Yet, in social media one sees many Chinook Salmon drying on racks and in smoke houses on the banks of the middle and upper Yukon River. I also know and have seen sales of this finished product throughout the winters. When addressed at the Federal level, I am continually told that this is allowed under “Customary Trade.” All my years as a Traditional Commercial Salmon Fisherman on the mouth of the mighty Yukon River and those before me know for a fact that “Customary Trade” meant trading ones product for other products and not for money. This definition needs to be corrected.

Under ANILCA the Secretary of Interior wanted to include the commercial Chinook Salmon Fishery as subsistence since it was 100% utilized by local indigenous Peoples and strictly for maintaining their subsistence way of life..

PROPOSED BY: John H. Lamont

(HQ-F21-003)

PROPOSAL 81

5AAC 01.220 (n) (3) (4) Lawful gear and gear specifications.

Implement a Yukon River drainage subsistence salmon permit to allow retention of king salmon less than 24 inches in length with an annual limit 10 fish during times of king salmon conservation, as follows:

Allow limited retention of (24 inch and under) Chinook in a subsistence chum opener with dipnets and/or manned fishwheel on the Yukon River under emergency order per the following:

5AAC 01.220 (n) (3) (4) Lawful gear and gear specifications add section (5)

(1) Starting in the 2023 fishing season, during times when the commissioner determines it is necessary for the conservation of king salmon, the commissioner may, by emergency order, require that in the Yukon River drainage, king salmon may be taken only under the authority of a subsistence fishing permit with the following conditions:

(A) annual limit of 10 king salmon under 24 inch in fork length (tip of nose to tail fork) caught in a dipnet or manned fishwheel only

(B) the commissioner may, by emergency order, implement one or more of the gear limitations specified in 5 AAC 01.220 (n) (2) and n (3) for fishing under the permit;

(C) permit holders must complete and return permits, including daily records of king salmon harvested, each year by October 31;

(D) once the annual limit is reached, additional king salmon may not be taken except in

compliance with all applicable regulations and emergency orders;

(E) only one small king subsistence permit may be issued to a household each year;

...

What is the issue you would like the board to address and why? Retention of Chinook (king) salmon is normally not permitted during summer chum subsistence openers when Chinook salmon conservation management is applied on the Yukon River. Under 5 AAC 01.220 (n) (3) (4) Lawful gear and gear specifications, the ADF&G commissioner may allow, by emergency order, Chinook retention utilizing specific gear types. Adding a section (n) (5) to allow retention of Chinook salmon 24 inches and under while utilizing only dipnets or manned fishwheels will focus on the retention of small king salmon only.

There are multiple needs for subsistence fishermen as well as fish in years of extreme low abundance. With the continued downward trajectory of Chinook salmon in size and run strength and the periodic crashes of summer and fall chum salmon, the pressure for food security is immense.

When there is an allowable chum opener for subsistence with a gear type restriction to dipnets and manned fishwheels, the retention of small Chinook salmon under 24 inches (60.9cm / approximately 6 pounds) caught in a dipnet or manned fishwheel should be allowed.

The theory is that these undersized kings do not substantively contribute to ASL (age-sexlength) spawning aggregate in a time when focus is on increasing size genetics. Further, a very limited harvest of undersized kings utilizing only dipnets and manned fishwheels as a gear type will allow easy measurement of a fish from nose to fork in tail, allowing bigger fish to be released unharmed from a net or fishwheel live box.

However, recognizing that small (jack) male salmon can contribute to increased abundance, this recommendation should be tied to estimated spawning abundance in both Alaskan and Canadian Chinook stock.

PROPOSED BY: Fairbanks Advisory Committee Fisheries Sub-Committee (HQ-F22-039)

PROPOSAL 82

5 AAC 39.250. Gillnet specifications and operations.

Modify the dates sinking of gillnets is allowed in the Yukon Area from October 1 to April 30, as follows *(To be heard at the Arctic / Yukon / Kuskokwim meeting and deliberated during the Statewide Finfish and Supplemental Issues meeting):*

5 AAC 39.250(d) is amended to read:

...

(d) The float line and floats of gillnets must be floating on the surface of the water while the net is fishing, unless natural conditions cause the net to temporarily sink. The restriction of this

subsection does not apply in the Arctic-Kotzebue Area (5 AAC 03.100), the Norton Sound-Port Clarence Area (5 AAC 04.100), the Yukon Area (5 AAC 05.100) **from October 1 to April 30**, the Kuskokwim Area (5 AAC 07.100), and the Kodiak Area (5 AAC 18.100).

...

What is the issue you would like the board to address and why? This proposal would modify the dates when gillnets are allowed to be fished without the float line on the surface of the water in the Yukon Area. During salmon seasons, from May 1 to September 30, the float line and floats must be floating on the surface. Submerged gillnets are less visible and may be difficult to observe if fishing illegally during closed periods. Allowing a gillnet to be in a fishing condition with floats not visible on the surface of the water is a navigation hazard.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F22-062)

PROPOSAL 83

5 AAC 77.171. Lawful gear for personal use finfish fishing.

After August 15, a person may not take salmon with a gillnet that has a mesh size greater than six inches in the Yukon Area Personal Use Salmon Fishery, as follows:

5 AAC 77.171(a) is amended to read:

...

(a) In Subdistrict 6-C, finfish may be taken for personal use only by set gillnets and fish wheels as follows:

(1) a person may not operate more than one type of gear at the same time for commercial, personal use, and subsistence purposes;

(2) the aggregate length of a set gillnet may not exceed 150 fathoms;

(3) a person may not set or operate personal use fishing gear within 200 feet of other operating commercial, personal use, or subsistence fishing gear;

(4) a gillnet or fish wheel may not obstruct more than one-half the width of any fish stream and any channel or side channel of a fish stream;

(5) a household may not operate more than one fish wheel; [.]

(6) after August 15, a person may not take salmon with a gillnet that has a mesh size greater than six inches.

...

What is the issue you would like the board to address and why? This proposal would require gillnet mesh to be six inches or less in the personal use salmon fishery during the fall season in Subdistrict 6-C of the Tanana River drainage. This would make the use of gillnets six inch or less mesh size uniform between commercial, subsistence, and personal use fisheries. The department submitted a similar proposal for subsistence fishing during fall season within the Yukon Area. The smaller mesh sizes are already commonly used and would allow for greater protections for late-arriving king salmon and reduce directed harvest on larger, older fall chum salmon that make up a smaller portion of the population.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F22-064)

PROPOSAL 84

5 AAC 01.220. Lawful gear and gear specifications.

Repeal and readopt Yukon Area subsistence fishery lawful gear and gear specifications, as follows:

5 AAC 01.220 is amended to read:

(a) Salmon may be taken only by set and drift gillnet, dip net as defined in 5 AAC 05.362 (k)(1)(A), beach seine, a hook and line attached to a rod or pole, handline, or fish wheel, subject to the restrictions set out in this section, 5 AAC 01.210, and 5 AAC 01.225 - 5 AAC 01.249.

(1) in District 4, salmon may be taken by drift gillnets that are not more than 25 fathoms in length, unless closed by emergency order;

(2) in Districts 5 and 6, salmon may not be taken for subsistence purposes by drift gillnets.

(b) Unless otherwise specified in this section, fish other than salmon and halibut may be taken only by gillnet, dip net as defined in 5 AAC 05.362 (k)(1)(A), beach seine, a hook and line attached to a rod or pole, handline, or fish wheel, fyke net, jigging gear, spear, handline, lead, or eel stick;

(c) The following restrictions apply to subsistence fishing:

(1) a gillnet may not exceed seven and one-half inch mesh size;

(2) the aggregate length of set gillnets in use by an individual may not exceed 150 fathoms;

(3) each drift gillnet in use by an individual may not exceed 50 fathoms in length;

(4) in Subdistrict 5-C, between the Waldron Creek ADF&G regulatory marker and Hess Creek, a single set gillnet in use may not exceed 25 fathoms in length;

(5) subsistence set gillnets and fishwheels may not be operated within 200 feet of another gillnet or fishwheel except as follows:

(A) at the site approximately one mile upstream from Ruby on the south bank of the Yukon River between ADF&G regulatory markers containing the area known locally as the "Slide," subsistence fishing gear may be set within 200 feet of other operating commercial or subsistence fishing gear;

(B) in District 4, from Old Paradise Village upstream to a point four miles upstream from Anvik, there is no minimum distance requirement between fish wheels;

(C) a person may operate a beach seine, longline, fyke net, dip net, jigging gear, spear, a hook and line attached to a rod or pole, handline, lead, or eel stick within 200 feet of another person operating subsistence fishing gear.

(6) subsistence fishermen may operate one or more subsistence fishing gears at the same time;

(7) a person may not subsistence fish while commercial or personal use fishing at the same time;

(8) a gillnet may not obstruct more than one-half the width of any fish stream and any channel or side channel of a fish stream; a stationary fishing device may not obstruct more than one-half the width of any salmon stream and any channel or side channel of a salmon stream, except that in Racetrack Slough off of the Koyukuk River and in the sloughs of the Huslia River drainage, from when each river is free of ice through June 15, the offshore end of a set gillnet may not be closer than 20 feet from the opposite bank, unless closed by emergency order;

(9) in that portion of Beaver Creek, not included in the nonsubsistence area specified in 5 AAC 99.015(a)(4), gillnet mesh size may not exceed four inches;

(10) in Birch Creek, gillnet mesh size may not exceed four inches;

(11) in the South Fork of the Koyukuk River drainage upstream from the mouth of the Jim River, and in the Middle Fork of the Koyukuk River drainage upstream from the mouth of the North Fork, gillnet gear may be used only from August 20 through June 30 and a gillnet mesh size may not exceed three and one-half inches; a subsistence permit is required as specified in 5 AAC 01.230(b)(9);

(12) during the subsistence fishing closures specified in 5 AAC 01.210(b), all salmon gillnets with a mesh size greater than four inches must be removed from the water and fish wheels may not be operated;

(13) a beach seine may not be constructed of monofilament web and may not exceed

(A) 150 fathoms in length;

(B) 100 meshes in depth;

(C) a mesh size of four inches stretched measure.

(14) coinciding with the migratory timing of the fall chum salmon run, a person may not take fish with a gillnet that has a mesh size greater than six inches through October 30, unless altered by emergency order.

(d) Notwithstanding any other provisions of this section, during times when the commissioner determines it is necessary for the conservation of a salmon species, the commissioner may, by emergency order, close the fishing season on any portion of the Yukon Area and immediately reopen the season in that area during which one or more of the following gear limitations may be implemented:

(1) all salmon must be immediately released to the water alive unless retention is allowed by emergency order;

(2) a gillnet used to take fish

(A) must be of either four-inch or less mesh, four and three-quarter inch or less mesh, six-inch or less mesh, or seven and one-half inch mesh;

(B) for a gillnet of four-inch or less mesh or four and three-quarter inch or less mesh, may not exceed the length specified by the commissioner in the emergency order and the gillnet may only be operated as a set gillnet; no part of a set gillnet may be more than 100 feet from the ordinary high water mark;

(C) for a gillnet of six-inch or less mesh, may not exceed the length specified by the commissioner in the emergency order and the gillnet may only be operated as a set gillnet; no part of a set gillnet may be more than 100 feet from the ordinary high water mark;

(D) for a gillnet of seven and one-half inch mesh, may not exceed the length specified by the commissioner in the emergency order and the gillnet may only be operated as a set gillnet; no part of a set gillnet may be more than 100 feet from the ordinary high water mark;

(3) for fish wheels; the operator must closely attend the fish wheel while it is in operation, and all salmon must be immediately released to the water alive and must bypass any livebox unless retention is allowed by emergency order;

(4) dip nets may be used; however, all salmon caught with a dip net must be released to the water alive unless retention is allowed by emergency order;

(5) a beach seine may be used; however, all salmon caught with a beach seine must be released to the water alive unless retention is allowed by emergency order.

(e) For the purposes of this section, a "livebox" is a submerged container that is attached to a fish wheel and that will keep fish caught by the fish wheel alive.

(f) Northern pike may not be taken with gillnets in the waters of the Tolovana River drainage from October 15 through April 14.

(g) Halibut may be taken only by a single hand-held line with no more than three hooks attached.

(h) A person may use a hook and line attached to a rod or pole when subsistence fishing only

(1) in the waters between the latitude of Point Romanof and the latitude of the westernmost point of the Naskonat Peninsula, including those waters draining into the Bering Sea and those of the Yukon River drainage downstream from the mouth of the Nulato River, and in the Nulato River drainage; or

(2) through the ice.

(i) In District 4, from September 21 through May 15, jigging gear may be used from shore ice.

[(a) SALMON MAY BE TAKEN ONLY BY GILLNET, DIP NET, BEACH SEINE, A HOOK AND LINE ATTACHED TO A ROD OR POLE, HANDLINE, OR FISH WHEEL, SUBJECT TO THE RESTRICTIONS SET OUT IN THIS SECTION, 5 AAC 01.210, AND 5 AAC 01.225 - 5 AAC 01.249.

(b) REPEALED 5/15/93.

(c) REPEALED 5/11/85.

(d) IN DISTRICT 4, COMMERCIAL FISHERMEN MAY NOT TAKE SALMON FOR SUBSISTENCE PURPOSES DURING THE COMMERCIAL SALMON FISHING SEASON BY GILLNETS LARGER THAN SIX-INCH MESH AFTER A DATE SPECIFIED BY EMERGENCY ORDER ISSUED BETWEEN JULY 10 AND JULY 31.

(e) IN DISTRICTS 5 AND 6, SALMON MAY NOT BE TAKEN FOR SUBSISTENCE PURPOSES BY DRIFT GILLNETS; IN DISTRICT 4, SALMON MAY BE TAKEN BY DRIFT GILLNETS THAT ARE NOT MORE THAN 25 FATHOMS IN LENGTH, UNLESS CLOSED BY EMERGENCY ORDER.

(f) UNLESS OTHERWISE SPECIFIED IN THIS SECTION, FISH OTHER THAN SALMON AND HALIBUT MAY BE TAKEN ONLY BY SET GILLNET, DRIFT GILLNET, BEACH SEINE, FISH WHEEL, LONGLINE, FYKE NET, DIP NET, JIGGING GEAR, SPEAR, A HOOK AND LINE ATTACHED TO A ROD OR POLE, HANDLINE, OR LEAD, SUBJECT TO THE FOLLOWING RESTRICTIONS, WHICH ALSO APPLY TO SUBSISTENCE SALMON FISHING:

(1) A COMMERCIAL FISHERMAN MAY NOT OPERATE MORE THAN ONE TYPE OF GEAR AT THE SAME TIME, FOR COMMERCIAL, PERSONAL USE, AND SUBSISTENCE PURPOSES;

(2) THE AGGREGATE LENGTH OF SET GILLNET IN USE BY AN INDIVIDUAL MAY NOT EXCEED 150 FATHOMS AND EACH DRIFT GILLNET IN USE BY AN INDIVIDUAL MAY NOT EXCEED 50 FATHOMS IN LENGTH; IN SUBDISTRICT 5-C, BETWEEN THE WALDRON CREEK ADF&G REGULATORY MARKER AND HESS CREEK, A SINGLE SET GILLNET IN USE MAY NOT EXCEED 25 FATHOMS IN LENGTH;

(3) IN DISTRICTS 4, 5, AND 6, SUBSISTENCE FISHING GEAR MAY NOT BE SET WITHIN 200 FEET OF OTHER OPERATING COMMERCIAL, PERSONAL USE, OR SUBSISTENCE FISHING GEAR, EXCEPT AS FOLLOWS:

(A) AT THE SITE APPROXIMATELY ONE MILE UPSTREAM FROM RUBY ON THE SOUTH BANK OF THE YUKON RIVER BETWEEN ADF&G REGULATORY MARKERS CONTAINING THE AREA KNOWN LOCALLY AS THE "SLIDE," SUBSISTENCE FISHING GEAR MAY BE SET WITHIN 200 FEET OF OTHER OPERATING COMMERCIAL OR SUBSISTENCE FISHING GEAR;

(B) IN DISTRICT 4, FROM OLD PARADISE VILLAGE UPSTREAM TO A POINT FOUR MILES UPSTREAM FROM ANVIK, THERE IS NO MINIMUM DISTANCE REQUIREMENT BETWEEN FISH WHEELS;

(C) A PERSON MAY OPERATE A DIP NET WITHIN 200 FEET OF ANOTHER PERSON OPERATING A DIP NET;

(4) A GILLNET MAY NOT OBSTRUCT MORE THAN ONE-HALF THE WIDTH OF ANY FISH STREAM AND ANY CHANNEL OR SIDE CHANNEL OF A FISH STREAM; A STATIONARY FISHING DEVICE MAY NOT OBSTRUCT MORE THAN ONE-HALF THE WIDTH OF ANY SALMON STREAM AND ANY CHANNEL OR SIDE CHANNEL OF A SALMON STREAM, EXCEPT THAT IN RACETRACK SLOUGH OFF OF THE KOYUKUK RIVER AND IN THE SLOUGHS OF THE HUSLIA RIVER DRAINAGE, FROM WHEN EACH RIVER IS FREE OF ICE THROUGH JUNE 15, THE OFFSHORE END OF A SET GILLNET MAY NOT BE CLOSER THAN 20 FEET FROM THE OPPOSITE BANK, UNLESS CLOSED BY EMERGENCY ORDER;

(5) DURING THE COMMERCIAL SALMON FISHING SEASON, WITHIN THE YUKON RIVER AND THE TANANA RIVER BELOW THE CONFLUENCE OF THE WOOD RIVER, DRIFT GILLNETS AND FISH WHEELS MAY BE USED ONLY DURING OPEN SUBSISTENCE SALMON FISHING PERIODS;

(6) IN THAT PORTION OF BEAVER CREEK, NOT INCLUDED IN THE NONSUBSISTENCE AREA SPECIFIED IN 5 AAC 99.015(a)(4), GILLNET MESH SIZE MAY NOT EXCEED THREE INCHES;

(7) IN BIRCH CREEK, GILLNET MESH SIZE MAY NOT EXCEED THREE INCHES;

(8) IN THE SOUTH FORK OF THE KOYUKUK RIVER DRAINAGE UPSTREAM FROM THE MOUTH OF THE JIM RIVER, AND IN THE MIDDLE FORK OF THE KOYUKUK RIVER DRAINAGE UPSTREAM FROM THE MOUTH OF THE NORTH FORK, GILLNET GEAR MAY BE USED ONLY FROM AUGUST 20 THROUGH JUNE 30 AND A GILLNET MESH SIZE MAY NOT EXCEED THREE AND ONE-HALF INCHES; A SUBSISTENCE PERMIT IS REQUIRED AS SPECIFIED IN 5 AAC 01.230(b)(9);

(9) DURING THE SUBSISTENCE FISHING CLOSURES SPECIFIED IN 5 AAC 01.210(b), ALL SALMON GILLNETS WITH A MESH SIZE GREATER THAN FOUR INCHES MUST BE REMOVED FROM THE WATER AND FISH WHEELS MAY NOT BE OPERATED;

(10) A BEACH SEINE MAY NOT BE CONSTRUCTED OF MONOFILAMENT WEB AND MAY NOT EXCEED

(A) 150 FATHOMS IN LENGTH;

(B) 100 MESHERS IN DEPTH;

(C) A MESH SIZE OF FOUR INCHES STRETCHED MEASURE.

(g) REPEALED 6/10/98.

(h) PIKE MAY NOT BE TAKEN WITH GILLNETS IN THE WATERS OF THE TOLOVANA RIVER DRAINAGE FROM OCTOBER 15 THROUGH APRIL 14.

(i) HALIBUT MAY BE TAKEN ONLY BY A SINGLE HAND-HELD LINE WITH NO MORE THAN THREE HOOKS ATTACHED.

(j) REPEALED 6/17/98.

(k) A PERSON MAY USE A HOOK AND LINE ATTACHED TO A ROD OR POLE WHEN SUBSISTENCE FISHING ONLY

(1) IN THE WATERS BETWEEN THE LATITUDE OF POINT ROMANOF AND THE LATITUDE OF THE WESTERNMOST POINT OF THE NASKONAT PENINSULA, INCLUDING THOSE WATERS DRAINING INTO THE BERING SEA AND THOSE OF THE YUKON RIVER DRAINAGE DOWNSTREAM FROM THE MOUTH OF THE NULATO RIVER, AND IN THE NULATO RIVER DRAINAGE; OR

(2) THROUGH THE ICE.

(l) IN DISTRICT 4, FROM SEPTEMBER 21 THROUGH MAY 15, JIGGING GEAR MAY BE USED FROM SHORE ICE.

(m) NOTWITHSTANDING THE PROVISIONS OF (d), (e)(2), AND (f)(2) OF THIS SECTION, DURING TIMES WHEN THE COMMISSIONER DETERMINES THAT IT IS NECESSARY FOR THE CONSERVATION OF CHUM SALMON, THE COMMISSIONER MAY, BY EMERGENCY ORDER, CLOSE THE FISHING SEASON IN THE YUKON AREA AND IMMEDIATELY REOPEN THE SEASON IN THAT AREA DURING WHICH ONE OR MORE OF THE FOLLOWING GEAR LIMITATIONS MAY BE IMPLEMENTED:

(1) A GILLNET USED TO TAKE FISH

(A) MUST BE OF FOUR-INCH OR LESS MESH OR EIGHT-INCH OR GREATER MESH;

(B) FOR A GILLNET OF FOUR-INCH OR LESS MESH, MAY NOT EXCEED THE LENGTH SPECIFIED BY THE COMMISSIONER IN THE EMERGENCY ORDER;

(C) FOR A GILLNET OF EIGHT-INCH OR GREATER MESH, MAY NOT EXCEED THE LENGTH SPECIFIED IN (f) OF THIS SECTION;

(2) FOR FISH WHEELS:

(A) THE OPERATOR MUST CLOSELY ATTEND THE FISH WHEEL WHILE IT IS IN OPERATION, AND ALL CHUM SALMON MUST BE IMMEDIATELY RELEASED TO THE WATER ALIVE AND MUST BYPASS ANY LIVEBOX UNLESS RETENTION IS ALLOWED BY EMERGENCY ORDER;

(B) REPEALED 5/22/2016;

(C) REPEALED 6/17/2001;

(D) REPEALED 6/28/2019;

(3) DIP NETS MAY BE USED; HOWEVER, ALL CHUM SALMON CAUGHT WITH A DIP NET MUST BE RELEASED TO THE WATER ALIVE UNLESS RETENTION IS ALLOWED BY EMERGENCY ORDER.

(n) NOTWITHSTANDING THE PROVISIONS OF (d), (e)(2), AND (f)(2) OF THIS SECTION, DURING TIMES WHEN THE COMMISSIONER DETERMINES THAT IT IS NECESSARY FOR THE CONSERVATION OF KING SALMON, THE COMMISSIONER MAY, BY EMERGENCY ORDER, CLOSE THE FISHING SEASON IN THE YUKON AREA AND IMMEDIATELY REOPEN THE SEASON IN THAT AREA DURING WHICH ONE OR MORE OF THE FOLLOWING GEAR LIMITATIONS MAY BE IMPLEMENTED:

(1) A GILLNET USED TO TAKE FISH

(A) MUST BE OF SIX-INCH OR LESS MESH;

(B) MAY NOT EXCEED THE LENGTH AND DEPTH SPECIFIED BY THE COMMISSIONER IN THE EMERGENCY ORDER;

(2) FOR FISH WHEELS:

(A) THE OPERATOR MUST CLOSELY ATTEND THE FISH WHEEL WHILE IT IS IN OPERATION, AND ALL KING SALMON MUST BE IMMEDIATELY RELEASED TO THE WATER ALIVE AND MUST BYPASS ANY LIVEBOX UNLESS RETENTION IS ALLOWED BY EMERGENCY ORDER;

(B) REPEALED 5/22/2016;

(C) REPEALED 6/28/2019;

(3) DIP NETS MAY BE USED; HOWEVER, ALL KING SALMON CAUGHT WITH A DIP NET MUST BE RELEASED TO THE WATER ALIVE UNLESS RETENTION IS ALLOWED BY EMERGENCY ORDER;

(4) A BEACH SEINE MAY BE USED; HOWEVER, ALL KING SALMON CAUGHT WITH A BEACH SEINE MUST BE RELEASED TO THE WATER ALIVE UNLESS RETENTION IS ALLOWED BY EMERGENCY ORDER.

(o) FOR THE PURPOSES OF THIS SECTION, A "LIVEBOX" IS A SUBMERGED CONTAINER THAT IS ATTACHED TO A FISH WHEEL AND THAT WILL KEEP FISH CAUGHT BY THE FISH WHEEL ALIVE.

(p) IN THE YUKON AREA, NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION THAT ALLOWS A PERSON TO TAKE SALMON WITH A GILLNET THAT HAS A MESH SIZE GREATER THAN SEVEN AND ONE-HALF INCHES, A PERSON MAY NOT TAKE SALMON WITH A GILLNET THAT HAS A MESH SIZE GREATER THAN SEVEN AND ONE-HALF INCHES.]

What is the issue you would like the board to address and why? Regulations for lawful gear and gear specifications in the Yukon Area have been modified many times in the past and need to be revised for clarity and to reflect current practices. Proposed changes address the updated restriction on the maximum mesh size allowed in the Yukon Area (gillnets of seven and one-half inches) and

remove outdated instances of eight-inch or larger mesh gillnets. Additions align with current or longstanding fishing practices or are necessary for sustainability of salmon populations and an orderly fishery. New additions to regulations include: adding eel stick to legal subsistence fishing gear; clarifying dip net operation; relaxing minimum distance between subsistence gear with low harvest potential and maintaining 200 feet between set gillnets and fish wheels; applying seven and one-half mesh size to all gillnet fishing during the year, not just for salmon fishing; reducing the maximum mesh size to six-inch or less gillnets for the fall chum and coho salmon season; relaxing the maximum mesh size to four-inch or less gillnets portions of Beaver and Birch Creek; and specifying four inch or less mesh size gillnet operation during times of conservation.

The Yukon Area currently has several management actions available for the protection of king or chum salmon, while still being able to provide harvest opportunity on more abundant salmon species that have overlapping run timings. The department needs greater flexibility to be able to provide subsistence harvest opportunity on abundant salmon species while providing protections to less abundant salmon species. This proposal also establishes alternative and aligned gears during times of salmon conservation and allows the department to specify which species may be retained from selective gear types. This will allow for a more adaptive management strategy benefitting subsistence users.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F22-065)

PROPOSAL 85

5 AAC 77.171. Lawful gear for personal use finfish fishing.

Modify Yukon Area Personal Use Salmon Fishery specifications for selective gear types and gillnet mesh size during times of salmon conservation, as follows:

5 AAC 77.171 is amended to read:

...

(b) Notwithstanding (a) of this section, during times when the commissioner determines it to be necessary for the conservation of [CHUM] salmon, **other than king salmon**, the commissioner may, by emergency order, close the Yukon Area Subdistrict 6-C personal use salmon fishing season and immediately reopen the season during which the following gear limitations apply:

(1) a gillnet used to take salmon

(A) must be four-~~inches~~ or less [IN] mesh [SIZE] or **seven and one-half inch** [EIGHT INCHES OR GREATER] in mesh size;

(B) that is four inches or less in mesh size, may not exceed the length and depth specified by the commissioner; and **the gillnet may only be operated as a set gillnet; no part of a set gillnet may be more than 100 feet from the ordinary high water mark;**

(C) that is seven and one-half inch [EIGHT INCHES OR GREATER] in mesh size, may not exceed the length and depth specified by the commissioner; and the gillnet may only be operated as a set gillnet; no part of a set gillnet may be more than 100 feet from the ordinary high water mark;

(2) for fish wheels:

(A) the operator must closely attend the fish wheel while it is in operation, and all [CHUM] salmon, other than king salmon, must be immediately released to the water alive and must bypass any livebox, unless retention is allowed by emergency order;

(B) repealed 6/28/2019;

(C) repealed 6/28/2019;

(3) dip nets may be used, however all [CHUM] salmon, other than king salmon, caught must be released to the water alive, unless retention is allowed by emergency order; notwithstanding (a)(3) of this section, a person may operate a dip net within 200 feet of another person operating a dip net.

(c) Notwithstanding (a) of this section, during times when the commissioner determines it to be necessary for the conservation of king salmon, the commissioner may, by emergency order, close the Yukon Area Subdistrict 6-C personal use salmon fishing season and immediately reopen the season during which the following gear limitations apply:

(1) a gillnet used to take salmon

(A) must be six inches or less in mesh size; and the gillnet may only be operated as a set gillnet; no part of a set gillnet may be more than 100 feet from the ordinary high water mark;

(B) may not exceed the length and depth specified by the commissioner;

(C) that is four inches or less in mesh size, may not exceed the length and depth specified by the commissioner; and the gillnet may only be operated as a set gillnet; no part of a set gillnet may be more than 100 feet from the ordinary high water mark;

(2) for fish wheels:

(A) the operator must closely attend the fish wheel while it is in operation, and all king salmon must be immediately released to the water alive and must bypass any livebox, unless retention is allowed by emergency order;

(B) repealed 6/28/2019;

(C) repealed 6/28/2019;

(3) dip nets may be used, however all king salmon caught must be released to the water alive; notwithstanding (a)(3) of this section, a person may operate a dip net within 200 feet of another person operating a dip net.

...

What is the issue you would like the board to address and why? The Yukon Area currently has several management options available for the protection of king or chum salmon, while still being able to provide harvest opportunity on more abundant salmon species that have overlapping run timings. The department needs greater flexibility to be able to provide harvest opportunity in the personal use fishery on abundant salmon species while providing protections to less abundant salmon species. This proposal would establish alternative options and aligned gears during times of salmon conservation and allow the department to specify which species may be retained from selective gear types. This will allow for a more adaptive management strategy benefitting participants in the personal use fishery. Additionally, this proposal removes the option for gillnets with eight-inch or greater mesh and amends the maximum mesh size to seven and one-half or inch less mesh size.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F22-063)

Yukon Sport Fisheries (1 proposals)

PROPOSAL 86

5 AAC 73.010. Seasons, bag, possession, and size limits, and methods and means for the Yukon River Area.

Require retention of sport caught salmon, if removed from the water, in the Yukon River Area, as follows:

- (d) In the Yukon River Area, the following special provisions to methods and means apply:
 - (1) in the Dall River and Little Dall River drainages,
 - (A) only unbaited, single-hook, artificial lures may be used;
 - (B) the use of set lines is prohibited;
 - (2) from April 1 through May 31, in the Nome Creek drainage of Beaver Creek, only unbaited, single-hook, artificial lures may be used;
 - (3) in all waters, any salmon that is removed from the water must be retained and becomes part of the bag limit of the person that originally hooked the fish; a person may not remove a salmon from the water before releasing the fish.

What is the issue you would like the board to address and why? During the past several years, runs of Chinook, coho, and chum salmon throughout the Yukon drainage have not met escapement goals, resulting in subsistence and sport fishing closures. The sport fishing community that enjoys fishing for salmon species for food and recreation, and also enjoys catching other fish species such as Arctic grayling that benefit from the marine-derived nutrients provided by healthy salmon runs, wishes to contribute towards minimizing stress and mortality of salmon species that can be caused through catch-and-release angling. Scientific studies have shown that removing fish from the water, thereby depriving them of oxygen, is the main cause of catch-and-release stress and mortality. Therefore, it is proposed that regulations be adopted throughout the Yukon drainage in which anglers may not remove a salmon from the water if they are not retaining it as part of their

bag limit. Similar regulations are in place in the Susitna River drainage of Southcentral Alaska for Chinook and coho salmon, with the goal to minimize catch-and-release stress on these popular and important food fishes. If this regulation is adopted, sport fishermen can do their part to facilitate the rehabilitation of salmon stocks in the Yukon River drainage. This will help ensure that subsistence fishers regain food security associated with catching salmon, and will enhance opportunities for sport fishers to catch salmon into the future, for sustenance and for recreation.

PROPOSED BY: Midnight Sun Flycasters

(HQ-F22-002)

Yukon Commercial Fisheries (3 proposals)

PROPOSAL 87

5 AAC 39.105. Types of legal gear.

Define eel stick, as follows *(To be heard at the Arctic / Yukon / Kuskokwim meeting and deliberated during the Statewide Finfish and Supplemental Issues meeting):*

5 AAC 39.105(d) is amended to read:

...

(30) a cast net is a circular net with a mesh size of no more than one and one-half inches and weights attached to the perimeter which, when thrown, surrounds the fish and closes at the bottom when retrieved;[.]

(31) an eel stick consists of a single straight or bent pole, equipped with notches or projecting tines, used through the ice to take lamprey.

...

What is the issue you would like the board to address and why? This would add eel sticks as a legal gear for commercial and subsistence fishing. An additional department proposal was submitted to add this as a legal gear type for subsistence fishing. The commercial fishery for Arctic lamprey (eels) operates under a commissioners permit that allows commercial permit holders to use dip nets and eel sticks; however the eel stick is not included in regulations. Statewide provisions (5 AAC 01.010 (1)) for subsistence gear would refer to and include this addition. Eel sticks are traditionally used in Districts 2, 3 and 4 for harvesting Arctic lamprey for commercial and subsistence purposes through the ice. Eel sticks are described in Subsistence Division Technical Paper No. 289 (<http://www.adfg.alaska.gov/techpap/tp289.pdf>)

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F22-059)

PROPOSAL 88

5 AAC 05.331. Gillnet specifications and operations.

Repeal and replace Yukon Area commercial salmon fishing gear specifications, as follows:

5 AAC 05.331 is amended to read:

(a) Set gillnet gear may not exceed 150 fathoms in aggregate length;

(b) Drift gillnet gear may not exceed 50 fathoms in length;

(c) Salmon may be taken only with gillnets of six-inch or smaller mesh during periods established by emergency order.

(d) No gillnet gear may be operated in a manner to obstruct more than one-half the width of any waterway. In the intertidal zone, this restriction applies at all stages of the tide.

(e) In Districts 1 - 3, gillnets with

(1) greater than six-inch mesh may not be more than 45 meshes in depth;

(2) six-inch or smaller mesh may not be more than 50 meshes in depth.

(f) In Districts 4 - 6, gillnets with

(1) greater than six-inch mesh may not be more than 60 meshes in depth;

(2) six-inch or smaller mesh may not be more than 70 meshes in depth.

(g) Notwithstanding any other provision of this section, during times when the commissioner determines it to be necessary for the conservation of a salmon species, the commissioner, by emergency order, may close the fishing season in Districts 1 - 6 and immediately reopen the season during which a person may take salmon with a gillnet that has a mesh size of seven and one-half inches.

(h) Notwithstanding any other provision of this section, in Districts 1 - 3, during times when the commissioner determines that it is necessary for the conservation of king salmon, the commissioner may, by emergency order, close the fishing season and immediately reopen the season during which a person may take salmon only with a gillnet that has a mesh size of five and one-half inches or less and that is not more than 30 meshes in depth.

(i) Notwithstanding any other provision of this section and in provisions 5 AAC 01.249 and 5 AAC 05.359-5 AAC 05.369, during times when the commissioner determines that it is necessary for the conservation of a salmon species, the commissioner may, by emergency order, close the fishing season and immediately reopen the season specifying the area in which one or more of the following gears may be allowed;

(1) all salmon species caught by the gear types specified by the commissioner must be released to the water alive unless retention is allowed by the emergency order;

(A) for fish wheels (5 AAC 05.333): the operator must closely attend the fish wheel while it is in operation, and all salmon species specified for release must bypass any livebox;

(B) dip nets may be used as described in 5AAC 05.362(k)(1)(A);

(C) a beach seine may be used as described in 5AAC 05.362(k)(1)(B).

[(a) A PERSON MAY NOT OPERATE

(1) SET GILLNET GEAR THAT EXCEEDS 150 FATHOMS IN AGGREGATE LENGTH;

(2) DRIFT GILLNET GEAR THAT EXCEEDS 50 FATHOMS IN LENGTH.

(b) IN DISTRICTS 1 AND 2, SALMON MAY BE TAKEN ONLY WITH GILLNETS OF SIX-INCH OR SMALLER MESH DURING PERIODS ESTABLISHED BY EMERGENCY ORDER.

(c) IN DISTRICT 3, SALMON MAY BE TAKEN ONLY WITH GILLNETS OF SIX-INCH OR SMALLER MESH DURING PERIODS ESTABLISHED BY EMERGENCY ORDER.

(d) IN DISTRICTS 4 AND 6, SALMON MAY BE TAKEN ONLY WITH GILLNETS OF SIX-INCH OR SMALLER MESH DURING PERIODS ESTABLISHED BY EMERGENCY ORDER.

(e) NO GILLNET GEAR MAY BE OPERATED IN A MANNER TO OBSTRUCT MORE THAN ONE-HALF THE WIDTH OF ANY WATERWAY. IN THE INTERTIDAL ZONE, THIS RESTRICTION APPLIES AT ALL STAGES OF THE TIDE.

(f) IN DISTRICTS 4 - 6, GILLNETS WITH

(1) GREATER THAN SIX-INCH MESH MAY NOT BE MORE THAN 60 MESHES IN DEPTH;

(2) SIX-INCH OR SMALLER MESH MAY NOT BE MORE THAN 70 MESHES IN DEPTH.

(g) IN DISTRICTS 1 - 3, GILLNETS WITH

(1) GREATER THAN SIX-INCH MESH MAY NOT BE MORE THAN 45 MESHES IN DEPTH;

(2) SIX-INCH OR SMALLER MESH MAY NOT BE MORE THAN 50 MESHES IN DEPTH.

(h) NOTWITHSTANDING (b) - (d) OF THIS SECTION, DURING TIMES WHEN THE COMMISSIONER DETERMINES IT TO BE NECESSARY FOR THE CONSERVATION OF CHUM SALMON, THE COMMISSIONER, BY EMERGENCY ORDER, MAY CLOSE THE FISHING SEASON IN DISTRICTS 1 - 6 AND IMMEDIATELY REOPEN THE SEASON DURING WHICH A PERSON MAY NOT TAKE SALMON WITH A GILLNET THAT HAS A MESH SIZE OF LESS THAN EIGHT INCHES.

(i) IN THE YUKON AREA, NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION THAT ALLOWS A PERSON TO TAKE SALMON WITH A GILLNET THAT HAS A MESH SIZE GREATER THAN SEVEN AND ONE-HALF INCHES, A PERSON MAY NOT TAKE SALMON WITH A GILLNET THAT HAS A MESH SIZE GREATER THAN SEVEN AND ONE-HALF INCHES.

(j) NOTWITHSTANDING THE OTHER PROVISIONS OF THIS SECTION, IN DISTRICTS 1 - 3, DURING TIMES WHEN THE COMMISSIONER DETERMINES THAT IT

IS NECESSARY FOR THE CONSERVATION OF KING SALMON, THE COMMISSIONER MAY, BY EMERGENCY ORDER, CLOSE THE FISHING SEASON AND IMMEDIATELY REOPEN THE SEASON DURING WHICH A PERSON MAY TAKE SALMON ONLY WITH A GILLNET THAT HAS A MESH SIZE OF FIVE AND ONE-HALF INCHES OR LESS AND THAT IS NOT MORE THAN 30 MESHES IN DEPTH.]

What is the issue you would like the board to address and why? Current commercial gillnet specifications and operation requirements in the Yukon Area contain inconsistencies and do not provide for selective gear options that allows for the harvest or live release of all salmon species. These changes include aligning District 5 with all other Yukon districts to include a maximum mesh size of six-inch gillnets and removes outdated instances of eight-inch or larger mesh gillnets in the Yukon Area. Additionally, selective gear used during times of conservation of salmon species is stated in the individual salmon management plans for chum and king salmon; however, the department would like the ability to use these live-release gears for all salmon species to harvest abundant salmon species that have overlapping run timings. Stating conservation gear regulations in this commercial section simplifies the regulations and will allow for a more adaptive management strategy benefitting commercial users.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F22-060)

PROPOSAL 89

5 AAC 05.362. Yukon River Summer Chum Salmon Management Plan.

Modify Yukon Area commercial dip net gear operations in the commercial fishery to include a single rigid handle with a single line attached, as follows:

5 AAC 05.362.(k)(1)(A) is amended to read:

...

(A) up to four dip nets; notwithstanding 5 AAC 39.105(d)(24), for the purposes of this subparagraph, a dip net is a bag-shaped net supported on all sides by a rigid frame in which no portion of the bag is constructed of webbing that exceeds a stretched measurement of four and one-half inches and the frame is attached to a single rigid handle **or a single rigid handle with a single line attached** and **be** operated by hand; the depth of the bag must be at least one-half of the greatest straight-line distance, as measured through the net opening; for a dip net with

...

What is the issue you would like the board to address and why? This proposal would specify that dip nets must be operated by a handle, and that a single line may be attached to the handle. The current definition of dip net operation does not reflect the practice of attaching a single line to a dip net handle. This method of dip net operation has created confusion and difficulty for enforcement personnel. Clarifying dip net operation would provide enforcement and local fishers with a clear definition of gear type operation.

Kuskokwim Subsistence Fisheries (4 proposals)

PROPOSAL 90

5AAC 01.280. Subsistence fishing permits.

Create a Tier II subsistence king salmon fishery in the Kuskokwim River, as follows:

Kuskokwim River Chinook salmon Tier II Permit Description and the Issue it addresses:

Tier II permit system – ANS has not been met, and likely will not be in the near future, current management practices are not providing what many consider a “reasonable opportunity” for all subsistence uses including the opportunity to harvest other species that do not have a conservation concerns. A Tier II system would limit the pool of qualified applicants to the Kuskokwim area.

Permit annual allocation – Based on some portion of the forecasted surplus, but not intended to meet all subsistence needs or ANS. A minimal allocation would allow for the maximum number of qualified users to obtain a permit and fish when and how it best meets their needs. The total permit allocations would be deducted from the projected harvestable surplus preseason.

Household Permit with Proxy fishing allowed – Individual households would be responsible for managing their own permit and may collaborate with other permit holders to share and pool resources, in part restoring traditional practices.

Permit allows retention of other species and Chinook 20 inches or less do not count toward permit allocation – Provides opportunity to meet subsistence needs with other species, and may improve the quality of escapement. Jack (3 year old) Chinook typically make up less than 2% of the total return. These fish could also be deducted from the forecasted surplus pre-season.

Tier II permit dates – June 12th – June 24th; this period protects early run headwater stocks and June 24th is around the median date of run timing for all subareas near Bethel. By June 24th approximately a third of the chum salmon run has passed Bethel, and less than a quarter of the sockeye salmon run. Bethel and the surrounding Villages account for approximately 80% of the total Chinook harvest. This permitted fishing period could provide 12 days of uninterrupted fishing opportunity (for all species) to permit holders in the early part of the season without significantly compromising conservations objectives.

Tier I fishery opener – If at some point after the Tier II closure date and the in-season run assessment suggest additional (beyond the Tier II allocation) fish are available for harvest the Department can use emergency authorities to allow for additional harvest opportunity under a Tier I system using time, area, gear management actions.

Proposed regulatory language:

5 AAC 01.280 Subsistence fishing permits.

[FISH MAY BE TAKEN FOR SUBSISTENCE PURPOSES WITHOUT A SUBSISTENCE FISHING PERMIT]

Except as provided in this section, fish may be taken for subsistence purposes without a subsistence fishing permit.

In times of king salmon conservation, the commissioners may, by emergency order, close the subsistence fishery and immediately reopen the fishery with the following provisions. In the Kuskokwim River drainage, king salmon may only be taken by a Household subsistence fishing permit. A king salmon subsistence fishing permit may be issued to Households who demonstrate a subsistence pattern of use for king salmon as described in the Tier II fishery framework as outlined in AS 16.05.258 (b)(a);

Season dates for Household permits are June 12th through June 24th ;

Annual permit limits will be determined based on a percentage of annual forecasted surplus king salmon, and the number of permit applications received.

The application period for community and household permits is [MONTH AND DAY] through [MONTH AND DAY] annually;

Only one subsistence fishing permit will be issued to each household annually;

Proxy fishing by a subsistence permit holder for another Household permit holder is allowed;

Individual households permit holders are only eligible to be listed on only one subsistence fishing permit for proxy fishing annually;

All species caught while fishing for king salmon must be retained;

Fish caught during open fishing periods do not count toward the annual household permit allocation;

King salmon 20 inches or less do not count toward the annual household permit allocation;

Permit must be in possession while fishing or transporting fish;

All fish harvested must be recorded on the permit, in ink, before concealing the fish from plain view or transporting the fish from the fishing site; for the purposes of this paragraph, “fishing site” means the location where the fish is removed from the water and becomes part of the permit holder’s annual allocation;

Permits must be returned or harvest reported when fishing is completed or by the date specified on the permit;

Permits must be returned to the department no later than [Month and Day], or a permit for the following year may be denied as provided in 5 AAC 01.015;

This regulation expires January 1st, 2026.

What is the issue you would like the board to address and why? Since 2009 Kuskokwim River Chinook salmon returns have been severely depressed and are showing little to no sign of returning to their historic averages, this despite meeting escapement goals and objectives in most of those years. As a consequence, and in an effort to rebuild the Chinook run subsistence harvest has been significantly reduced to meet the established drainage-wide Sustainable Escapement Goal of 65,000-120,000 fish. The established ANS for Chinook salmon on the Kuskokwim is 67,200 - 109,800 fish, which has not been met for a decade, see figure below.

The fishing opportunity that has been provided uses time, area and gear restriction. The majority of the harvest has been taken by providing short open periods for drift gill net fishing once or twice a week and then closing the river to all drift fishing until the next opening. This all or none strategy is basically the same employed for commercial fishing, and while it may be effective at meeting conservation goals and providing what could be considered “reasonable” opportunity, it is not one that aligns with traditional and cultural practices.

Public testimony over the last decade of restricted fishing has been filled with reports of; crowded or “combat” fishing conditions, difficult drying conditions later in the season leading to spoilage, personal conflicts with scheduled openings, poor weather, abandonment of fish camps, theft of unattended fish on drying racks, bears and flies, etc., the list goes on. While it is unlikely that returns will recover in the near future that could support sufficient harvest levels to achieve ANS, an opportunity to address these other concerns and ease the burden on subsistence fishers is to establish a Kuskokwim River Chinook salmon permit system as outlined in this proposal.

Because of the allocative nature of this proposal only the Alaska BOF has the authority to establish such a permit system, much like the BOF proposed in 2016 in proposal 276, which was tabled.

PROPOSED BY: Central Kuskokwim Advisory Committee (EF-F22-015)

PROPOSAL 91

5 AAC 01.270. Lawful gear and gear specifications and operation.

Modify Kuskokwim Area lawful gear and gear specifications and operation to provide greater opportunity to harvest salmon other than king salmon, during times of salmon conservation, as follows:

5 AAC 01.270(m) is amended to read:

...

(m) Notwithstanding (b) and (j) of this section, during times when the commissioner determines it to be necessary for the conservation of [CHUM] salmon **other than king salmon**, the commissioner, by emergency order, may close the fishing season in any portion of the Kuskokwim Area and immediately reopen the season in that portion during which the following gear limitations apply:

(1) a gillnet used to take fish

(A) must be of seven and one-half inch or greater mesh or four-inch or less mesh;

(B) for a gillnet of four-inch or less mesh, may not exceed the length specified by the commissioner in the emergency order;

(C) for a gillnet of seven and one-half inch or greater mesh, may not exceed the length specified **by the commissioner in the emergency order** [IN (b) AND (j) OF THIS SECTION];

(D) mesh size may not exceed six inches;

(E) for a gillnet of six-inch or less mesh, may not exceed the length specified by the commissioner in the emergency order;

(F) mesh size must be seven and one-half inch or greater mesh and the gillnet may only be operated as a set gillnet; no part of a set gillnet may be more than 100 feet from the ordinary high water mark;

(G) mesh size may not exceed four inches and the gillnet may only be operated as a set gillnet; no part of a set gillnet may be more than 100 feet from the ordinary high water mark;

(H) mesh size may not exceed six inches and the gillnet may only be operated as a set gillnet; no part of a set gillnet may be more than 100 feet from the ordinary high water mark;

(2) for fish wheels:

(A) **except as provided in (B) of this paragraph,** a fish wheel used to take fish must be equipped with a livebox that is constructed so that it contains no less than 45 cubic feet of water volume while it is in operation; **the livebox of a fish wheel must be checked at least once every six hours while the fish wheel is in operation and all salmon other than king salmon that are specified by the commissioner that are in the livebox must be returned alive to the water** ;

(B) **a person may operate a fish wheel without a livebox only if**

(i) the fish wheel is equipped with a chute that returns fish captured by the fish wheel to the water alive;

(ii) the person closely attends the fish wheel while it is in operation; and

(iii) the person returns all salmon specified by the commissioner caught to the water alive [THE LIVEBOX OF A FISH WHEEL MUST BE CHECKED AT LEAST ONCE EVERY 12 HOURS WHILE THE FISH WHEEL IS IN OPERATION, AND ALL CHUM SALMON IN THE LIVEBOX MUST BE RETURNED ALIVE TO THE WATER];

(C) repealed 6/17/2001;

(3) beach seine gear: any [CHUM] salmon **specified by the commissioner** taken in beach seine gear must be returned alive to the water;[.]

(4) for dip nets: a person may fish for salmon with a dip net, as defined in 07.365(e)(11)(A), and all salmon specified by the commissioner caught in a dip net must be released immediately and returned alive to the water.

What is the issue you would like the board to address and why? The Kuskokwim Area currently has several management actions available for the protection of king salmon, while still being able to provide harvest opportunity on more abundant salmon species that have overlapping run timings. The number of management actions available for chum salmon conservation is inadequate and non-existent for sockeye or coho salmon. Furthermore, current regulations are not aligned with specific gear operation for chum and king salmon. For example, restrictions on fish wheel operations are not aligned between king and chum salmon. This creates serious confusion when conservative management actions are needed for both king and chum salmon simultaneously to meet escapement goals. The department needs greater flexibility to be able to provide subsistence harvest opportunity on abundant salmon species while providing protections to less abundant salmon species. This proposal would establish fishing gear alternatives and align gears during times of chum, sockeye, or coho salmon conservation which would allow for a more adaptive management strategy benefitting subsistence fishery users.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F22-052)

PROPOSAL 92

5 AAC 01.260. Fishing seasons and periods and 5 AAC 01.275. Waters closed to subsistence fishing.

Increase subsistence opportunity before, during, and after commercial fishing periods set by emergency order, as follows:

5 AAC 01.260(c) is amended to read:

...

(c) In Districts 4 and 5, salmon may be taken at any time, except that **the commissioner may, by emergency order, close the subsistence fishing periods in the waters of Districts 4 or 5 and reopen those waters to commercial fishing.** [FROM JUNE 1 THROUGH SEPTEMBER 8, SALMON MAY NOT BE TAKEN FOR 16 HOURS BEFORE, DURING,

AND SIX HOURS AFTER EACH COMMERCIAL SALMON FISHING PERIOD IN EACH DISTRICT].

...

5 AAC 01.275(b)-(d) are amended to read:

...

(b) The **commissioner may, by emergency order, close the** Goodnews River [IS CLOSED] to the subsistence taking of fish by nets east of a line between ADF&G regulatory markers placed near the mouth of the Ufigag River and an ADF&G regulatory marker placed near the mouth of the Tunulik River [16 HOURS] before, during, and [SIX HOURS] after each open commercial salmon fishing period.

(c) The **commissioner may, by emergency order, close the** Kanektok River [IS CLOSED] to the subsistence taking of fish by nets upstream of ADF&G regulatory markers placed near the mouth [16 HOURS] before, during, and [SIX HOURS] after each open commercial salmon fishing period.

(d) The **commissioner may, by emergency order, close the** Arolik River [IS CLOSED] to the subsistence taking of fish by nets upstream of ADF&G regulatory markers placed near the mouth [16 HOURS] before, during, and [SIX HOURS] after each open commercial salmon fishing period.

...

What is the issue you would like the board to address and why? Subsistence fishing closures surrounding commercial salmon fishing openings have been in place in the Kuskokwim Management Area since at least the early 1980s. The primary justification for such closures was to discourage the commercial sale of subsistence caught fish. Subsistence fishing closure times in all Kuskokwim Area commercial fishing districts have ranged from 24 to 16 hours before a commercial opening, during the commercial opening, and typically 6 hours after the opening. Between the mid-1990s and early 2000s, for Kuskokwim River commercial fishing Districts 1 and 2, exact closure times were removed from regulation in favor of closed subsistence fishing periods being announced through emergency order. Currently, in Kuskokwim Bay commercial fishing Districts 4 and 5 and the Goodnews, Kanektok, and Arolik rivers, subsistence closure times remain at 16 hours before, during, and 6 hours after a commercial fishing period. This proposal seeks to align Districts 4 and 5 and the Goodnews, Kanektok, and Arolik rivers subsistence closure regulations with that of Districts 1 and 2.

Participation during the 2020 and 2021 commercial fishery in Districts 4 and 5 was smallest on record due to processing capacity and COVID-19 restrictions. During a year of low or high commercial participation and when escapement goals are expected to be met, the department needs greater flexibility in scheduling subsistence closures times around commercial openers. Establishing closure times through emergency order for Districts 4 and 5 would allow for a more adaptive management strategy benefitting fishery users.

PROPOSAL 93

5 AAC 01.275. Waters closed to subsistence fishing; 5 AAC 71.010. Seasons and bag, possession, annual, and size limits for the Kuskokwim - Goodnews Area.

Close the Buckstock River between June 14 and September 1 to all fishing, as follows:

Close the Buckstock River upstream of a point (-159.219607, 61.342717) between June 14th and September 1st to all fishing.

The purpose of the closure is to protect spawning salmon during low flow periods (discharges below 400 cfs.) when chum salmon are present and actively spawning

5 AAC 01.275. Waters closed to subsistence fishing

(a) Repealed 4/15/81.

(b) The Goodnews River is closed to the subsistence taking of fish by nets east of a line between ADF&G regulatory markers placed near the mouth of the Ufigag River and an ADF&G regulatory marker placed near the mouth of the Tunulik River 16 hours before, during, and six hours after each open commercial salmon fishing period.

(c) The Kanektok River is closed to the subsistence taking of fish by nets upstream of ADF&G regulatory markers placed near the mouth 16 hours before, during, and six hours after each open commercial salmon fishing period.

(d) The Arolik River is closed to the subsistence taking of fish by nets upstream of ADF&G regulatory markers placed near the mouth 16 hours before, during, and six hours after each open commercial salmon fishing period.

(e) The Buckstock River is closed to subsistence fishing upstream of ADF&G regulatory marker placed near its upper most confluence with the Aniak River between June 14th and September 1st.

And;

5 AAC 71.010. Seasons and bag, possession, annual, and size limits for the Kuskokwim - Goodnews Area.

(a) Except as otherwise specified in this section or through an emergency order issued under AS 16.05.060, sport fishing is permitted year round in the waters of the

What is the issue you would like the board to address and why? The Aniak River and its tributaries support one of the largest sport and subsistence fisheries in the Kuskokwim Area. One of its major tributaries is the Buckstock River located about 40 miles up the Aniak River. It is a popular destination for people from all over the area and the world to frequent, either on their own

or through guided fishing operations. The Aniak and Buckstock Rivers supports all five species of pacific salmon and provides world class rainbow trout, and Dolly Varden fishing opportunities.

Chum salmon returns to the Aniak River are a shadow of what they were just decades ago, and recent years returns have only served to cause further concerns. Local residents have long recognized the important role the Buckstock River plays in providing spawning habitat for all salmon, but particularly for chum salmon. Local residents have made it a point to minimize disturbance of spawning fish on the Buckstock by avoiding the area during low water periods.

With increased use and the availability of small jet powered boats access to the spawning areas has become less difficult. The spawning areas are often sought out by fishermen because of the presence large numbers of rainbow trout feeding on fugitive eggs floating just downstream of actively spawning fish.

The Buckstock is intercepted by several side channels of the Aniak River in its lower reaches. At about 1.5 miles upstream of its main confluence with the Aniak the river the Buckstock River changes dramatically. The river above this point can be characterized as; a low gradient (1-2%), highly mobile gravel bedded, clear ground water fed stream, averaging around 25 ft. in width and 0.5 – 2.0 ft. in depth at average to low flows, making it ideal spawning habitat for summer chum salmon. These stream conditions extend upstream for miles and can be accessible by small jet boat or easily waded.

Boating and even wading the Buckstock under summer low flow conditions causes' significant disturbance by displacing spawning fish and potential egg mortality in the redds as eggs are dislodged and then preyed on, or ruptured by boat pressure waves or by foot traffic.

The AC recognizes that the BOF does not make regulations regarding access or boat use, but that they can regulate the reason for accessing such a vulnerable area, i.e. to fish. Ample opportunity to fish still exists in the lower 1.5 miles of the Buckstock and the entire Aniak River drainage. By seasonally closing the upper Buckstock River the BOF would be in affect create a sanctuary area to protect spawning salmon during low water periods, something local people have been practicing, and trying to encourage for many years.

PROPOSED BY: Central Kuskokwim Fish and Game Advisory Committee (HQ-F22-006)

Kuskokwim Sport Fisheries (1 proposals)

PROPOSAL 94

5 AAC 71.010 (New)

Close sport fishing for chum salmon to nonresidents in the Kanektok River from June 1 to July 15, as follows:

Sportfishing for chum salmon by nonresidents is closed from June 1 – July 15.

What is the issue you would like the board to address and why? Chum salmon throughout western coastal Alaska are in serious decline with the poorest returns on record and escapement

goals through the AYK region largely not being met. The Native Village of Kwinhagak seeks to close nonresident sportfishing for chum salmon in the Kanektok river drainage from June 1-July 15.

PROPOSED BY: Native Village of Kwinhagak (HQ-F22-024)

Kuskokwim Commercial Fisheries (3 proposals)

PROPOSAL 95

5 AAC 07.365. Kuskokwim River Salmon Management Plan.

When a federal special action or emergency special action is in effect under ANILCA Title VIII the Alaska Department of Fish and Game would not provide set gillnet fishing periods prior to June 12 when the projected escapement is within the drainagewide escapement goal range, as follows:

Amend 5 AAC 07.365(c)(2)(C) as follows:

(C) notwithstanding (c)(2)(A) of this section, before June 12 the commissioner shall open, by emergency order, at least one subsistence fishing period per week with four-inch or smaller mesh gillnets, **unless the federal government has exercised its authority under ANILCA Title VIII to manage subsistence salmon fishing to ensure a priority for federal subsistence users**; the gillnet may only be operated as a set gillnet and no part of the set gillnet may be more than 100 feet from the ordinary high water mark;

What is the issue you would like the board to address and why? Revise Kuskokwim River Salmon Management Plan to clarify management authority relative to ANILCA Title VIII. Conservation concerns regarding Kuskokwim River Chinook salmon and chum salmon require the application of precautionary management principles. When the Federal Subsistence Management Program assumes management of Kuskokwim River salmon stocks within federal waters, it is important to ensure that political tensions between the State of Alaska and the Federal Subsistence Management Program do not compromise sustainable management principles. Previously, ADF&G has justified violating federal closures to subsistence salmon gillnet fishing in the Kuskokwim River by opening subsistence fishing opportunities to all Alaska residents stating that the Kuskokwim River Salmon Management Plan requires them to do so.

PROPOSED BY: Kuskokwim River Inter-Tribal Fish Commission (EF-F22-066)

PROPOSAL 96

5 AAC 07.365. (c)(2)(A) Kuskokwim River Salmon Management Plan.

When a federal special action or emergency special action is in effect under ANILCA Title VIII the Alaska Department of Fish and Game would not provide directed king salmon fishing periods after June 11 when the projected escapement is within the drainagewide escapement goal range, as follows:

(A) the commissioner shall close, by emergency order, the commercial, sport, and subsistence king salmon fisheries, and after June 11, to the extent practicable, the commissioner shall open, by emergency order, at least one fishing period per week for a directed subsistence king salmon fishery to provide harvest opportunity on surplus king salmon in excess of escapement needs, **unless the federal government has exercised its authority under ANILCA Title VIII to manage subsistence salmon fishing to ensure a priority for federal subsistence users;**

What is the issue you would like the board to address and why? Revise Kuskokwim River Salmon Management Plan to clarify management authority relative to ANILCA Title VIII. Conservation concerns regarding Kuskokwim River Chinook salmon and chum salmon require the application of precautionary management principles. When the Federal Subsistence Management Program assumes management of Kuskokwim River salmon stocks within federal waters, it is important to ensure that political tensions between the State of Alaska and the Federal Subsistence Management Program do not compromise sustainable management principles. Previously, ADF&G has justified violating federal closures to subsistence salmon gillnet fishing in the Kuskokwim River by opening subsistence fishing opportunities to all Alaska residents stating that the Kuskokwim River Salmon Management Plan requires them to do so.

PROPOSED BY: Kuskokwim River Inter-Tribal Fish Commission (EF-F22-067)

PROPOSAL 97

5 AAC 07.365. Kuskokwim River Salmon Management Plan and 5 AAC 01.270. Lawful gear and gear specifications and operation.

Establish times when a commercial gillnet permit holder in Kuskokwim Area may use dip net and beach seine gear to commercially harvest salmon and standardize Kuskokwim Area dipnet lawful gear specifications and operation, as follows:

5 AAC 07.365(e) is amended by adding a new paragraph to read:

(e) In the commercial fishery,
...

(11) during times when the commissioner determines that it is necessary for the conservation of salmon, the commissioner may, by emergency order, close the commercial gillnet fishing season and immediately reopen a fishing season during which

(A) notwithstanding 5 AAC 07.331, a permit holder may fish with

(i) up to four dip nets; for purposes of this section, a dip net is a bag-shaped net supported on all sides by a rigid frame; the maximum straight-line distance between any two points on the net frame, as measured through the net opening, may not exceed five feet; the depth of the bag must be at least one-half of the greatest straight-line distance, as measured through the net opening; no portion of the bag may be constructed of webbing that exceeds a stretched measurement of 4.5

inches; the frame must be attached to a single rigid handle or a single rigid handle with a single line attached and be operated by hand;

(ii) beach seine gear that;

(1) may not be constructed of monofilament web and may not exceed

(2) may be up to 50 fathoms in length;

(3) may be up to 100 meshes in depth;

(4) have a mesh size of three and one-half inches stretched measure; and

(B) all salmon specified by the commissioner caught in dip net and beach seine gear must be released immediately and returned to the water unharmed.

...

5 AAC 01.270(a) is amended to read:

...

(a) Salmon may be taken only by gillnet, beach seine, a hook and line attached to a rod or pole, handline, dip net **as defined in 5 AAC 07.365(e)(11)(A)**, or fish wheel subject to the restrictions set out in this section and 5 AAC 01.275, except that salmon may also be taken by spear in the Holitna River drainage, Kanektok River drainage, Arolik River drainage, and the drainage of Goodnews Bay.

...

5 AAC 01.270(n)(4) is amended to read:

(n) Notwithstanding (b) and (j) of this section, during times when the commissioner determines that it is necessary for the conservation of king salmon, the commissioner, by emergency order, may close the fishing season in any portion of the Kuskokwim Area and immediately reopen the season in that portion during which one or more of the following gear limitations may be implemented:

...

(4) for dip nets: a person may fish for salmon with a dip net, as defined in **5 AAC 07.365(e)(11)(A)** [5 AAC 39.105], and all king salmon caught in a dip net must be released immediately and returned alive to the water.

...

What is the issue you would like the board to address and why? Gillnet is the only gear type currently available to harvest salmon in all Kuskokwim Area commercial fishing districts. Salmon species returning to the Kuskokwim Area have highly overlapping run timings. These overlapping

run timings complicate commercial fisheries management in years where conservation actions to achieve escapement goals are needed for one species but there is a surplus above escapement and subsistence needs for another species. Currently, harvestable surplus goes unharvested due to overlapping run timing with less abundant salmon species. Allowing the use of dip nets and beach seines in time of conservation has been shown to be an effective management tool for lower Yukon Area salmon fisheries. This proposal could allow Kuskokwim Area commercial fishermen additional opportunity to harvest surplus salmon by authorizing the use of gear types that could allow for the release of less abundant salmon alive during times of salmon conservation to achieve escapement goals.

This proposal also clarifies a dip net operation method that is used by both subsistence and commercial fishers in the Yukon and Kuskokwim areas. The current definition of dip net operation does not reflect the practice of attaching a single line to a dip net handle. This method of dip net operation has created confusion and difficulty for enforcement personnel. Clarifying dip net operations would provide enforcement and local fishers with a clear definition of gear type operation.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F22-051)

ALASKA PENINSULA / ALEUTIAN ISLAND / CHIGNIK

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Subsistence Salmon (1 proposal)

PROPOSAL 98

5 AAC 01.425. Waters closed to subsistence fishing.

Modify waters closed to subsistence fishing for salmon to increase access for subsistence users who are not commercial salmon fishery permit holders, as follows:

5 AAC 01.425 is amended to read:

...

(6) **for the holder of a CFEC limited entry salmon permit,** the waters specified in 5 AAC 09.350 **during an open commercial salmon fishing period,** and **the waters described in** 5 AAC 39.290.

What is the issue you would like the board to address and why? Current regulations link subsistence and commercial salmon fishing opportunity in the Alaska Peninsula Area and limit the ability of subsistence fishers to harvest fish in certain areas when commercial fishing for salmon is open. One specific area of concern cited by subsistence users is the Kinzarof Lagoon area of Cold Bay. Amending 5 AAC 01.425 would reduce the burden on subsistence fishers while also preserving the intent of 5 AAC 01.410 which states that in those districts and sections open to commercial salmon fishing, a commercial salmon fishing permit holder may not subsistence fish for salmon during the 24 hours before a commercial salmon fishing period or the 12 hours following the closure of a commercial salmon fishing period.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F22-044)

Sport Salmon (6 proposals)

PROPOSAL 99

5 AAC 65.022. Special provisions for bag, possession, and annual limits, and methods and means in the Alaska Peninsula and Aleutian Islands Area.

Prohibit retention of king salmon and establish closed areas in the King Salmon River and Ridgerunner Creek, as follows:

5 AAC 65.022 b (3) In the King Salmon River, king salmon must be immediately released. Also King Salmon River is closed to king salmon fishing upstream of 56 degrees 06' 00" N., 160 degrees 27' 17" W.. In Ridgerunner Creek, a tributary of the Milky and Bear Rivers, king salmon must be immediately released. Ridgerunner Creek is closed to king salmon fishing upstream of 56 degrees 09' 35" N., 160 degrees 20' 55" W.

If adopted this would allow sport fishing to occur on these two systems in the areas that effort typically occurs yet allow fish to make it to the spawning grounds without constant effort on them as they swim upriver. It also makes the catch and release regulation similar to other areas nearby that also have much larger king salmon runs and will allow people to still fish for them now and in the future.

What is the issue you would like the board to address and why? The sport fishing effort for king salmon on the King Salmon River and Ridgerunner Creek, which is a tributary of the Milky

River and Bear River system near Port Moller, has increased dramatically and I have concern for the resource and would like to see protections on the two systems so that the future of kings salmon at these locations allows for sport fishing to occur and healthy runs in the future. I have a home nearby which I built in 2007 and the amount of effort from lodges has dramatically increased in recent years and the fish need to have some protection. These creeks are only 15-30' wide and the rivers are not very long in length and are more like creeks than rivers, and the fish are subject to harvest as they school and hold while slowly migrating upriver. Sport fishing effort typically occurs in the same areas and there are often 2-3 lodges with up to 8-15 people per day that target these fish daily. Other nearby rivers with much larger king salmon runs are catch and release yet these two systems are not catch release. These creeks have king salmon runs from only about 400-1,000 fish annually and need to be catch and release like other nearby systems. There should also be a closed area to king salmon fishing, which is the only species targeted during the months of June and July on these systems. This will allow sportfishermen to fish these systems yet still provide protection of the king salmon.

PROPOSED BY: J.W. Smith

(EF-F22-009)

PROPOSAL 100

5 AAC 65.022. Special provisions for bag, possession, and annual limits, and methods and means in the Alaska Peninsula and Aleutian Islands Area.

Prohibit retention of king salmon in King Salmon and Milky Rivers and Ridgerunner Creek, as follows:

Limit King Salmon Fishing on the King Salmon River and the Milky River/Ridge Runner Creek to catch and release only

Maybe allow 1 Jack King at least 20" and under harvested per day.

What is the issue you would like the board to address and why? I am a lodge owner on the Alaska Peninsula and am concerned about the fisheries for our future.

Trying to save the King Salmon River and Milky/Ridge Runner Creek from excessive King Salmon sport fishing.

PROPOSED BY: Alan & Tanjala Eischens

(EF-F22-018)

PROPOSAL 101

5 AAC 65.022. Special provisions for bag, possession, and annual limits, and methods and means in the Alaska Peninsula and Aleutian Islands Area.

Prohibit retention of king salmon in King Salmon River and Ridgerunner Creek, as follows:

(b) Have the King Salmon River and Ridgerunner Creek be catch and release sport fishing for king salmon.

What is the issue you would like the board to address and why? I have been a long-time lodge owner in the area and have seen the sport fishing effort on the King Salmon River and Ridgerunner Creek increase over time and I think there should be catch and release sport fishing on these systems as the runs are small in size and the fish can't handle all of the pressure.

PROPOSED BY: Mel Gillis

(EF-F22-026)

PROPOSAL 102

5 AAC 65.022. Special provisions for bag, possession, and annual limits, and methods and means in the Alaska Peninsula and Aleutian Islands Area.

Prohibit retention of king salmon in King Salmon River and tributaries of Bear River, as follows:

(b) In the King Salmon River and Bear River tributaries, King Salmon may not be possessed or retained; a person may not remove a King Salmon from the water before releasing a fish.

What is the issue you would like the board to address and why? As King Salmon stocks have declined and increased sport fishing effort over the past decade, there is concern of long term sustainability of the King Salmon populations in King Salmon River and the tributaries in Bear River.

PROPOSED BY: Connor Murphy

(EF-F22-025)

PROPOSAL 103

5 AAC 65.022. Special provisions for bag, possession, and annual limits, and methods and means in the Alaska Peninsula and Aleutian Islands Area.

Reduce the bag and possession limit for coho and sockeye salmon in the salt waters and freshwater drainages of Cold Bay, as follows:

This proposal seeks to add a special provision to the bag and possession limit for coho salmon and sockeye salmon in the salt waters and freshwater drainages of Cold Bay. The new proposal would read 5 AAC 65.022 (f) In the salt waters and all freshwater drainages of Cold Bay, the bag and possession limit for salmon, other than king salmon, is five fish per day, five fish in possession, of which no more than two fish may be coho salmon and two fish may be sockeye salmon. If enacted, this regulation would be bracketed by similar special provisions for Unalaska Bay (5 AAC 65. 022 (e)) and Kodiak Island (64.022 (2) (a)).

What is the issue you would like the board to address and why? Historically, Mortensen's Lagoon has been the main salmon fishing spot for sport and subsistence fishers. However, between 2018 and 2021 Mortensen's has failed to reach its escapement goal for sockeye salmon and corresponding low catch rates have shifted fishing pressure to systems on the north side of Cold Bay (e.g. Kinzarof Lagoon and the outlet of Swan Creek). These north side systems are small, turbid, and difficult to survey to obtain an index of escapement leading to management concerns about the long-term sustainability of harvest in these systems. Additionally, under 5 AAC 01.425 (6) ADF&G closes subsistence fishing for salmon in the waters specified in 5 AAC 09.350 and 5

AAC 39.290 (e.g. Kinzarof Lagoon and within 500 yards of the Swan Creek outlet) during an open commercial salmon fishing period (which can overlap greatly with the prime subsistence fishing time in August). However, no regulations currently exist to exclude sport fishers from harvesting fish in these same areas which has led to conflict between user groups.

PROPOSED BY: Candace Nielsen

(EF-F22-028)

PROPOSAL 104

5 AAC 65.051. Waters closed to sport fishing in the Alaska Peninsula and Aleutian Islands Area.

Repeal the closed water provisions for salmon fishing in Swanson Lagoon within the Alaska Peninsula and Aleutian Islands Area, as follows:

5 AAC 65.051(5) is repealed:

The following waters are closed to sport fishing in the Alaska Peninsula and Aleutian Island Area:

- (5) **Repealed.** [SWANSON LAGOON AND ITS TRIBUTARIES ARE CLOSED
(A) FROM JANUARY 1 THROUGH JULY 31, TO SPORT FISHING FOR SALMON;
(B) FROM AUGUST 1 THROUGH DECEMBER 31, TO SPORT FISHING FOR SOCKEYE SALMON.]

What is the issue you would like the board to address and why? Current regulations aimed at conserving Swanson Lagoon sockeye salmon are ineffective due to environmental conditions that annually impede salmon migration. In addition, there is very little, if any, sport fishing effort in this location that might affect sockeye salmon populations. The current regulations were instituted because of the Stock of Concern designation during the 2011 Board of Fisheries meeting. More recently, the Stock of Concern designation, sockeye salmon escapement goal, and corresponding commercial fisheries management measures in the Stock of Concern action plan were rescinded due to recognition that environmental conditions in this drainage preclude effective management of this stock. The Swanson Lagoon drainage is annually impaired by a berm that builds up at the mouth of the lagoon by local wind and wave action. The berm opens occasionally and allows fish passage; however, timing of the creation of a channel does not always coincide with timing of sockeye salmon migration. This occurs frequently enough to render regulations regarding the sport fishery ineffective in achievement of escapement goals when compared with naturally occurring phenomenon such as the sand berm at the mouth of the lagoon. Sport fishing harvest and effort estimates are unavailable through the Statewide Harvest Survey due to low response rates for this area and no reports of anglers fishing this area have been received by the department. This is likely due to the extremely remote location of this drainage. If these regulations are repealed, background bag and possession limits for the Alaska Peninsula and Aleutian Islands Area will remain in place: these are a bag limit of five sockeye salmon and 10 in possession. Given the isolated nature of the drainage there would likely be little or even no harvest of Swanson Lagoon sockeye salmon if these regulations were repealed.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F22-049)

Chignik Area Salmon Management (15 proposals)

PROPOSAL 105

5 AAC 15.357. Chignik Area Salmon Management Plan.

Amend the *Chignik Area Salmon Management Plan* to reflect changes to Chignik River sockeye salmon escapement goals.

What is the issue you would like the board to address and why? In April 2022 the Alaska Department of Fish and Game changed the Chignik River sockeye salmon escapement goal from early and late run goals to a single goal. Several management plans reference two sockeye salmon escapement goals for the Chignik River. This proposal does not suggest a specific change to the management plan, rather it is meant to serve as a signal that the Alaska Board of Fisheries may wish to consider amending the *Chignik Area Salmon Management Plan* in response to the new Chignik River sockeye salmon escapement goal.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F22-046)

PROPOSAL 106

5 AAC 15.357. Chignik Area Salmon Management Plan.

Amend the *Chignik Area Salmon Management Plan* to increase inriver escapement of sockeye salmon prior to opening a commercial fishery by emergency order, as follows:

5 AAC 15.357 (b)(1) THE COMMISSIONER MAY OPEN, BY EMERGENCY ORDER, THE CHIGNIK COMMERCIAL SALMON FISHERY WHEN 40,000 SOCKEYE SALMON HAVE ESCAPED INTO THE CHIGNIK RIVER. The Original Language reads; 5 AAC 15.357 (b)(1) the commissioner may open, by emergency order, the commercial salmon fishery when 20,000 sockeye salmon have escaped into the Chignik River, however, if the department determines that a strong buildup of sockeye salmon exists in Chignik Lagoon and that 20,000 sockeye salmon will escape into the Chignik River, the commissioner may open, by emergency order, the commercial salmon fishery before 20,000 sockeye salmon have escaped into the Chignik River.

What is the issue you would like the board to address and why? A previously used management practice which ADFG has sought to move away from was to allow for the passage of 40,000 sockeye through the Chignik Weir prior to the first commercial harvest period. This management practice allowed for subsistence opportunity as well as providing an early deposit of escapement into the spawning grounds as well as give managers the opportunity to more effectively gauge run strength.

The current language does not allow for an adequate influx of early sockeye especially since in recent years low quality spawners have been predominant in the early run timing apportionment.

Current language also allows guesswork in ADFGs management by pre loading their escapement with the expectation that sockeye in Chignik Lagoon will escape past Chignik weir and that

management can currently open the commercial fishery prior to 20,000 sockeye pass Chignik Weir. While this is widely understood as a trigger so that intercept fisheries that rely on Chignik's salmon fishery being open to commercial harvest so that they may also open, this type of management can no longer be afforded given the current state of run failure in Chignik thanks to the immense pressure placed on Chignik stocks and minimal escapement requirements over the years.

PROPOSED BY: Timothy Murphy

(EF-F21-002)

PROPOSAL 107

5 AAC 15.357. Chignik Area Salmon Management Plan.

Modify the *Chignik Area Salmon Management Plan* to allow more commercial fishing time by opening commercial salmon fishing periods regardless of sockeye salmon escapement, as follows:

(d) From June 1 through July 5, in the Western District, excluding the Inner Castle Cape Subsection, and in the Perryville District, the department, **as a mixed-stock fishery directed on early-run sockeye returning to Black Lake; shall open, by emergency order, at least two commercial test fishing periods of 33 hours in length, and may open for no more than two weekly 48 hour fishing periods.** [open the commercial salmon fishery concurrently with the Chignik Bay and Central Districts and the Inner Castle Cape Subsection of the Western District]; during this time period the Perryville District may open for no more than [three] **two weekly** 48 hour fishing periods. [with a minimum closure of 48 hours between each period]; beginning July 6, the department may open the commercial salmon fishery in the Western District, excluding the Inner Castle Cape Subsection, and in the Perryville District, except that,

(1) from approximately late June to mid-July (transition period),

(A) the department shall evaluate the strength of the sockeye salmon late run; and

(B) in order to allow the department to assess the Chignik Lake run strength, the department may keep closed or severely restrict commercial salmon fishing in the Western District, except the Inner Castle Cape Subsection, and in the Perryville District;

(2) from the end of the transition period, described in (b)(2) of this section, until July 31, fishing periods shall be based on the department's evaluation of local pink and chum salmon runs, and its evaluation of the Chignik Lake sockeye salmon run; from July 22 through July 31,

(A) repealed 3/29/2008;

(B) the commissioner may, by emergency order, open fishing in the following terminal harvest areas:

(i) those portions of the Western and Perryville Districts north of a line from Cape Ikta at 56° 00.32' N. lat., 158° 32.02' W. long., to Coal Cape at 55° 53.42' N. lat., 159° 00.45' W. long., to Cape Alexander at 55° 47.22' N. lat., 159° 24.57' W. long.;

(ii) waters in the Ivanof Bay Section of the Perryville District that are north of the latitude from Alexander Point at 55° 47.37' W. long., to Kupreanof Peninsula; and

(iii) those portions of the Chignik Bay and Central Districts known locally as Jack's Box, which consists of those waters east of 158° 15.36' W. long., south of 56° 20' N. lat., and west of 158° 10' W. long.;

(3) after July 31, the fishing periods shall be managed based on the department's evaluation of local pink, chum, and coho salmon runs or the strength of the Chignik Lake sockeye salmon run

...

What is the issue you would like the board to address and why? The WASSIP data shows a mixed stock harvest of sockeye in the CMA Western and Perryville districts. This proposal would give CMA fishermen economic opportunities to fish on a mixed stock, as well as give the department run strength data. There should be limited mixed stock openers in the Western and Perryville districts.

PROPOSED BY: Area M Seiners Association

(EF-F22-055)

PROPOSAL 108

5 AAC 15.357 - Chignik Area Salmon Management Plan

Amend the *Chignik Area Salmon Management Plan* to implement commercial salmon fishing periods in June, as follows:

(c) In the Eastern District,

(1) from June 1 through approximately June 25th , as a mixed-stock fishery directed on early-run sockeye salmon returning to Black Lake; the commissioner shall open, by emergency order, at least two commercial test fishing periods of 33 hours in length

[(1)](2) during June, the commercial salmon fishery shall open concurrently with the Chignik Bay and Central Districts, and the Inner Castle Cape Subsection of the Western District, and the openings shall be based on achieving the Black Lake sockeye salmon escapement goals;

[(2)](3) from approximately June 26 through July 8,

(A) the department shall evaluate the strength of the sockeye salmon late run; and

(B) in order to continue managing the Black Lake sockeye salmon harvest and escapement, while assessing the Chignik Lake sockeye salmon run strength, commercial salmon fishing in the Eastern District will, in the department's discretion, be disallowed or severely restricted;

[(3)](4) from the end of the transition period, described in (b)([2]3) of this section, until July 31, the department shall manage the commercial salmon fishery based on its evaluation of local pink and chum salmon runs, and the strength of the Chignik Lakes' system sockeye salmon; **and the commissioner may open, by emergency order, one commercial test fishing period per week, not to exceed 48 hours**

[(4)](5) after July 31, the department shall manage the commercial salmon fishery based on its evaluation of local pink, chum, and coho salmon runs or the strength of the Chignik Lake sockeye salmon run. **The commissioner may open, by emergency order, one commercial test fishing period per week, of 57 hours in length.**

...

What is the issue you would like the board to address and why? The WASSIP data shows a mixed stock harvest of sockeye salmon in the Chignik Management Area (CMA) Western and Perryville districts and ADF&G Fishery Manuscript Series No. 16-10 shows a mixed harvest of sockeye salmon in the Kodiak Management Area (KMA) Cape Igvak section. The CMA Eastern district lies in between these districts so it can be assumed that there is a mixed stock sockeye salmon harvest in the CMA Eastern district as well. In order to give CMA fishermen economic opportunities on a mixed stock as well as give the department run strength data, there should be limited mixed stock openers in the Eastern district.

PROPOSED BY: Kodiak Seiners Association

(HQ-F22-026)

PROPOSAL 109

5 AAC 15.357. Chignik Area Salmon Management Plan.

Amend the *Chignik Area Management Plan* to allow period openings to harvest more salmon in the Central District and repeal the inriver run goal in August and September, as follows:

Institute a weekly fishery in the Lagoon & Central District starting August 1 and continuing through September 15. With 2 days a week closed to fishing it will give sockeye a chance to move into & through the Lagoon, and eventually into the river and corresponding tributaries. The weekly closures throughout August & September will naturally protect & enhance subsistence opportunities as well. It will also provide Chignik fishermen with the best chance to harvest their surplus of coho in September.

5 AAC 15.357. Chignik Area Salmon Management Plan

(b) (3) from the end of the transition period, described in

(2) of this subsection until **July 31,** [SEPTEMBER 14,]

(A) the commissioner shall open and close, by emergency order, fishing periods in the Chignik Bay and Central Districts, and the Inner Castle Cape Subsection of the Western District, based on the Chignik Lakes' system sockeye salmon escapement goals;

(B) [THE DEPARTMENT SHALL MANAGE THE COMMERCIAL FISHERY TO ALLOW FOR THE PASSAGE OF AT LEAST 20,000 SOCKEYE SALMON ABOVE THE CHIGNIK RIVER WEIR, IN ADDITION TO LATE-RUN SOCKEYE SALMON ESCAPEMENT NEEDS, TO PROVIDE AN IN-RIVER HARVESTABLE SURPLUS ABOVE THE CHIGNIK RIVER WEIR IN AUGUST AND SEPTEMBER OF AT LEAST 10,000 FISH IN AUGUST AND 10,000 FISH FROM SEPTEMBER 1 THROUGH SEPTEMBER 30;]

(C) the commissioner may take additional emergency order actions to protect or harvest local pink, chum, king, and coho salmon runs; and

(b) (4) **from August 1 until September 15,** [BEGINNING SEPTEMBER 15,] **if Chignik Late Run escapement goals are being met, weekly** fishing periods in the Chignik Bay and Central Districts, and the inner Castle Cape Subsection of the Western District, **shall run from 6:00 a.m. Monday until 10:00 p.m Friday.** [MAY BE NO MORE THAN 48 HOURS PER WEEK, AND SHALL BE BASED ON THE DEPARTMENT'S EVALUATION OF THE SOCKEYE SALMON RUN STRENGTH AND THE SUBSISTENCE NEEDS FOR CHIGNIK LAKE LATE-SEASON SOCKEYE SALMON.]

...

What is the issue you would like the board to address and why? When the late run is achieving its escapement goal, it usually results in continual fishing in the Chignik Bay & Central Districts in August. The August portion of the late run is generally small, and continual fishing in Area M over the years has already reduced the run from what it used to be. Coupled with continual fishing within the Lagoon & Central Districts has resulted in great concern in Chignik that it has a negative impact on the ability of the myriad of small tributaries within the Chignik watershed to fill with sockeye. Not giving the sockeye a break from being fished can lead to a less dispersed population in the watershed. The current regulations also tend to cause a lost harvest opportunity on the September coho run in Chignik Lagoon.

PROPOSED BY: Chignik Intertribal Coalition (EF-F22-072)

PROPOSAL 110

5 AAC 15.357. Chignik Area Salmon Management Plan.

Amend the *Chignik Area Salmon Management Plan* to restrict commercial fishing periods in Chignik Lagoon until the escapement goal has been met, as follows:

Close Chignik Lagoon area to commercial salmon fishing until the escapement has been met.

What is the issue you would like the board to address and why? Commercial salmon fishing in the Chignik Lagoon Area while there are not enough salmon getting upriver.

PROPOSED BY: George P. Gundersen (EF-F22-077)

PROPOSAL 111

5 AAC 15.357. Chignik Area Salmon Management Plan.

Amend the *Chignik Area Salmon Management Plan* to increase commercial salmon fishing time and area in the Eastern District in August, as follows:

Insert language to specifically allow for more opportunity to harvest pinks & chums in the Eastern District in August:

5 AAC 15.357. Chignik Area Salmon Management Plan

(c) (4) from August 1 to August 31, [AFTER JULY 31] the department shall manage the commercial salmon fishery based on abundance of pink and chum salmon stocks. [ITS EVALUATION OF LOCAL PINK, CHUM, AND COHO SALMON RUNS OR THE STRENGTH OF THE CHIGNIK LAKE SOCKEYE SALMON RUN.]

(c) (5) after August 31, fishing periods shall be based on abundance of coho salmon stocks, although the department may consider the abundance of late pink and chum salmon stocks.

...

What is the issue you would like the board to address and why? Forgone harvest of pinks & chums in the Chignik Management Area. Current regulations do not properly allow for fishing periods in Chignik in the areas where pinks and chums can be harvested without impacting local sockeye stocks in the month of August. When escapement goals for sockeye are not being met, or are not high enough to open the fishery, Chignik fishermen are not allowed to harvest pink & chum stocks even when they are abundant in the Eastern District.

PROPOSED BY: Axel S. Kopun

(EF-F22-053)

PROPOSAL 112

5 AAC 15.357 - Chignik Area Salmon Management Plan

Amend the *Chignik Area Salmon Management Plan* to include a harvest cap in the Eastern District to reduce commercial salmon fishing time, as follows:

Section 5 AAC 15.357 - Chignik Area Salmon Management Plan

(c) In the Eastern District,

(1) during June, the commercial salmon fishery shall open concurrently with the Chignik Bay and Central Districts, and the Inner Castle Cape Subsection of the Western District, and the openings shall be based on achieving the Black Lake sockeye salmon escapement goals;

(2) from approximately June 26 through July 8,

(A) the department shall evaluate the strength of the sockeye salmon late run; and

(B) in order to continue managing the Black Lake sockeye salmon harvest and escapement, while assessing the Chignik Lake sockeye salmon run strength, commercial salmon fishing in the Eastern District will, in the department's discretion, be disallowed or severely restricted;

(3) from the end of the transition period, described in (b)(2) of this section, until July 31, the department shall manage the commercial salmon fishery based on its evaluation of local pink and chum salmon runs, and the strength of the Chignik Lakes' system sockeye salmon;

(A) From July 9 to July 31 in the Eastern District, the department shall manage the fishery as follows:

(i) The fishery may remain open during normal fishing periods until the harvest exceeds 20,000 sockeye salmon based on fish ticket information;

(ii) When the harvest exceeds 20,000 sockeye salmon based on fish ticket information, the commissioner shall restrict, by emergency order, the fishery to waters of the Eastern District to sections 272-95, 272-91, 272-81, 272-73, 272-74, 272-71, and 272-73.

(4) after July 31, the department shall manage the commercial salmon fishery based on its evaluation of local pink, chum, and coho salmon runs or the strength of the Chignik Lake sockeye salmon run.

What is the issue you would like the board to address and why? The WASSIP data shows a mixed stock harvest of sockeye salmon in the Chignik Management Area (CMA) Western and Perryville districts and ADF&G Fishery Manuscript Series No. 16-10 shows a mixed harvest of sockeye salmon in the Kodiak Management Area (KMA) Cape Igvak section. The CMA Eastern district lies in between these districts so it can be assumed that there is a mixed stock sockeye salmon harvest in the CMA Eastern district as well. To protect non Chignik Lakes bound sockeye stocks while allowing harvest of local pink and chum stocks after the transition period there should be a sockeye harvest cap in the Eastern district after which the fishery is limited to the bays to target local pinks and chums.

PROPOSED BY: Nathaniel Rose

(HQ-F22-027)

PROPOSAL 113

5 AAC 15.357. Chignik Area Salmon Management Plan.

Amend the *Chignik Area Salmon Management Plan* to allow post-June commercial salmon fishing periods, as follows:

Notwithstanding 5AAC 15.357 (d)(1), (d)(2), and (d)(3), in the Western District excluding the Inner Castle Cape Subsection and in the Perryville District, beginning on July 6 and ending on August 15, excluding all waters north of the Cape Itki line and the Inner Ivanof Bay statistical area within those districts. Waters south of the Cape Itki line and the Inner Ivanof Bay statistical area shall be opened by the department for commercial salmon fishing for 72 hours or more per week for the harvest of local pink and chum salmon. Notwithstanding the preceding, fishing south of the Cape Itki line and the Inner Ivanof Bay statistical area shall not exceed 36 hours per weekly period starting on July 6 and extending through July 31 if a directed sockeye-salmon fishery has not occurred in the Chignik Area and the Department is not expecting the midpoint of the Chignik early-run sockeye escapement goal to be reached by July 31.

What is the issue you would like the board to address and why? Schedule weekly pink and chum salmon openings in the outer waters of the Perryville and Western Districts.

Provide management guidelines to the department for post-June salmon fisheries in the outer waters of the Western and Perryville districts, July 6-August 15. Specifically promote the harvest of local pink and chum salmon stocks, on the come, as similarly provided in the Kodiak and South Area M management areas. Currently in the Western and Perryville districts, the department does

not permit pink and chum salmon fishing until fish build-ups are visually present in inner bays, stream closed-water areas, and/or in streams sufficient to meet escapement requirements. This prevents early fishing opportunity and promotes over-escapement, lost harvest opportunity, and product quality degradation.

Chignik salmon fishermen cannot afford to rely, to the degree they have in the past, on local sockeye production. Historically, Chignik's pink and chum stocks have been underutilized. A regulation to advance Chignik's opportunity for harvesting these stocks is warranted..

PROPOSED BY: United Chignik Salmon Fishermen (EF-F22-004)

PROPOSAL 114

5 AAC 15.357. Chignik Management Area.

Amend the *Chignik Area Salmon Management Plan* to allow post-June commercial salmon fishing periods, as follows:

Notwithstanding 5AAC 15.357 (c)(3), in the Agripina Section Outer Area, Chiginagak Outer Section, and Nakalilok-Yantarni Outer Section the department shall schedule commercial salmon fishing for 72 hours or more per week for early local pink and chum salmon fishing beginning on July 6 and ending on August 15. Notwithstanding the preceding, fishing time in the outer areas shall be limited to 36 hours per weekly period starting on July 6 and extending through July 31 if a directed sockeye-salmon fishery has not occurred in the Chignik Area and the Department is not expecting the midpoint of the Chignik early-run sockeye escapement goal to be reached by July 31.

What is the issue you would like the board to address and why? Schedule weekly pink and chum salmon openings in the Outer Waters of the Eastern District.

Provide management guidelines to the department for the management of post-June salmon fisheries in the Eastern District, July 6-August 15. Specifically promote the harvest of local pink and chum salmon stocks, *on the come*, as similarly provided in the Kodiak and South Area M management areas. Currently, the department does not permit pink and chum salmon fishing in the Eastern District until fish build-ups are visually present in inner bays, stream closed-water areas, and/or in streams sufficient to meet escapement requirements. This prevents early fishing opportunity and promotes over-escapement, lost harvest opportunity, and product quality degradation.

Chignik salmon fishermen cannot afford to rely, to the degree they have in the past, on local sockeye production. Historically, Chignik's pink and chum stocks have been underutilized. A regulation to advance Chignik's opportunity for harvesting these stocks is warranted.

The solution proposed, in concert with an accompany proposal designating seaward or outer fishing areas within three sections of the Eastern District, is to create early fishing opportunity without compromising stock conservation.

PROPOSED BY: United Chignik Salmon Fishermen

(EF-F22-006)

PROPOSAL 115

5 AAC 15.357. Chignik Area Salmon Management Plan.

Amend the *Chignik Area Salmon Management Plan* so that pink, chum and coho salmon stocks in the Western and Perryville Sections of Registration Area L will be managed based on the strength of the pink, chum, and coho salmon stocks in the Stepovak and Shumagin Islands Sections of Registration Area M, as follows:

A. From July 9 through September 30, (1) the department shall manage the Chignik fishery of the Perryville and Western Districts of the fishery based on the abundance of pink, chum, and coho salmon stocks in the Stepovak area of the SEDM and the Shumagin Islands; (2) When fish stocks of pink, chum and coho salmon have low escapement in the Stepovak Area of the SEDM and the Shumagin Islands during July, August and September the Perryville District 275-42, 275-52, 275-60 and the Western District 273-74 will be closed until there are significant returns of salmon in the streams and Area M fishermen are able to commercial salmon fish in these areas; (3) In July and August in the Perryville and Western District there shall be at least one 48 hour closed period within a seven day period in order to maintain healthy fish stocks in the SEDM.

What is the issue you would like the board to address and why? Previous Intermittent Years, Local Set Net and Seine fishermen have been denied access to harvesting salmon during the months of August and September due to the low numbers of westward returning chum and pink salmon within the Stepovak Area and Shumagin Islands. At the same time the Area M Fishermen are shut down the Chignik fishermen are fishing 7 days a week catching and producing high numbers of Pink Salmon and Chum Salmon destined for the Stepovak Area and Shumagin Islands while the Area M fishermen are shut down and salmon aren't returning to the local streams. When fish stocks of Pink and Chum Salmon have low escapement within the Stepovak Area of the SEDM and Shumagin Islands during July, August and September the Perryville District should be closed until there are significant returns of salmon in the streams and Area M fishermen are able to commercial fish in these areas. In early July and August in the Perryville District and Western District there shall be at least one 48 hour closed period within a seven day period in order to maintain healthy fish stocks in the SEDM and Shumagin Islands.

PROPOSED BY: Jack Foster Jr. and Amy M. Foster

(EF-F22-070)

PROPOSAL 116

5 AAC 15.357. Chignik Area Salmon Management Plan.

Modify the *Chignik Area Salmon Management Plan* to manage the Western and Perryville Districts of Registration Area L based on the strength of the pink, chum, and coho salmon stocks in the Southeast District Mainland (SEDM) Section of Registration Area M, as follows:

Add a section to the Chignik Area Salmon Management Plan so that pink, chum, and coho salmon stocks in the Western and Perryville districts of Area L will be managed based on the strength of

the pink, chum, and coho salmon stocks in the Southeast District Mainland (SEDM) section of Area M, as follows:

From July 25 through September 30, (1) the department shall manage the Chignik fishery in the Perryville and Western Districts of the fishery based on the abundance of pink, chum, and coho salmon stocks in the SEDM; (2) When stocks of pink, chum and coho salmon have low escapement in the SEDM during August and September, the Perryville and Western Districts will be closed; (3) In the Perryville and Western Districts, there shall be at least one 48 hour closed period in a seven day period.

What is the issue you would like the board to address and why? Local set net and seine fishermen have been denied access to harvesting salmon in August and September these past few years due to low numbers of westward returning chum and pink salmon in the Southeast District Mainland (SEDM) Section of Area M. Chignik fishermen are fishing seven days a week, catching high numbers of pink and chum salmon destined for the SEDM area, while Area M fishermen are shut down and salmon are not returning to local streams. When stocks of pink and chum salmon have low escapement within the SEDM area during August and September, the Perryville and Western Districts will be closed until there are significant returns.

PROPOSED BY: Area M Seiners Association (EF-F22-057)

PROPOSAL 117

5 AAC 15.200. Fishing districts, sections, and subsections.

Amend the fishing districts, sections, and subsections to increase fishing time and area by creating new sections in outside waters of the Chignik Management Area, as follows:

5 AAC 15.200 (1) **(A)**

Agripina Section Outer Area:

Seaward of a line from Cape Providence at 56, 58.67 N. Lat., 156, 33.47 W. Long. to David Island at 57, 01.40 N. Lat., 156, 30.42 W. Long.

and seaward of a line from David Island at 57, 02.32 N. Lat., 156, 30.01 W. Long. to the eastern end of the Chignik Area.

...

5 AAC 15.200 (2) **(A)**

Chiginagak Section Outer Area:

Statistical Area 272-93

5 AAC 15.200 (3) **(A)**

Nakalilok-Yantarni Section Outer Area:

Seaward of a line from 56, 49.10' N. Lat., 157, 05.17' W. Long. to Cape Kuyuyukak at 56, 53.85' N. Lat., 156, 49.72' W. Long.

And seaward of a line from 56, 46.12' N. Lat., 157, 12.05' W. Long. to 56, 49.10' N. Lat., 157, 05.17' W. Long.

What is the issue you would like the board to address and why? Provide flexibility to the department to prosecute post-June salmon fisheries in the Eastern District through the creation of outer fishing areas to allow greater harvest opportunity on local area pink and chum salmon stocks while safeguarding escapement buildups in bays and adjacent close-water areas.

PROPOSED BY: United Chignik Salmon Fishermen (EF-F22-005)

PROPOSAL 118

5 AAC 15.200. Fishing districts, sections, and subsections & 5AAC 15.357. Chignik Area Salmon Management Plan.

Amend the districts, sections and subsections and the management plan to increase commercial fishing time and area in the Western and Perryville Districts in August, as follows:

Modify the structure of the Western & Perryville Districts and specifically allow for more opportunity to harvest pinks & chums in those areas that do not target sockeye in August:

5 AAC 15.200. Fishing districts, sections, and subsections

(c) (1) Castle Cape Section: all waters bounded by the latitude of a point southwest of Jack Point at 56° 16.40' N. lat., 158° 12.50' W. long., and a line extending 165° from a point northwest of **Seal Cape at 55° 59.34' N. lat., 158° 26.17' W. long.** [CAPE IKTI AT 56° 00.32' N. LAT., 158° 32.02' W. LONG.]

(C) Chankliut Island Subsection: all waters of the Castle Cape Section bounded by the Outer Castle Cape Subsection and a line extending 165° from a point at 56° 7.28' N. lat., 158° 21.70' W. long.;

(D) Devil's Bay Subsection: all waters of the Castle Cape Section bounded by a line extending 165° from a point at 56° 7.28' N. lat., 158° 21.70' W. long., and a line extending 165° from a point northwest of Seal Cape at 55° 59.34' N. lat., 158° 26.17' W. long.;

(c) (2) Dorner Bay Section: all waters bounded by a line extending 165° from a point northwest of **Seal Cape at 55° 59.34' N. lat., 158° 26.17' W. long.** [CAPE IKTI AT 56° 00.32' N. LAT., 158° 32.02' W. LONG.,] and a line extending 165° from a point on the west side of Dorner (Kuiukta) Bay's entrance at 55° 57.00' N. lat., 158° 40.00' W. long.;

(d) (1) (A) Inner Perryville Subsection: all waters of the Perryville Section north of a line from Coal Cape at 55° 53.42' N. lat., 159° 00.45' W. long. to Cape Alexander at 55° 47.22' N. lat., 159° 24.57' W. long.;

(d) (1) (B) Perryville Subsection: all waters of the Perryville Section south of a line from Coal Cape at 55° 53.42' N. lat., 159° 00.45' W. long. to Cape Alexander at 55° 47.22' N. lat., 159° 24.57' W. long.;

(d) (2) (A) Inner Humpback Bay Section: all waters of the Humpback Bay Section north of a line from Coal Cape at 55° 53.42' N. lat., 159° 00.45' W. long. to Cape Alexander at 55° 47.22' N. lat., 159° 24.57' W. long.;

5 AAC 15.357. Chignik Area Salmon Management Plan

(d) (3) From August 1 to August 31, [AFTER JULY 31] the fishing periods in the Outer Castle Cape Subsection, Chankliut Island Subsection, Outer Kuiukta Bay Subsection, Mitrofanina Island Subsection, Outer Perryville Subsection and the Outer Humpback Bay Subsection shall be managed based on abundance of pink and chum salmon stocks [THE DEPARTMENT'S EVALUATION OF LOCAL PINK, CHUM, AND COHO SALMON RUNS] or the strength of the Chignik Lake sockeye salmon run.

(d) (4) from August 1 to August 31, [AFTER JULY 31] fishing periods in the Devil's Bay Subsection, Inner Kuiukta/Portage Bay Subsection, Windy Bay Subsection, Dorner Bay Subsection, Mitrofanina Bay Subsection, Fishrack Bay Subsection, Ivan Bay Subsection, Coal Cape Subsection, Inner Perryville Subsection, Inner Humpback Bay Subsection, and the Ivanoff Bay Section shall be managed based on abundance of pink and chum salmon stocks.

(d) (5) after August 31, fishing periods shall be based on abundance of coho salmon stocks, although the department may consider the abundance of late pink and chum salmon stocks.

What is the issue you would like the board to address and why? Forgone harvest of pinks & chums in the Chignik Management Area. Current regulations do not properly allow for fishing periods in Chignik in the areas where pinks and chums can be harvested without impacting local sockeye stocks. When escapement goals for sockeye are not being met, or are not high enough to open the fishery, Chignik fishermen are not allowed to harvest pink & chum stocks even when they are abundant in the Western & Perryville Districts.

PROPOSED BY: Axel S. Kopun

(EF-F22-050)

PROPOSAL 119

5 AAC 15.330. Gear, 5 AAC 15.33X. Troll specifications and operations, and 5 AAC 29.XXX. Salmon Troll Fishery.

Amend allowable gear in the Chignik Management Area to include troll gear, create a management plan to include a commercial troll fishery and amend regulations in **Chapter 29 Salmon Troll Fishery** to include the Chignik Management Area, as follows:

5 AAC 15.330. Gear

(a) Salmon may be taken [ONLY] by purse seine, [AND] hand purse seine, **power troll and hand troll gear.**

5 AAC 09.33X. Troll specifications and operations

(a) Legal gear for the commercial summer troll fishery includes power and hand troll gear types. From each power or hand troll gurdy, only one line to which multiple leaders and hooks may be attached. Power trollers are limited to no more than six lines operated by hydraulic, electrical, or mechanical powered gurdies.

(b) Vessels using hand troll gear are limited to the operation of no more than two hand-operated gurdies or four fishing rods.

What is the issue you would like the board to address and why? Though Chignik sockeye are considered a Stock of management concern, Coho are also present and a selective method of harvest when seining is closed is needed to benefit the local economy as well as to control potential predation of Sockeye juveniles.

What would happen if nothing is changed?

If nothing is done the Coho will continue to be unharvested when the salmon seine fishery is closed to protect sockeye escapement. This would put undue stress on the current Sockeye Stocks. In the Chignik system, coho spend from 0 to 3 years (typically 2 years) in freshwater before migrating to the ocean to mature and are capable of consuming sockeye fry after their first winter in freshwater. While juvenile coho are traditionally considered to reside primarily in streams (Sandercock 1991), they are primarily found in lake habitats preferred by sockeye in the Chignik system. Previous research in the watershed showed that juvenile coho prey heavily on sockeye juveniles (Roos 1960), **consuming over half** of the emerging fry annually (Ruggerone & Rogers 1992). Thus, predation by coho may limit the productivity of sockeye populations, thereby limiting the profitability of the aggregate commercial fishery (Ruggerone & Rogers 1992).

What are other solutions you considered? Why did you reject them?

The stakeholders asked the department to open up a Coho directed fishery and because of the regulations and terminal stock difficulties in Sockeye salmon they believed it would be irresponsible and potentially to the detriment of the present management of concern Sockeye stocks. By adding troll gear tied to the current permits this would give the department the latitude to open a Coho directed fishery without interfering with the Sockeye and Chinook low return issues.

There is no interest in creating more permits for the area, thus creating the same problem of expanding fisheries that has occurred in other areas. Troll gear would be added as a gear type specifically to the existing salmon permit in the Chignik area.

North Alaska Peninsula Salmon Northern District (10 proposals)

PROPOSAL 120

5 AAC 09.320. Fishing periods.

Modify fishing periods in the Northern District, as follows:

Caribou Flats section to remain as is, closed indefinitely.

All areas southwest of Franks Point, i.e. Black Hills, Swanson's Lagoon and others will remain as is.

June 1st to June 19th only Nelson River, Bear River, and Port Moller sections will be harvested, not to exceed 3 days per week. No less than 4 day complete closure each week of entire North Alaska Peninsula, including Bear River, Nelson River and Port Moller sections. Harvest can only occur if both Nelson River and Bear River have achieved their minimum periodic escapement goals.

June 20th to June 25th only Nelson River, Bear River, and Port Moller sections will be harvested, not to exceed 4 days per week. No less than 3 day complete closure each week of entire North Alaska Peninsula, including Bear River and Nelson River, Port Moller. Harvest can only occur if both Nelson River and Bear River have achieved their minimum periodic escapement goals.

June 26th to June 30th only Ilnik River, Nelson River, Bear River and Port Moller (no harvest in Three Hills) sections will be harvested, not to exceed 4 days per week. No less than 3 day complete closure each week of entire North Alaska Peninsula, including Bear River, Nelson River, and Port Moller sections. Harvest can only occur in these sections if both Nelson River and Bear River have achieved their minimum periodic escapement goals.

July 1st to July 5th only Ilnik River, Nelson River, Bear River, and Port Moller, sections will be harvested, not to exceed 4 days per week. No less than 3 day complete closure each week of entire North Alaska Peninsula, including Bear River and Nelson River. Harvest can only occur in these sections if both Nelson River and Bear River have achieved their minimum periodic escapement goals.

July 6th to July 15th only OPH, Ilnik River, Three Hills, Nelson River, Bear River and Port Moller sections will be harvested, not to exceed 4 days per week. No less than 3 day complete closure each week of entire North Alaska Peninsula, including Bear River, Nelson River, and Port Moller. Harvest can only occur in these sections if both Nelson River and Bear River have achieved their minimum periodic escapement goals.

Emergency orders by ADF&G will be allowed in the June North Alaska Peninsula harvest. Only Nelson River, Bear River, and Port Moller sections will be allowed harvest. No less than 2 day complete closure each week in these North Alaska Peninsula sections. Harvest can be considered only if both Nelson River and Bear River has achieved their minimum periodic escapement goals.

Emergency orders by ADF&G will be allowed in the July North Alaska Peninsula harvest. Only Nelson River, Bear River, and Port Moller sections will be allowed harvest. Harvest can be considered only if both Nelson River and Bear River has achieved their minimum periodic escapement goals.

What is the issue you would like the board to address and why? Preservation for the Native Village of Nelson Lagoon, Nelson River sockeye escapement and harvest.

I have lived in Nelson Lagoon and fished Area M north and south since the mid 1970's, all what I state is true to the best of my recollection and what I have learned from ADF&G reports.

Many fisherman fishing Area M today have not been here so long to have witness what I have. I have much to explain, please take a moment to read, and bear with me.

The Native Village of Nelson Lagoon was founded because of fish returning to Nelson River.

In the recent years, the Native Village of Nelson Lagoon has suffered like never before.

Salmon returns to Nelson River are a matter of survival for the indigenous Aleut native peoples of Nelson Lagoon.

What many fail to grasp, is subsistence for Nelson Lagoon residents translates into fishing income. Without a substantial annual salmon harvest in Nelson River, the Native Village of Nelson Lagoon will cease to exist.

When annual harvests fail, Nelson River fisherman are forced move from the community to search for income, and in some instances, forced to sell the only known livelihood, their Limited Entry Permits. People in Nelson Lagoon know of nothing else but to harvest salmon in Nelson River to survive.

Nelson Lagoon has suffered 1 economic disaster in the past due to poor fish returns and many near disasters since. Currently returns are so dire that a typical Nelson River fisherman goes fishing each year to pay off cannery debts from the previous year or years operating and cost of living expenses.

If not for Peter Pan Seafoods carrying these debts (loans) year after year, Nelson Lagoon would have long been uninhabited.

Current ADF&G North Alaska Peninsula management routinely struggle to achieve minimum escapement goals during the June and late June fishery, only to finally achieve these minimum goals later in late July with a trickle of salmon, barely achieving minimum escapement season goals.

Critical to Nelson Lagoon's survival is the pre July harvest. Most sockeye salmon travel thru the Nelson River system in this narrow time window. Any fishing outside of Nelson River has a direct

impact on Nelson River. The farther away harvests occur in the North Alaska Peninsula, the longer direct impact is realized in Nelson River seasonal harvests. It takes 3-4 days for impacts to be realized by Nelson River. The majority of fish returning to Nelson River must navigate 100 miles thru harvests of Alaska North Peninsula sections OPH, Ilnik, Three Hills and Bear River.

If sockeye weir counts are not achieving their minimum escapement goals, sockeye harvests in Nelson River are curtailed or terminated, yet fishing harvests continue in OPH, Ilnik and Three Hills sections. Nelson River has been shut down due to the lack of minimum periodic escapement for as many as 20 consecutive days during the traditional harvest period for Nelson River.

Over the years, North Alaska Peninsula has seen increases in vessel sizes and vessel productivity. Changes to ADG&G fishing regulations pursuing \$\$\$ over preservation of sustainable harvests and escapements for Nelson River. Changes made to allow earlier fishing time in areas normally closed to fishing before Nelson River salmon peak (traditionally 4th of July). Changes allowing smaller rivers with minor escapements in comparison, dictating harvests for the entire North Alaska Peninsula. Changes made to allow for longer fishing harvests in North Alaska Peninsula. Changes to allow gear depth increases from well-established 45md to 70md, translating into 36% of added net in the water. Changes to minimum mesh size ensuring catch of even smaller salmon, increasing salmon harvests. All of these changes have impacted Nelson River harvests and escapements to diminish Nelson River's capacity to achieve modest periodic June escapement goals year after year.

Throughout history (ADF&G records from 1962 to present) accurately state that Nelson River section and Bear River sections combined (including Sandy River) make up, sometimes more than 90% of total escapement achieved in the entire North Alaska Peninsula. Nelson River at times making up near 40% of total escapement for the entire North Alaska Peninsula. OPH (IPH Meshik River), Ilnik River, Three Hills (Three Hills does not have a salmon return) sections combined have been as high as 30% escapement, but are consistent through-out history as being less than 20% of total North Alaska Peninsula escapements achieved. These systems are not lake spawning salmon returns, but river spawning salmon returns. OPH (IPH Meshik River), Ilnik River, and Sandy River will never have the capacity to achieve high escapements as Bear River (over 1,000,000 sockeye) and Nelson River (over 500,000 sockeye).

By July 15th of any given season, sockeye salmon returning to Nelson River have declined to where most Nelson River fisherman have either stopped fishing, or reduced effort to only making mean low water tides to ensure a better harvest for their efforts.

ADF&G North Peninsula management sockeye cumulative escapement goals for July 15th are Bear River minimum 130000 (48%) to 230000 (44%). Sandy River min 29000 (11%) to 67000 (13%), Ilnik min 28000 (10%) to 40000 (8%), Nelson River min 95000 (32%) to 185000 (35%).

ADF&G North Peninsula management sockeye cumulative escapement goals for July 20th are Bear River minimum 140000 (47%) to 250000 (48%). Sandy River min 32000 (11%) to 71000 (12%), Ilnik min 30400 (10%) to 45600 (8%), Nelson River min 85000 (31%) to 210000 (36%).

By these calculations, escapements do not warrant fish harvests in OPH, Ilnik and Three Hills (combined) achieving 90% of total fish harvested in a single season in North Alaska Peninsula.

When Nelson River and Bear River combined harvest sadly achieved 16% (5 year average) for total season harvest of the entire North Alaska Peninsula. 2021 resulted in Nelson River achieving a meager 3% of the near 2,800,000 total salmon harvested in the North Alaska Peninsula.

Current ADF&G management typically will open OPH, and or Ilnik, Three Hills sections on June 20th, close OPH a couple days later, while Ilnik, Three Hills and possibly Bear River remain harvesting for a duration of the rest of the week, insuring harvest of southbound salmon, then opening OPH again, repeating the harvest week after week until fishing has diminished thru July. Often Bear River has not achieved its minimum periodic escapement goals, and is shut down completely while fishing North of Bear River remains harvesting. Harvests in the North Alaska Peninsula have reached near 4,000,000 sockeye in a single season.

The problem with all this is that there are rarely any rest periods (windows) between harvests, certainly not long enough for salmon to return to Nelson River and Bear River untouched.

Nelson River and Bear River sections have always had a 3 day a week, to 4 day week after the 15th of June. Only after escapement levels are achieved, are additional days considered during any given week.

It takes 3-4 days for fish to travel from OPH to Nelson River, therefore I propose...

Windows be mandatory each week in the June and July North Alaska Peninsula.

PROPOSED BY: Mark McNeley (EF-F22-056)

PROPOSAL 121

5 AAC 09.310. Fishing seasons.

Amend the fishing season in the Three Hills Section to increase potential fishing time and aligning sections to similar fishing periods, as follows:

Management actions that are already specified in 5 AAC 09.369 (i) for the Three Hills Section will remain the same but the earliest date that these actions can occur will begin on June 20 and not June 25.

What is the issue you would like the board to address and why? Move the season opening date in the Three Hills Section from June 25 to June 20 to make it the same as the Ilnik and Outer Port Heiden Sections.

PROPOSED BY: Concerned Area M Fishermen (EF-F22-033)

PROPOSAL 122

5 AAC 09.310. Fishing seasons.

Amend fishing seasons to allow more commercial fishing time by allowing fishing periods in the Cinder River Section, as follows:

Open Cinder River for 36 hours from June 20 to July 31 as long as no conservation concern for sockeye salmon in the Ugashik or Cinder River systems.

What is the issue you would like the board to address and why? To allow opportunity for Area M fishermen to harvest sockeye salmon in the Cinder River Section from June 20 to July 31. Presently the section is currently closed to commercial salmon fishing in the salt water by regulation. In most years there has been surplus sockeye salmon escapement into the Cinder River above the escapement goal and current regulations do not allow effort to target these fish except inside the Lagoon which has not been logistically feasible.

PROPOSED BY: Concerned Area M Fishermen

(EF-F22-034)

PROPOSAL 123

5 AAC 09.310. Fishing seasons.

Amend fishing seasons to allow more fishing time and area for set net gear in the Cinder River Section, as follows:

If the outside district does open in July there could potentially be some effort to target the under utilized Cinder River sockeye run. I hope the board considers opening the Cinder River outside section on July 1st up to 1/2 mile off the beach for set net gear which is allowed for area T Bristol Bay permits and area M setnet permits in the over lap salmon fishery. By current regulations the outside Cinder River section only opens after August 1st for the over lap fishery. By then the sockeye run is pretty much over. Thank you for your consideration.

What is the issue you would like the board to address and why? Hello chairman and board of fish. My name is Dia Kuzmin 3rd generation fisherman born and raised in Alaska. I fished in area M on the north side for 6 seasons and the last year tried setnetting. I would like the board to consider possibly opening the Cinder River outside section up to 1/2 mile for set net fishing in July. I checked the area last season inside the Cinder River lagoon section where it's open to fish during July. The area is too shallow to fish inside the lagoon. Even at high tide it was still very shallow. I was touching bottom even at full high tide couldn't find any suitable area to set my set net. There is almost zero fishing effort in Cinder River most years. It's one of the only sockeye salmon runs in the state that the salmon run is not utilized and most years it exceeds the high end escapement goals.

PROPOSED BY: Dia Kuzmin

(EF-F22-036)

PROPOSAL 124

5 AAC 09.310 (a)(1)(B). Fishing seasons – Northern District, Cinder River Section, 5 AAC 09.320. Fishing periods, and 5 AAC 09.330. Gear.

Amend fishing seasons, fishing periods and gear to allow more commercial fishing time to all Registration Area M gear types in the Cinder River Section, as follows:

Open Cinder River for 36 hours from June 20 to July 31 as long as no conservation concern for sockeye salmon in the Ugashik or Cinder River systems.

What is the issue you would like the board to address and why? To allow opportunity for Area M fishermen to harvest sockeye salmon in the Cinder River Section from June 20 to July 31. Presently the section is currently closed to commercial salmon fishing in the salt water by regulation. In most years there has been surplus sockeye salmon escapement into the Cinder River above the escapement goal and current regulations do not allow effort to target these fish except inside the Lagoon which has not been logistically feasible.

PROPOSED BY: Concerned Area M Fishermen (EF-F22-045)

PROPOSAL 125

5 AAC 09.350. Closed waters.

Amend closed waters to change the boundary line in the Outer Port Heiden Section, as follows:

5 AAC 09.350(3)(B) East of a line from 57 05.97; 158 34.03W to 57 08.39N; 158 37.88W

We propose pivoting the existing boundary line around the midpoint of the line so that the overall area of the change is "neutral", so no overall fishing area is gained or lost. This would "swing" the inshore end of the line approximately 1/2 mile up the coast to the NE, and move the offshore end of the line 1/2 mile to the SW, in the opposite direction.

What is the issue you would like the board to address and why? The existing line is at a fairly steep angle to the beach, and we would like to modify it slightly to make it more perpendicular to the beach, and thus make for a more orderly line fishery on the ebb tides.

PROPOSED BY: Concerned Area M Fishermen (EF-F22-054)

PROPOSAL 126

5 AAC 09.350 Closed waters and 5 AAC 09.369 Northern District Salmon Fisheries Management Plan

Amend closed waters and *Northern District Salmon Fisheries Management Plan* to reduce commercial salmon fishing time and area in the Outer Port Heiden Section, as follows:

This proposal seeks to restrict fishing in the northern portion of the Outer Port Heiden Section. The purpose of this area restriction is to direct more commercial fishing on local Northern Peninsula sockeye salmon stocks, particularly the Meshik River and Ilnik River stocks, that

migrate within known channels. This closure will also improve fish quality because of a shorter transport from fishery to processor and also provide for the harvest of Meshik and Ilnik River sockeye salmon stocks.

The proposed line is about 1 statute mile North of North River (Reindeer Creek). The North River (Reindeer Creek) mouth can move as much as 3/8-1/2 statute mile from one year to the next and so the line proposed if adopted by the board will always have North River (Reindeer Creek) in the open area.

Substitute Language

5 AAC 09.350. Closed Waters. Salmon may not be taken in the following locations:

(3)Outer Port Heiden: waters of the Outer Port Heiden Section

(A) repealed 6/5/2016;

(B) east of a line from 57° 02.90' N. lat., 158° 37.66' W. long. to 57° 06.08' N. lat., 158°40.57' W. long.;

5 AAC 09.369. Northern District Salmon Fisheries Management Plan

(1)The Outer Port Heiden Section is open from June 20 through July 31 to commercial salmonfishing in those waters west of a line from 57° 02.90' N. lat., 158° 37.66' W. long. to 57°06.08' N. lat., 158° 40.57' W. long.; based on the abundance of Meshik River sockeye salmon.

...

What is the issue you would like the board to address and why?

Overescapement of sockeye salmon into the Meshik and Ilnik Rivers.

Escapements into the Meshik River have exceeded the high end of the current escapement goal (86,000) 4 out of the last 5 years (2017-191,000, 2018-134,000, 2019-107,000, 2020-64,000, 2021-117,000). In the Ilnik River, sockeye salmon escapements have exceeded the high end of the current escapement goal (60,000) 4 out of the last 5 years (2017-238,000, 2018-81,000, 2019-75,000, 2020-41,000, 2021-69,000). The total escapement in 2017 was a record 238,000 sockeye salmon escaped to spawn. This escapement is nearly 4 times the upper end of the current escapement goal.

This proposal seeks to adjust the Section so that more local Northern Peninsula salmon stocks are harvested, resulting in more appropriate escapement to the Meshik and Ilnik Rivers.

Note also that WAS SIP indicated that Northern Peninsula sockeye salmon stocks contributed and average of 48% to the SW Ilnik harvest (3 years); 30% to the NE Ilnik harvest (3 years); and 21% to the Outer Port Heiden Section harvest (2 years).

Quality of delivered fish that are harvested in the Outer Port Heiden Section.

Most fishers are fishing very near the northern boundary of the Outer Port Heiden district. Delivery of these fish is delayed by the long travel distance from the point of harvest to the processor, resulting in degraded quality salmon.

Additionally, frequent very rough seas within the Outer Port Heiden Section makes it very difficult to fish and to transport fish to processor, resulting in fish being delivered that are poor quality. If nothing is done, escapements to the Meshik and Ilnik Rivers will continue to exceed the upper end of their respective escapement goals. Additionally, poor quality fish will continue to be delivered to processors because of the long travel distance and time.

PROPOSED BY: Lower Bristol Bay Advisory Committee (HQ-F22-029)

PROPOSAL 127

5 AAC 09.310. Fishing seasons.

Amend fishing seasons to increase fishing time in the Caribou Flats Section, as follows:

(a) (9) Caribou Flats Section

Only if the season ending escapement goal is met between June 20 and July 31 will the Caribou Flats Section open to drift gillnet gear.

What is the issue you would like the board to address and why? Help control the sockeye salmon escapement into the Nelson River during years when the season ending escapement goal is met.

PROPOSED BY: Joe Hinton (EF-F22-064)

PROPOSAL 128

5 AAC 05.331. Gillnet specifications and operations.

Amend Gillnet specifications and operations to reduce commercial salmon harvest in the North Peninsula using gillnet depth reductions, as follows:

Please consider reducing the max mesh depth for Area M North Peninsula from 70 meshes deep to a maximum of 45 meshes deep.

Deeper nets drag the bottom farther off the beach, fish don't have a chance to go under the net to return to their rivers and lakes.

Nets dragging the bottom slow when drifting. Nets have a greater chance to snag the bottom resulting in a 200ft set net.

Who would it effect: all Area M North Peninsula fishermen that choose to fish a 70 mesh net..

Who would benefit: all Area M North Peninsula salmon trying to return through 100 miles of deep net.

What is the issue you would like the board to address and why? Nelson Lagoon River has been struggling to meet minimum escapement and seasonal harvests are dismal. There is a large fleet

who fish above Nelson River and we are witnessing the negative effects it is causing our fishery. I am a generational fisherman and have lived in Nelson Lagoon my entire life. I was brought up fishing in Nelson River and have been observing the changes over the years. Things aren't like they were before and I think maybe if there was less net in the water it might make a difference.

I propose to lessen the amount of net in the water in Area M North peninsula to the way it was before.

PROPOSED BY: Angela Johnson (EF-F22-092)

PROPOSAL 129

5 AAC 09.331. Gillnet specifications and operations.

Allow use of monofilament gillnet web in the Northern District, as follows:

Notwithstanding 5 AAC 09.250 (C) In the Northern District single filament gill net web may be used by set net gear.

What is the issue you would like the board to address and why? With recent ocean temperature changes, algae has been more prevalent and is stuck easily in knots of monofilament gill net web. Other areas have adopted monofilament gear combat algae and other vegetative debris and allowing the use of monofilament will give a option as a solution to this problem.

PROPOSED BY: Connor Murphy (EF-F22-024)

South Alaska Peninsula Southeastern District Mainland Salmon (3 proposals)

PROPOSAL 130

5 ACC 09.360. Southeastern District Mainland Salmon Management Plan.

Amend the *Southeastern District Mainland Salmon Management Plan* to allow more fishing time in the Northwest Stepovak Section as follows:

5 AAC 09.360;

3, Beginning July 1, sockeye salmon caught in NWSS will not be counted toward the Chignik allocation, Fishing periods in the NWSS after June 30 will be based on sockeye salmon escapement into Ozinski Lake .

4. If Ozinski lake is meeting its escapement goals the NWSS and Orzinski Bay may be opened as follows;

(a) The NWSS Section may not be open more than 96 hours in a 7- day period

(b) The orzinski Bay may be opened continually until midnight July 25

(c) purse seine and hand purse seine gear may operate after midnight july 10.

What is the issue you would like the board to address and why? 5 ACC 09.360

3.Fishing periods in NWSS after June 30 will be based on sockeye escapement into Orzinski Lake and there may not be more than 96 hours of fishing time during a 7- day period.

4.if the orzinski lake escapement meets or exceeds 25,000 sockeye salmon NWSS and orzinski bay may be opened as follows;

The 25,000 isn't even applicable to the escapement level stated in the NWSS, the orzinski lake SEG range is 15,000 -20,000 sockeye salmon , The problem is in 2021 season orzinski bay closed after 96 hours and was ahead of escapement and was getting more than 500 per day while we were fishing ,When it reopened the processor wouldnt send tenders so the setnet lost opportunity to fish. I would like the 96 hours per 7 days only apply to NWSS not to orzinski bay . the orzinski bay should be able to be open for setnet continuously as long as its getting its target escapement levels.

PROPOSED BY: Jim Smith

(EF-F22-016)

PROPOSAL 131

5 AAC 09.360. Southeastern District Mainland Salmon Management Plan.

Amend the *Southeastern District Mainland Salmon Management Plan* to allow commercial salmon fishing with set gillnet gear, and after July 11, purse seine gear concurrent to open commercial fishing periods for salmon in the Chignik Management Area, as follows:

Revise the Southeastern District Mainland Management Plan to allow commercial salmon fishing with set gillnet gear and after July 11 seine gear concurrent to the Chignik Area Commerical Salmon Fishery as follows: Conduct concurrent fishing periods between Area L (Chignik) and Southeastern District Mainland (SEDM). (a) Elimination of the harvest of 300,00 -400,000 red salmon in the Chignik area before fishermen in the SEDM can harvest salmon; (b) to fish concurrently while Area L (Chignik) fishermen are fishing Area M fishermen are fishing in the SEDM area.

What is the issue you would like the board to address and why? The SEDM Salmon Management Plan guidelines are currently being based on an apocryphal assumption that 20% of the fish caught in the SEDM are local stocks, while the other 80% are Chignik bound. The 80% figure needs to be eliminated from the SEDM Management Plan. SEDM fishermen are only allowed to harvest 7.6% of what Chignik fishermen harvest. Before any fishermen in the SEDM can harvest any salmon Chignik fishermen have to harvest a minimum of 300,000 -400,000 red salmon before we can begin to put our nets in the water and harvest our local stock of red salmon. We rarely catch or come close to catching the 7.6 allocation, which is a low number for a historical fishery. Seldom do we fish on the SEDM because of the severity of the restrictions set forth upon the fishery. This allocation needs to be eliminated. During 2014 fishermen in the SEDM weren't allowed to harvest any salmon in the SEDM area and are being denied access to their historical fishery which is affecting the viability of set netting in the area. The harvest of 300,000 - 400,000 red salmon in the Chignik area before set netters on the SEDM can harvest salmon needs to be

eliminated and done away with. When Chignik area fishers, we as set netters would like to fish at the same time on the SEDM District.

PROPOSED BY: Jack Foster Jr. and Amy M. Foster (EF-F22-068)

PROPOSAL 132

5 AAC 09.360. Southeastern District Mainland Salmon Management Plan.

Amend the *Southeastern District Mainland Salmon Management Plan* to reflect changes to Chignik River sockeye salmon escapement goals.

What is the issue you would like the board to address and why? In April 2022 the Alaska Department of Fish and Game changed the Chignik River sockeye salmon escapement goal from early and late run goals to a single goal. Several management plans reference two sockeye salmon escapement goals for the Chignik River. This proposal does not suggest a specific change to the management plan, rather it is meant to serve as a signal that the Alaska Board of Fisheries may wish to consider amending the *Southeastern District Mainland Salmon Management Plan* in response to the new Chignik River sockeye salmon escapement goal.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F22-048)

South Alaska Peninsula Salmon June Management Plan (10 proposals)

PROPOSAL 133

5 AAC 09.365. South Unimak and Shumagin Islands June Salmon Management Plan.

Amend the *South Unimak and Shumagin Islands June Salmon Management Plan* to reduce commercial salmon fishing time and area for purse seine gear, as follows:

Amend fishing time in the Shumagin Islands for seiners to 72 hour openings interspersed with 72 hour closures. Remove the Volcano Bay Section and the East and West Pavlof Bay Sections from the June Management Plan.

5 AAC 09.365. South Unimak and Shumagin Islands June Salmon Management Plan

(b) The South Unimak fishery takes place in the Unimak District, the Southwestern District **(excluding the Volcano Bay Section)**, [THE EAST PAVLOF BAY AND THE WEST PAVLOF BAY SECTIONS OF THE SOUTH CENTRAL DISTRICT], and the Bechevin Bay Section of the Northwestern District.

(d) In the South Unimak [AND SHUMAGIN ISLANDS] **fishery** [FISHERIES], the commissioner may establish, by emergency order, commercial fishing periods as follows:

(1) for set gillnet gear,

(A) beginning June 6, commercial fishing periods will begin at 6:00 a.m. and run 64 hours until 10:00 p.m. two days later; beginning June 10, commercial fishing periods will begin at 6:00 a.m.

and run 88 hours until 10:00 p.m. three days later; commercial fishing will then close for 32 hours and reopen at 6:00 a.m. two days later;

(B) notwithstanding (A) of this paragraph, the final commercial fishing period will end at 10:00 p.m. on June 28;

(2) for seine and drift gillnet gear,

(A) beginning June 10, commercial fishing periods will begin at 6:00 a.m. and run 88 hours until 10:00 p.m. three days later; commercial fishing will then close for 32 hours and reopen at 6:00 a.m. two days later;

(B) notwithstanding (A) of this paragraph, the final commercial fishing period will end at 10:00 p.m. on June 28.

(e) In the Shumagin Islands fishery, the commissioner may establish, by emergency order, commercial fishing periods as follows: [ALL SALMON CAUGHT BY A CFEC PERMIT HOLDER MUST BE RETAINED, AND EACH CFEC PERMIT HOLDER MUST REPORT THE NUMBER OF SALMON CAUGHT, INCLUDING THOSE TAKEN BUT NOT SOLD, ON AN ADF&G FISH TICKET. FOR THE PURPOSES OF THIS SUBSECTION, "CAUGHT" MEANS BROUGHT ON BOARD THE VESSEL.]

(1) for set gillnet gear,

(A) beginning June 6, commercial fishing periods will begin at 6:00 a.m. and run 64 hours until 10:00 p.m. two days later; beginning June 10, commercial fishing periods will begin at 6:00 a.m. and run 88 hours until 10:00 p.m. three days later; commercial fishing will then close for 32 hours and reopen at 6:00 a.m. two days later;

(B) notwithstanding (A) of this paragraph, the final commercial fishing period will end at 10:00 p.m. on June 28;

(2) for seine gear,

(A) beginning June 10, commercial fishing periods will begin at 6:00 a.m. and run 72 hours until 6:00 a.m. three days later; commercial fishing will then close for 72 hours and reopen at 6:00 a.m. three days later;

(B) notwithstanding (A) of this paragraph, the final commercial fishing period will end at 6:00 a.m. on June 25.

(f) All salmon caught by a CFEC permit holder must be retained, and each CFEC permit holder must report the number of salmon caught, including those taken but not sold, on an ADF&G fish ticket. For the purposes of this subsection, "caught" means brought on board the vessel.

[(f) NOTWITHSTANDING (d) OF THIS SECTION, COMMERCIAL SALMON FISHING WILL CLOSE IN THE WATERS OF THE VOLCANO BAY SECTION OF THE SOUTHWESTERN DISTRICT SOUTH AND EAST OF A LINE FROM ARCH POINT LIGHT AT 55° 12.30' N. LAT., 161° 54.30' W. LONG. TO A POINT ON BELKOFSKI PENINSULA AT 55° 09.50' N. LAT., 161° 57.80' W. LONG. AND IN THE PORTION OF THE WEST PAVLOF BAY SECTION SOUTH OF BLACK POINT (55° 24.48' N. lat.), IF THE HARVEST OF SOCKEYE SALMON FROM THE SOUTH CENTRAL DISTRICT, THE VOLCANO BAY SECTION OF THE SOUTHWESTERN DISTRICT, AND THE BELKOFSKI BAY SECTION, EXCLUDING THOSE WATERS INSIDE OF A LINE BETWEEN VODAPOINI POINT AND BOLD CAPE, REACHES 191,000 SOCKEYE SALMON BASED ON FISH TICKET INFORMATION.]

What is the issue you would like the board to address and why? The Chignik sockeye fishery is struggling, with the early run not able to achieve escapement in 2018, 2019, 2020, and 2021, and the late run unable to make escapement in 2018 and 2020.

In 2004 the BOF increased fishing time in the Shumagin Islands to 544 hours in June, up from the historical average of 270 hours the previous 30 years. That's an increase in fishing time of 101%, with the seiners reaping almost all of the benefit. From 2004 to 2018 there were actually 544 hours of continuous fishing time in the Shumagin Islands. In 2019 the BOF made a small adjustment that instituted short, 32-hour closures in the fishery. But 32 hours is not enough time for Chignik-bound sockeye to traverse the area.

In it's 2004 action, the BOF also opened up an entirely new June month interception fishery in the Volcano Bay Section of the Southwestern District and the East and West Pavlof Bay Sections of the South Central District. These areas are well-known and documented heavy interception areas for Chignik-bound sockeye, as well as other east-bound sockeye.

PROPOSED BY: Timothy Murphy

(EF-F22-032)

PROPOSAL 134

5 AAC 09.365. South Unimak and Shumagin Islands June Salmon Management Plan.

Amend the *South Unimak and Shumagin Islands June Salmon Management Plan*, as follows:

Repeal 5 AAC 09.365 and replace with the previous management plan adopted by the BOF approximately 20 years ago but edited to incorporate Chinook salmon and coho salmon in addition to chum and sockeye salmon.

The current South Unimak and Shumagin Islands June Salmon Management Plan no longer includes some commercial fisheries in Area M that also intercept significant numbers of AYK-bound salmon during their movements back to the Bering Sea and AYK rivers, including Area M cape fisheries. These additional areas need to be incorporated into a new management plan that guides Area M commercial fisheries and ensures only sustainable interceptions of AYK-bound salmon stocks in excess of AYK escapement needs, priority AYK subsistence needs, and historical

harvest levels by AYK sport and AYK commercial fisheries to ensure healthy and sustainable AYK salmon and AYK communities.

Old WASSIP data may be the only best available information currently available, and should be used to inform mitigation actions until such time that newly developed genetic markers are incorporated into more relevant mixed stock analyses. Waiting for action until the ADF&G reinitiates these assessments is unacceptable. Otherwise, commercial salmon harvests throughout Area M south of the Alaska Peninsula where AYK salmon have historically been intercepted should be eliminated entirely.

What is the issue you would like the board to address and why? The lack of proactive and precautionary management actions to conserve and meet the escapement goals of AYK chum salmon stocks in Alaska Peninsula Management Area M commercial fisheries in 2020 and 2021 is problematic and unsustainable. The failure of ADF&G to continue genetic mixed stock analysis and assessments of Area M commercial fisheries' interception of Chinook salmon, chum salmon, and coho salmon bound for AYK spawning rivers and tributaries for more than a decade is problematic and unsustainable.

The Alaska Board of Fisheries addressed these concerns previously two decades ago; however, those interception mitigation measures have since been repealed or relaxed to such an extent that the June commercial fisheries in the South Unimak and Shumagin Islands sections, and other sections of Area M, which intercept AYK-bound salmon stocks must be closed or restricted to ensure that commercial interception does not compromise sustainable management principles, mixed stock fishery policies, and meeting escapement goals of AYK Chinook, chum, and other salmon stocks.

PROPOSED BY: Kuskokwim River Inter-Tribal Fish Commission (EF-F22-065)

PROPOSAL 135

5 AAC 09.365. South Unimak and Shumagin Islands June Salmon Management Plan.

Amend the *South Unimak and Shumagin Islands Management Plan* to reduce commercial salmon fishing time in the Shumagin Islands Section, as follows:

...

(X) The ADF&G will maintain a sockeye catch ratio approaching South Unimak at 82% and Shumagin Islands at 18%. If Shumagin Island Section fishery achieves 18% of the June Salmon Management Plan catch based on daily reports, the ADF&G shall shutdown this section until fish ticket reports total less than 18%.

...

What is the issue you would like the board to address and why? The South Unimak and Shumagin Island June Fishery has shifted, placing greater pressure on stocks in the Shumagins. In 1975 a sockeye GHL based on Bristol Bay forecast was implemented at 6.8% Unimak and 1.5% Shumagins. The percentages were based on historical catch data (1997 S. Pen AMR, p.2) This

GHL remained in place until it was removed in 2001. While the annual amount of sockeye caught varied, the catch ratio between the areas remained at approximately 81.93% Unimak (June) to 18.07% Shumagins (June) for 26 years. In addition to the GHL, the two areas percentages were spread over four time segments to assure that fishing pressure was even more evenly distributed.

This method of fishing while designed to allow a fishery based on Bristol Bay sockeye health, was also beneficial to alleviating pressure on Chignik sockeye transiting migratory pathways in the Shumagins.

Proposed now is that the Shumagin catch would be regulated in such a way that it would approximate 18% of the combined June Unimak and Shumagin fishery catch. If during an opening, the daily reports show the total Shumagin sockeye catch to have exceeded 18%, the Shumagin fishery will close until the appropriate ratio is met and then it may be reopened. This assures the bulk of the sockeye catch focuses more heavily on Bristol Bay sockeye stocks which are presently quite healthy. If a time should arise when Bristol Bay should need protection, then the entire GHL (from 1975-2000) could be implemented and attached to the Bristol Bay forecast as it once was.

The intent is to protect migratory pathways used by Chignik sockeye by returning the interception harvest effort to historical levels and distribution.

What would happen if nothing is changed?

If nothing is done this expanded mixed stock fishery will continue to prosecute larger numbers of eastbound Fish on stocks that are having a difficult time maintaining escapements and or yields.

What are other solutions you considered? Why did you reject them?

Many other solutions have been considered however, the GHL and how it distributed catch is proven to be workable. Implementing a version of the previous system that was in effect for 20+ years and was based on historical catches is reasonable. Windows already implemented could remain in place and the expected result is that fishing pressure would move to the Unimak section (similar to the historical fishery) as closures in the Shumagins arise. Any west bound sockeye not caught in the Shumagins are expected to be available in the Unimak section.

This proposal could be expected to benefit the S. Pen sockeye escapement which has not been met in 2018, 2019, and 2020. Before the GHL was introduced in 1975, the S. Pen sockeye escapements also languished..

PROPOSED BY: Ben and Raechel Allen (EF-F22-069)

PROPOSAL 136

5 AAC 09.365. South Unimak and Shumagin Islands June Salmon Management Plan.

Amend the *South Unimak and Shumagin Islands June Salmon Management Plan* to implement a chum salmon harvest cap to reduce commercial fishing time, as follows:

ONC proposes that the Board of Fisheries amend the South Unimak and Shumagin Islands June Salmon Management Plan, 5 AAC 09.365, to incorporate a harvest cap during the June fisheries using all gear types. More specifically, set a cap of 280,000 chum salmon and close the commercial fishery for the remainder of June once that cap is met. This request is consistent with historical records, where concerns over large commercial harvests of chum together with weak Yukon River fall chum runs, resulted in a cap limit that, if met, closed the fishery for the remainder of June.

Alaska Peninsula is one of six Fisheries on the migratory path of Coastal Western Alaska (CWA) chum salmon - Alaska Peninsula, Bristol Bay, AK Peninsula, Bristol Bay, Kuskokwim, Yukon, Norton Sound and Arctic. Therefore, based on preliminary estimates for CWA chum from 2021, the South Unimak and Shumagin Islands June should account for approximately one 6th of the chum salmon for the season. Currently, the management plan does not identify any harvest limits for chum salmon. Establishing a cap would ensure that migrating chum reach their spawning grounds to the Arctic-Yukon-Kuskokwim region, as well as Bristol Bay, Alaska Peninsula, Southcentral Alaska, Japan, and Russia. ONC understands that while the request may present difficulties to commercial fishermen in the South Alaska Peninsula Management Area, we all, across user groups and Management Regions, have the shared interest and responsibility to protect the CWA chum salmon stock. When chum salmon are abundant, we all thrive; in times of hardships, we all must work together and share the burden of conservation to ensure abundant populations in the future.

ONC suggests incorporating the chum salmon harvest cap into a new section between (d) and (e). The South Unimak and Shumagin Islands commercial fisheries are limited to harvesting 280,000 chum salmon during the month of June using all gear types. If reached, it would result in a closure of the fishery for the remainder of June.

Regulation of 5 AAC 09.365 South Unimak and Shumagin Islands June Salmon Management Plan:

“(a) The South Unimak and Shumagin Islands June fisheries harvest both sockeye salmon and chum salmon in a mixed stock fishery during the month of June. The sockeye salmon are predominantly Bristol Bay and Alaska Peninsula origin. The chum salmon are bound for a number of areas, including Japan, Russia, the Arctic-Yukon-Kuskokwim, Bristol Bay, the Alaska Peninsula, and southcentral Alaska. These salmon stocks have historically been harvested along the south Alaska Peninsula during the month of June. This management plan is intended to be consistent with the Policy for the Management of Sustainable Salmon Fisheries (5 AAC 39.222) and the Policy for the Management of Mixed Stock Salmon Fisheries (5 AAC 39.220).

(b) The South Unimak fishery takes place in the Unimak District, the Southwestern District, the East Pavlof Bay and the West Pavlof Bay Sections of the South Central District, and the Bechevin Bay Section of the Northwestern District.

(c) The Shumagin Islands fishery takes place in the Shumagin Islands Section.

(d) In the South Unimak and Shumagin Islands fisheries, the commissioner may establish, by emergency order, commercial fishing periods as follows:

(1) for set gillnet gear,

(A) beginning June 6, commercial fishing periods will begin at 6:00 a.m. and run 64 hours until 10:00 p.m. two days later; beginning June 10, commercial fishing periods will begin at 6:00 a.m. and run 88 hours until 10:00 p.m. three days later; commercial fishing will then close for 32 hours and reopen at 6:00 a.m. two days later;

(B) notwithstanding (A) of this paragraph, the final commercial fishing period will end at 10:00 p.m. on June 28;

(2) for seine and drift gillnet gear,

(A) beginning June 10, commercial fishing periods will begin at 6:00 a.m. and run 88 hours until 10:00 p.m. three days later; commercial fishing will then close for 32 hours and reopen at 6:00 a.m. two days later;

(B) notwithstanding (A) of this paragraph, the final commercial fishing period will end at 10:00 p.m. on June 28.

(e) Commercial harvest of chum salmon will not exceed 280,000 fish to ensure that migrating chum reach their spawning grounds to the Arctic-Yukon-Kuskokwim region, as well as Bristol Bay, Alaska Peninsula, Southcentral Alaska, Japan, and Russia. Therefore, the fishing periods, as specified in (b) of this section, may not be fulfilled once this limit is met.

(f) [(e)] All salmon caught by a CFEC permit holder must be retained, and each CFEC permit holder must report the number of salmon caught, including those taken but not sold, on an ADF&G fish ticket. For the purposes of this subsection, "caught" means brought on board the vessel.

(g) [(f)] Notwithstanding (d) of this section, commercial salmon fishing will close in the waters of the Volcano Bay Section of the Southwestern District south and east of a line from Arch Point Light at 55° 12.30' N. lat., 161° 54.30' W. long. to a point on Belkofski Peninsula at 55° 09.50' N. lat., 161° 57.80' W. long. and in the portion of the West Pavlof Bay Section south of Black Point (55° 24.48' N. lat.), if the harvest of sockeye salmon from the South Central District, the Volcano Bay Section of the Southwestern District, and the Belkofski Bay Section, excluding those waters inside of a line between Vodapoini Point and Bold Cape, reaches 191,000 sockeye salmon based on fish ticket information.

(h) [(g)] Notwithstanding (d) of this section, commercial salmon fishing is closed to purse seine gear in the waters of the Volcano Bay Section of the Southwestern District, the Belkofski Bay Section of the Southwestern District, excluding those waters inside of a line between Vodapoini Point at 55° 01.88' N. lat., 162° 24.80' W. long., and Bold Cape at 55° 01.24' N. lat., 162° 16.40' W. long., and the South Central District."

What is the issue you would like the board to address and why? The Orutsararmiut Native Council (ONC) is the federally recognized Tribe for the Native Village of Bethel, Alaska. Bethel is located along the delta of the Kuskokwim River, approximately 90 miles inland from the Bering Sea and approximately 398 miles northwest of Anchorage. ONC serves approximately 4,500 Alaska Native residents from all villages throughout Yukon-Kuskokwim (YK) Delta, over 3,800 of which are enrolled as Tribal members.

ONC would like to address the South Unimak and Shumagin Islands June Salmon Management Plan, 5 AAC 09.365. More specifically, we would like to establish a chum salmon (*Oncorhynchus keta*) commercial harvest cap of 280,000 for all gear types during the South Unimak and Shumagin Islands June fisheries.

The Alaska Peninsula consists of a mixed stock fishery during the month of June, where chum salmon populations are bound for a number of areas, including the Arctic-Yukon-Kuskokwim (AYK) region. ONC, and many subsistence users across the YK Delta, have concerns on the extreme disparity in harvest between the Alaska Peninsula commercial and Kuskokwim and Yukon River subsistence fisheries. This commercial fishery harvested approximately 1,168,601 chum in 2021¹, while subsistence users on the Kuskokwim and Yukon Rivers harvested approximately 9,621² and 1,253³ chum salmon, respectively. Tribes along the YK Delta are experiencing food security hardships and loss of culture when not allowed to fish, while the South Unimak and Shumagin Islands are harvesting an abundant amount of chum salmon for commercial uses. The stark contrast between the chum salmon commercial harvests on the South Unimak and Shumagin Islands June Salmon Commercial Fishery and subsistence harvests on the Kuskokwim is a direct result of the lack of harvest limits for chum salmon.

References:

¹Regional Report No. 4K22-01 - 2021 South Peninsula Salmon Annual Management Report and 2020 Subsistence Fisheries in the Alaska Peninsula, Aleutian Islands, and Atka-Amlia Islands Management Areas

²Alaska Department of Fish & Game (ADF&G) Draft Preliminary Kuskokwim River Salmon Harvest Estimates 2021 Postseason Surveys

³Yukon River Salmon 2021 Season Summary and 2022 Season Outlook, Regional Information Report 3A22-01 ADF&G

PROPOSED BY: Orutsarmiut Traditional Native Council (HQ-F22-018)

PROPOSAL 137

5 AAC 09.365 South Unimak and Shumagin Islands June Salmon Management Plan.

Amend the *South Unimak and Shumagin Islands June Salmon Management Plan* to reduce commercial salmon fishing time, as follows:

ONC would like to reduce the current commercial fishing period hours for all gear types during the June fishery described in the South Unimak and Shumagin Islands June Salmon Management Plan, 5 AAC 09.365. Specifically, ONC proposes to amend section (d), to reduce total commercial fishing time to 100 hours. Alaska Peninsula is one of six Fisheries on the migratory path of CWA chum salmon; Alaska Peninsula, Bristol Bay, AK Peninsula, Bristol Bay, Kuskokwim, Yukon, Norton Sound and Arctic. Therefore, the South Unimak and Shumagin Islands June fisheries should have a harvest window that accounts for approximately one 6th of the total harvest window of the Commercial June fishery.

These reduced harvest hours create fishing closures that will span over a longer period of time,

allowing passage of chum salmon stock through the Alaska Peninsula area and return to spawning grounds along Western Alaska. Below are our proposed fishing periods. Still, ONC is open to the Board of Fisheries decision on restructuring the fishing openers to account for reduced 100 harvest hours. All gear types and dates may be modified for the June commercial fishery.

Regulation of 5 AAC 09.365 South Unimak and Shumagin Islands June Salmon Management Plan, specifically amendment to section (d):

“... (d) In the South Unimak and Shumagin Islands fisheries, the commissioner may establish, by emergency order, commercial fishing periods as follows:

[(1) FOR SET GILLNET GEAR,

(A) BEGINNING JUNE 6, COMMERCIAL FISHING PERIODS WILL BEGIN AT 6:00 A.M. AND RUN 64 HOURS UNTIL 10:00 P.M. TWO DAYS LATER; BEGINNING JUNE 10, COMMERCIAL FISHING PERIODS WILL BEGIN AT 6:00 A.M. AND RUN 88 HOURS UNTIL 10:00 P.M. THREE DAYS LATER; COMMERCIAL FISHING WILL THEN CLOSE FOR 32 HOURS AND REOPEN AT 6:00 A.M. TWO DAYS LATER;

(B) NOTWITHSTANDING (A) OF THIS PARAGRAPH, THE FINAL COMMERCIAL FISHING PERIOD WILL END AT 10:00 P.M. ON JUNE 28;]

(1) [(2)] for seine and drift gillnet gear,

(A) Beginning June 10, All daily fishing periods will be 16 hours in length, from 6:00 AM until 10:00 PM. The following fishing period will be 48 [six] hours later. After June 25th, the following fishing period will be 4 hours, not to exceed a total of 100 hours of commercial fishing.

[(A) BEGINNING JUNE 10, COMMERCIAL FISHING PERIODS WILL BEGIN AT 6:00 A.M. AND RUN 88 HOURS UNTIL 10:00 P.M. THREE DAYS LATER; COMMERCIAL FISHING WILL THEN CLOSE FOR 32 HOURS AND REOPEN AT 6:00 A.M. TWO DAYS LATER;]

(B) notwithstanding (A) of this paragraph, the final commercial fishing period will end at 10:00 p.m. on June 28.

...

What is the issue you would like the board to address and why? The Orutsararmiut Native Council (ONC) is a federally recognized Tribal governing body for the Native Village of Bethel, Alaska. Bethel is located along the delta of the Kuskokwim River, approximately 90 miles inland from the Bering Sea and approximately 398 miles northwest of Anchorage. ONC serves approximately 4,500 Alaska Native residents from all villages throughout Yukon-Kuskokwim Delta (YK Delta), over 3,800 of which are enrolled as Tribal members.

ONC is extremely concerned about the health, safety, and general welfare of the people of our Tribe and the YK Delta Region after experiencing the lowest chum salmon (*Oncorhynchus keta*) return on record in 2021. Therefore, ONC would like to address the South Unimak and Shumagin Islands June Salmon Management Plan, 5 AAC 09.365. Specifically, ONC proposes to establish reduced fishing time for all gear types during the June fisheries in South Unimak and Shumagin Islands.

Both chum salmon and sockeye salmon (*O. nerka*) are harvested in the month of June along the south Alaska Peninsula; the sockeye salmon are predominantly Bristol Bay and Alaska Peninsula origin and the chum salmon, however, are bound for a number of areas, including the Arctic-Yukon-Kuskokwim (AYK) region. In 2021, the South Unimak and Shumagin Islands June salmon commercial fishery experienced an abundant harvest of approximately 1,168,601 chum salmon¹, while subsistence users on the Kuskokwim and Yukon River approximately harvested 9,621² and 1,253³ chum salmon, respectively. This drastic difference of harvest between fisheries signifies that further protection is needed on the migratory route of Coastal Western Alaska (CWA) chum salmon to comply with the Policy for the Management of Sustainable Salmon Fisheries, 5 AAC 39.222. Therefore, it is critical to reduce commercial fishing periods in the South Unimak and Shumagin Islands, where chum salmon stock is bound for the AYK region, among many other regions.

The Kuskokwim River faced a record low return of chum salmon in 2021 and yet again is expected to face another poor return in 2022. Declining stock of salmon creates unrest and stability in our community as food security declines further. It is of utmost importance that we act right away, to protect our livelihood and allow future generations to continue harvesting salmon.

¹Regional Report No. 4K22-01 - 2021 South Peninsula Salmon Annual Management Report and 2020 Subsistence Fisheries in the Alaska Peninsula, Aleutian Islands, and Atka-Amlia Islands Management Areas

²Alaska Department of Fish & Game (ADF&G) Draft Preliminary Kuskokwim River Salmon Harvest Estimates 2021 Postseason Surveys

³Yukon River Salmon 2021 Season Summary and 2022 Season Outlook, Regional Information Report 3A22-01 ADF&G

PROPOSED BY: Orutsararmiut Traditional Native Council (HQ-F22-019)

PROPOSAL 138

5 AAC 09.365. South Unimak and Shumagin Islands June Salmon Management Plan.

Amend the *South Unimak and Shumagin Islands June Salmon Management Plan* to require the department to place observers onboard commercial salmon fishing vessels, as follows:

ONC would like to address necessary changes in the South Unimak and Shumagin Islands June Salmon Management Plan, 5 AAC 09.365. Specifically, ONC proposes to enhance the accountability of harvest data collected and facilitate information gathering by incorporating an onboard observer component into the management plan.

ONC firmly believes in 5 AAC 39.141, the Onboard Observer Program, and supports the findings in 5 AAC 39.141(a), where, “the Board of Fisheries finds that ... observers on board fishing vessels would greatly enhance management, primarily by facilitating information gathering and by improving regulatory compliance.” Additionally, 5 AAC 39.141 (e) states that, “onboard observers shall carry out such scientific and other duties as deemed necessary or appropriate to manage, protect, maintain, improve and extend the fish and aquatic plant resources of the State” which may be in direct support of the recently introduced Alaska

Salmon Research Task Force Act.

To further consider this proposal, one must take into account the drastic difference of harvest between the South Unimak and Shumagin Islands June salmon commercial fishery and subsistence fishery on the Kuskokwim River in 2021. This, and the expected low returns of chum salmon in 2022, will likely increase tensions between users, and subsistence users will expect higher accountability of commercial fisheries.

As stated the Regulations for the Board of Fisheries, Sec. 16.05.251 (a)(13), the Board of Fisheries may adopt regulations it considers advisable in accordance with AS 44.62 for “regulating, in a fishery, observers on board fishing vessels as defined in AS 16.05.475(d), that are registered under the laws of the state, as defined in AS 16.05.475(c)...”

The recommended changes include the insertion of a clause to incorporate onboard observers and amend subsequent order of stipulations. Amend 5 AAC 09.365 to read:

Regulation of 5 AAC 09.365 South Unimak and Shumagin Islands June Salmon Management Plan:

(a) The South Unimak and Shumagin Islands June fisheries harvest both sockeye salmon and chum salmon in a mixed stock fishery during the month of June. The sockeye salmon are predominantly Bristol Bay and Alaska Peninsula origin. The chum salmon are bound for a number of areas, including Japan, Russia, the Arctic-Yukon-Kuskokwim, Bristol Bay, the Alaska Peninsula, and southcentral Alaska. These salmon stocks have historically been harvested along the south Alaska Peninsula during the month of June. This management plan is intended to be consistent with the Policy for the Management of Sustainable Salmon Fisheries (5 AAC 39.222) and the Policy for the Management of Mixed Stock Salmon Fisheries (5 AAC 39.220).

(b) The South Unimak fishery takes place in the Unimak District, the Southwestern District, the East Pavlof Bay and the West Pavlof Bay Sections of the South Central District, and the Bechevin Bay Section of the Northwestern District.

(c) The Shumagin Islands fishery takes place in the Shumagin Islands Section.

(d) In the South Unimak and Shumagin Islands fisheries, the commissioner may establish, by emergency order, commercial fishing periods as follows:

(1) for set gillnet gear,

(A) beginning June 6, commercial fishing periods will begin at 6:00 a.m. and run 64 hours until 10:00 p.m. two days later; beginning June 10, commercial fishing periods will begin at 6:00 a.m. and run 88 hours until 10:00 p.m. three days later; commercial fishing will then close for 32 hours and reopen at 6:00 a.m. two days later;

(B) notwithstanding (A) of this paragraph, the final commercial fishing period will end at 10:00 p.m. on June 28;

(2) for seine and drift gillnet gear,

(A) beginning June 10, commercial fishing periods will begin at 6:00 a.m. and run 88 hours until 10:00 p.m. three days later; commercial fishing will then close for

32 hours and reopen at 6:00 a.m. two days later;

(B) notwithstanding (A) of this paragraph, the final commercial fishing period will end at 10:00 p.m. on June 28.

(e) Certified observers will be onboard commercial fishing vessels to collect first-hand harvest data to assure effective monitoring, compliance, control and enforcement.

(f) [(e)] All salmon caught by a CFEC permit holder must be retained, and each CFEC permit holder must report the number of salmon caught, including those taken but not sold, on an ADF&G fish ticket. For the purposes of this subsection, "caught" means brought on board the vessel.

(g) [(f)] Notwithstanding (d) of this section, commercial salmon fishing will close in the waters of the Volcano Bay Section of the Southwestern District south and east of a line from Arch Point Light at 55_ 12.30' N. lat., 161_ 54.30' W. long. to a point on Belkofski Peninsula at 55_ 09.50' N. lat., 161_ 57.80' W. long. and in the portion of the West Pavlof Bay Section south of Black Point (55_ 24.48' N. lat.), if the harvest of sockeye salmon from the South Central District, the Volcano Bay Section of the Southwestern District, and the Belkofski Bay Section, excluding those waters inside of a line between Vodapoini Point and Bold Cape, reaches 191,000 sockeye salmon based on fish ticket information.

(h) [(g)] Notwithstanding (d) of this section, commercial salmon fishing is closed to purse seine gear in the waters of the Volcano Bay Section of the Southwestern District, the Belkofski Bay Section of the Southwestern District, excluding those waters inside of a line between Vodapoini Point at 55_ 01.88' N. lat., 162_ 24.80' W. long., and Bold Cape at 55_ 01.24' N. lat., 162_ 16.40' W. long., and the South Central District.

...

What is the issue you would like the board to address and why? The Orutsararmiut Native Council (ONC) is the federally recognized Tribal governing body for the Native Village of Bethel, Alaska. Bethel is located along the delta of the Kuskokwim River, approximately 90 miles inland from the Bering Sea and approximately 398 miles northwest of Anchorage. ONC serves approximately 4,500 Alaska Native residents from all villages throughout Yukon-Kuskokwim Delta (YK Delta), over 3,800 of which are enrolled as Tribal members.

The south Alaska Peninsula fishery consists of a mixed stock fishery during the month of June; the sockeye salmon (*Oncorhynchus nerka*) are predominantly Bristol Bay and Alaska Peninsula origin and the chum salmon (*O. keta*), however, are bound for a number of areas, including the Arctic-Yukon-Kuskokwim (AYK) region. In 2021, the South Unimak and Shumagin Islands June salmon commercial fishery experienced an abundant harvest of approximately 1,168,601 chum salmon₁, while subsistence users on the Kuskokwim and Yukon River approximately harvested 9,621₂ and 1,253₃ chum salmon, respectively. The disparity in harvest between fisheries further divides users and creates animosity due to lack of trust.

Low returns of chum salmon are expected again this season, thus further decreasing food security and increasing the risk of community instability in our region. The alarming declines of salmon across the state, together with the research findings communicated through the roundtable discussions led by U.S. Senators Dan Sullivan and Lisa Murkowski, have increased our concern for the health, safety, and general welfare of the people of our Tribe and the YK Delta Region.

After experiencing the lowest chum salmon return on record on the Kuskokwim River, ONC firmly believes it is of utmost importance to have the most reliable harvest information possible. For this reason, ONC would like to address necessary changes in the South Unimak and Shumagin Islands June Salmon Management Plan, 5 AAC 09.365. Specifically, ONC proposes to enhance the accountability of harvest data collected and facilitate information gathering by incorporating an onboard observer component into the management plan. We find the need to protect our livelihood and allow future generations to continue harvesting salmon..

PROPOSED BY: Orutsararmiut Traditional Native Council (HQ-F22-020)

PROPOSAL 139

5 AAC 09.365. South Unimak and Shumagin Islands June Salmon Management Plan.

Amend the *South Unimak and Shumagin Islands June Salmon Management Plan* to restrict commercial salmon fishing time, as follows:

Rescind 5 AAC 09.365 and replace with the 2001-2003 management plan adopted by the BOF. Additionally, the restored management plan must also be edited to incorporate Chinook salmon and coho salmon in addition to chum and sockeye salmon.

The current South Unimak and Shumagin Islands June Salmon Management Plan no longer include some commercial fisheries in Area M that also intercept significant numbers of AYK-bound salmon during their movements back to the Bering Sea and AYK rivers. Including, Area M fisheries around capes and passages. These additional areas need to be incorporated into a new management plan that guides Area M commercial fisheries and ensures only sustainable interceptions of AYK-bound salmon stocks that are surplus to AYK escapement needs, priority AYK subsistence needs (as measured by Amounts reasonably Necessary for Subsistence Uses codified in 5 AAC 01.236(b)), and historical harvest levels by AYK sport and AYK commercial fisheries to ensure healthy and sustainable AYK salmon and AYK communities.

WASSIP should be used to inform mitigation actions until such time that newly developed genetic markers are incorporated into more relevant in-season mixed stock analyses. Waiting for action until the ADF&G reinitiates these assessments is unacceptable. Otherwise, commercial salmon harvests throughout Area M south of the Alaska Peninsula where AYK salmon are intercepted should be eliminated entirely until such time that fisheries management decisions can be demonstrated to be sustainable.

What is the issue you would like the board to address and why? The tribal communities of the Yukon River have experienced an unprecedented collapse of Yukon River salmon returns in recent years. The failure to meet various salmon escapement goals and the entire closure of reasonable

subsistence salmon fishing opportunities in 2021 requires management attention and action in the Alaska Peninsula-Aleutian Island fisheries management area. History has demonstrated that substantial quantities of Yukon River-bound salmon species and stocks are intercepted in commercial fishery operations.

The failure to meet escapement goals and not meeting amounts reasonably necessary for subsistence (5 AAC 01.236(b)) demonstrate that every Yukon-River bound salmon matters and should be conserved. So, that our salmon can return to the Yukon River and its tributaries to spawn and provide for priority customary and traditional uses. While, meeting the United States' Pacific Salmon Treaty obligations to Canada and our First Nations relatives.

2021 yielded an unprecedented, almost 90%, absence of Yukon River chum (summer and fall) Yukon River summer chum harvest averages 2M fish...in 2021 that number was 152,000. Yukon River fall chum harvest averages 998,000 fish...in 2021 that number was 102,000.

The fact that state and federal managers again predict a complete closure of Yukon River subsistence salmon fishing during the 2022 season is alarming. The lack of proactive and precautionary management actions to conserve Yukon River chum salmon stocks in Alaska Peninsula Management Area M commercial fisheries in 2020 and 2021 is highly problematic as well as unsustainable. The failure for more than a decade of ADF&G to conduct genetic mixed stock analysis and assessments of Area M commercial fisheries' interception of Yukon River Chinook salmon, chum salmon, and coho salmon bound for AYK spawning rivers and tributaries is irresponsible and unsustainable.

The Alaska Board of Fisheries addressed these concerns two decades ago; however, those interception mitigation measures were repealed or relaxed to such an extent that the June commercial fisheries in the South Unimak and Shumagin Islands sections, and the other fisheries of Area M. These areas which intercept Yukon River-bound salmon stocks must be closed or sufficiently restricted to ensure that commercial interception does not compromise a mixture of topics. Including, sustainable management principles, mixed stock fishery policies, and meeting escapement goals of Yukon River Chinook salmon, chum salmon, and other salmon stocks.

PROPOSED BY: Tribal Resources Stewardship Program, Tanana Chiefs Conference
(HQ-F22-034)

PROPOSAL 140

5 AAC 09.365. South Unimak and Shumagin Islands June Salmon Management Plan.

Amend the *South Unimak and Shumagin Islands June Salmon Management Plan* to reduce commercial salmon fishing time, as follows:

Repeal the current *South Unimak and Shumagin Islands June Salmon Management Plan* and readopt an amended version of the management plan in place from 2001-2003, as follows:
Erase all of the current 5 AAC 09.365 and replace with the following, edited language from the 2001-2003 plan;

5 AAC 09.365. SOUTH UNIMAK AND SHUMAGIN ISLANDS JUNE SALMON MANAGEMENT PLAN (2001-2003).

(a) The South Unimak and Shumagin Islands June fisheries harvest [BOTH] **chinook salmon**, sockeyesalmon and chum salmon in a mixed stock fishery. These stocks of salmon are bound for Bristol Bay and the Arctic-Yukon-Kuskokwim region, as well as other areas across the North Pacific Ocean. These salmon stocks have historically been intercepted in significant numbers along the Alaska Peninsula. To ensure that none of these salmon stocks are overharvested, it is necessary to restrain the interception of these stocks as provided in the management plan in this section, and consistent with the Policy for the Management of Sustainable Salmon Fisheries (5 AAC 39.222) and Policy for the Management of Mixed Stock Salmon Fisheries (5 AAC 39.220)

(b) The South Unimak fishery takes place in the Unimak District, the Ikatan Bay Section in the Southwestern District, and the Bechevin Bay Section in the Northwestern District, plus the following waters of the Southwestern District located outside of the Ikatan Bay Section and not described as closed waters in 5 AAC 09.350;

(1) waters north and west of a line from Cape Pankof Light to Thin Point (54° 57.32' N. lat., 162° 33.50' W. long.); and

(2) waters enclosed by a line from Thin Point (54° 57.32' N. lat., 162 ° 33.50' W. long.) to the northernmost tip of Stag Point (54° 59.10' N. lat., 162° 18.10' W. long.) on Deer Island to the southernmost tip of Dolgoi Cape (55 ° 03.15' N. lat., 161 ° 44.35' W. long.) on Dolgoi Island and from the northernmost tip of Bluff Point (55° 09.93' N. lat., 161° 53.72' W. long.) on Dolgoi Island to ArchPoint Light (55° 12.30' N. lat., 161 ° 54.30' W. long.).

(c) The Shumagin Islands fishery takes place in the Shumagin Islands Section.

(d) Beginning June 10 **through June 30**, the commissioner may open, by emergency order, commercial fishing periods for purse seine and drift gillnet gear as follows:

(1) commercial fishing periods may occur only from 6:00 a.m. to 10:00 p.m. and may not be open for more than

(A) three days in any seven-day period;

(B) 16 hours per day;

(C) 48 hours in any seven-day period;

(D) two consecutive 16-hour fishing periods in any seven-day period;

[(2) THROUGH JUNE 24, COMMERCIAL FISHING PERIODS IN THE SHUMAGIN ISLANDS AND SOUTH UNIMAK FISHERIES WILL OCCUR AT THE SAME TIME;

(3) AFTER JUNE 24, THE PROVISIONS OF (F) APPLY.]

(e) Beginning June 10, the commissioner may open, by emergency order, commercial fishing periods for set gillnet gear in both the South Unimak and Shumagin Islands fisheries as follows:

(1) from June 10 through [JUNE 24] **June 30,**

(A) commercial fishing periods may occur only from 6:00 a.m. to 10:00 p.m.;

[(B) THE FISHERY WILL BE CLOSED FOR ONE PERIOD IF, DURING THE PRECEDING PERIOD, THE RATIO OF SOCKEYE SALMON TO CHUM SALMON IS NOT EQUAL TO OR GREATER THAN THE RECENT 10 YEAR AVERAGE;

(2) AFTER JUNE 24, THE SCHEDULE OF OPENINGS AND CLOSINGS OF FISHING PERIODS SHALL COINCIDE WITH THE SCHEDULE FOR SEINE AND DRIFT GILLNET GEAR AS SPECIFIED IN (F) OF THIS SECTION.

(F) AFTER JUNE 24, IN EITHER THE SOUTH UNIMAK OR SHUMAGIN ISLANDS FISHERIES,

(1) IF THE RATIO OF SOCKEYE SALMON TO CHUM SALMON IS TWO TO ONE OR LESS ON ANY DAY, THE NEXT DAILY FISHING PERIOD FOR SEINE AND DRIFT GILLNET GEAR SHALL BE OF SIX-HOUR DURATION IN THAT FISHERY;

(2) IF THE RATIO OF SOCKEYE SALMON TO CHUM SALMON IS GREATER THAN TWO TO ONE, THE COMMISSIONER MAY EXTEND THE FISHING PERIOD BY EMERGENCY ORDER, TO A MAXIMUM OF 16 HOURS AS DESCRIBED IN (D)(L) OF THIS SECTION;

(3) IF THE RATIO OF SOCKEYE SALMON TO CHUM SALMON IS TWO TO ONE OR LESS FOR TWO CONSECUTIVE FISHING PERIODS, THE FISHERY SHALL CLOSE FOR ALL GEAR TYPES.]

(g) All salmon caught by a CFEC permit holder must be retained, and each CFEC permit holder must report the number of salmon caught, including those taken but not sold, on an ADF&G fish ticket. For the purposes of this subsection, "caught" means brought on board the vessel.

What is the issue you would like the board to address and why? Reduce Excessive harvest of migrating discrete stocks of concern in the Cook Inlet, Bristol Bay, and AYK areas.

2021 saw a decrease of Yukon River summer and fall chum escapement of almost 90%. This was without any directed fishery and no subsistence harvest.

The Yukon River summer chum run averages 2 million fish. In 2021 that number was 152,000. The Yukon River fall chum run average is 998,000 fish. In 2021 that number was 102,000. Two large producers of chum salmon in the Yukon Drainage, the Chena and Salcha Rivers, saw only 22% of average escapement under perfect counting conditions. Alaska did not meet any of its Treaty obligations with Canada. (There is an international treaty with Canada over Yukon River Chinook, summer and fall chum that spawn in Canada.)

This resulted in unprecedented loss of subsistence chum fishing opportunity in the Yukon River.

At the same time, the S. Unimak and Shumagin Islands June 2021 fishery had the highest harvest of chum salmon in the history of the Area M fishery. 1,168,601 chum were harvested in the 2021 June fishery alone.

This indicates that there is a direct correlation between the high harvest of chum in Area M to the loss of chum escapement to the AYK and a total loss of chum subsistence harvest. Reducing the Area M June fishery will allow opportunity to see if chum escapement in the AYK will be able to meet escapement goals and allow for a subsistence harvest.

This is ultimately both a conservation and a subsistence issue.

PROPOSED BY: Fairbanks Advisory Committee Fisheries Sub-Committee (HQ-F22-040)

PROPOSAL 141

5 AAC 09.365. South Unimak and Shumagin Islands June Salmon Management Plan. 5 AAC 09.330. Gear.

Amend the *South Unimak and Shumagin Islands June Salmon Management Plan* to require the department to manage the June fishery by emergency order to close those areas within the management plan. Amend **5 AAC 09.330. Gear.** to allow other gear types to be used in the commercial fishery, as follows:

Fishing season and periods would be operated by Emergency Order in Area M during the month of June **OR** Selective gear types (Seines, Dip Nets, Hook and Line and other gear types) that can selectively harvest sockeye releasing all other types of salmon bound for Arctic, Yukon and Kuskokwim areas may be used to harvest sockeye salmon.

What is the issue you would like the board to address and why? I would like the Alaska Board of Fish to limit the number of AYK bound Salmon (Chinook, Chum and Coho) that can be incidentally harvested in the Aleutian Islands/Shumagin Islands/Alaska Peninsula area OR close the Area M fishery for the month of June. **Reason is:** Indigenous Peoples on the Yukon River are not allowed to harvest ANY OF THESE SALMON for sustenance that this area freely harvests commercially on their way to their spawning grounds **AND** spawning escapement for these salmon stocks are not being met.

PROPOSED BY: John H. Lamont Jr. (EF-F22-008)

PROPOSAL 142

5 AAC 09.365. South Unimak and Shumagin Islands June Salmon Management Plan and 5 AAC 09.366. Post-June Salmon Management Plan for the South Alaska Peninsula.

Amend *South Unimak and Shumagin Islands June Salmon Management Plan* and *Post-June Salmon Management Plan* to allow more fishing time for set gillnet gear only, as follows:

5AAC 09.365 Fishing time for the June fishery for set gillnet only.

6:00 am June 10 until 3:00 pm June 13th 81 hours

6:am June 15 until 10:00 pm June 17 64 hours

6am June 20 until 10:00 pm June 22 64 hours

6:am June 25 until 10:00 pm June 27 64 hours

6am June 29 until 6:00 pm June 30 36 hours

5AAC 09.366 Post - June Salmon Fishery for Set Gillnet only

6:00 am July 5 until 10:00 pm July 7 64 hours

6:00 am July 10 until 10:00 pm July 12 64 hours

6:00am July 15 until 10:00 pm July 17 64 hours

6:00 am July 20 until 10:00 pm July 22 64 hours

6:00 am July 25 until 10:00 pm July 27 64 hours

6:00 am July 29 until 6:00 pm July 30 36 hours

What is the issue you would like the board to address and why? I would like to separate the setnet scheduled opening in the June and post June schedule from the drift and seine openings. and would like to move some fishing time from the June fishery to the post June fishery as the setnet fishermen are struggling to catch salmon in the early part of the season the salmon are running offshore and Arnt in the bays or closer to shore till late June. I attempted to make the closures to coincide with the seine and drift schedule. this proposal is an attempt to keep fishing hours the same but to distribute more evenly through July.

PROPOSED BY: Jim Smith

(EF-F22-022)

South Alaska Peninsula Post-June Salmon Management Plan (5 proposals)

PROPOSAL 143

5 AAC 09.366. Post-June Salmon Management Plan for the South Alaska Peninsula.

Amend the *Post-June Salmon Management Plan for the South Alaska Peninsula* to close the set gillnet fishery in response to department immature salmon assessment, as follows:

(i) The department shall conduct a seine test fishery in the Shumagin Islands Section to assess the presence of immature salmon. If 100 or more immature salmon, per set, are present, the commissioner shall close, by emergency order, the seine fishery in an area to be determined by the department. If the seine fishery is closed in an area under this subsection, the set gillnet fishery

shall **also close** [Remain open] in that area. For the purposes of this subsection, "immature salmon, per set, are present" means the number of immature king, sockeye, coho, and chum salmon observed to be **caught** [GILLED] in the seine **set** [WEB].

What is the issue you would like the board to address and why? During the immature test fisheries, many immature Chinook, immature Sockeye and immature Chum salmon are caught but not necessarily gilled in the net. They aren't presently enumerated as immatures and should be accounted and considered for conservation purposes.

Also, recent changes in allowable gillnet mesh size now allow for smaller meshes that are not protective. 5 1/4" or greater was the standard to allow passage for immature fish through the area and should be the only allowable gillnet gear when closures are implemented for the presence of immatures.

PROPOSED BY: Ben Allen (EF-F22-071)

PROPOSAL 144

5 AAC 09.366. Post-June Salmon Management Plan for the South Alaska Peninsula.

Amend the *Post-June Management Plan for the South Alaska Peninsula* to allow for fishing periods starting August 1 in the Southeastern and South Central Districts, as follows:

After July 31, if the department's preseason South Alaska Peninsula total pink run forecast is above 3 million fish, the department may give two 36-hour openers per week starting August 1 in the Southeastern and South Central Districts. The department would still have inseason emergency order authority and discretion to adjust fishing time and area.

What is the issue you would like the board to address and why? The South Peninsula pink salmon fisheries are an important economic piece of the overall fishing activity in the region. In 2021, the total pink salmon harvest was 16.9 million fish and roughly \$15.3 million dollars in exvessel value. With additional information for department managers and improved regulatory structure, there is room to maximize opportunity in this fishery.

The department assesses the pink salmon index runs for South Alaska Peninsula with aerial surveys and catch information. Due to inclement weather conditions in August, the department often is unable to conduct consistent aerial stream surveys to assess local pink salmon escapement goals on the South Alaska Peninsula. The department could use a consistent fishery in early August to ascertain the strength of local pink and chum runs.

The department publishes a South Alaska Peninsula pre-season pink run forecast with an 80% confidence that the actual run will fall within their preseason forecast. If the board were to authorize a consistent early August fishery based on the preseason forecast, the harvest data could better inform managers of the inseason run strength when aerial surveys are not possible.

PROPOSED BY: Andrew Manos (EF-F22-081)

PROPOSAL 145

5 AAC 09.366. Post-June Salmon Management Plan for the South Alaska Peninsula.

Amend the *Post-June Salmon Management Plan for the South Alaska Peninsula* to increase commercial salmon fishing time in the South Alaska Peninsula, as follows:

(d) Notwithstanding (c)(1) of this section, from July 6 through July 31, the commissioner may establish, by emergency order, fishing periods as follows:

(1) the first fishing period will begin at 6:00 a.m. and run 33 hours until 3:00 p.m. the following day; commercial fishing will then close for 63 hours and reopen under (2) of this subsection;

(2) following the closure under (1) of this subsection, commercial fishing periods will begin at 6:00 a.m. and close at **10:00 p.m.** [6:00 P.M.] the following day; commercial fishing will then close for **54 hours** [60 HOURS] and reopen at 6:00 a.m. three days later.

What is the issue you would like the board to address and why? Recent closures in June and July due to immature salmon numbers and/or declines in salmon runs in the surrounding areas have limited fishing time for the Alaska Peninsula fleet. Increasing July fishing opportunity by four hours per opening would provide stability to the fleet and region without the risk of harming local and migratory runs. Adjust the Post-June Salmon Management plan as follows: Starting July 10th, commercial fishing periods will begin at 6:00 a.m. and close at 10:00 p.m. the following day; commercial fishing will then close for 56 hours and reopen at 6:00 a.m. three days later. This regulation change would increase July openings after the 10th by four hours, from 36 hours, to 40 hours, whilst still providing adequate closures between openings of 56 hours.

PROPOSED BY: Julian Manos

(EF-F22-087)

PROPOSAL 146

5 AAC 09.366. Post-June Salmon Management Plan for the South Alaska Peninsula.

Amend the *Post-June Salmon Management for the South Alaska Peninsula* to increase commercial salmon fishing periods, as follows:

Change the current management plan after the 10th of July so each open period would be extended 24 hours and the time between each period is reduced by 24 hours until the end of July.

What is the issue you would like the board to address and why? The post June management plan in the Shumagin Islands is too restrictive after the 10th of July in terms of fishing time. Run timing of fish have shifted to earlier in the season than when the current plan was adopted. Both the Chignik's first run of fish is over and the Bristol Bay fish have passed through this area. Loss of income to our community is devastating.

PROPOSED BY: Richard Eastlick

(HQ-F22-005)

PROPOSAL 147

5 AAC 09-366. Post-June Salmon Management Plan for the South Alaska Peninsula.

Amend the *Post-June Salmon Management for the South Alaska Peninsula* to increase commercial salmon fishing periods for set gillnet gear, as follows:

Setnet fishermen starting July 10 to the end of the season. Setnet fishermen will fish from Monday at 6 a.m. to Friday midnight, from Scotch Cap to Kupreanof Pt.

What is the issue you would like the board to address and why? More time for setnet fishermen. We are a slower fishery in volume. Bristol Bay are by us.

PROPOSED BY: Brian Hartman

(HQ-F22-011)

South Alaska Peninsula Salmon Management (2 proposal)

PROPOSAL 148

5 AAC 09.365 South Unimak and Shumagin Islands June Salmon Management Plan; 5AAC 09.366 Post-June Salmon Management Plan for the South Alaska Peninsula; 5 AAC 09.360 Southeastern District Mainland Salmon Management Plan.

Amend a suite of management plans to reduce commercial fishing time in the South Alaska Peninsula area, as follows:

During the March-April 2022 Board meeting, the RC 104 captured the language to be evaluated as a management plan to protect the Chignik River Early-Run Sockeye Salmon stock by enacting restrictions to allow salmon to pass through those fisheries. That Board action and intent is parallel to the intent of this proposal. The framework below represents the management tools the Alaska Department of Fish and Game may utilize to manage the South Alaska Peninsula Management Area (Area M) commercial salmon fisheries to reduce take of fish bound to other watersheds. Parallel restrictions are in order to conserve Yukon and Kuskokwim Chum and Chinook salmon during this time of low abundance.

This framework does not restrict the Alaska Department of Fish and Game's emergency order authority to manage salmon stocks sustainably in the South Alaska Peninsula Management Areas and use this emergency order to close fisheries when deemed necessary to protect Yukon and Kuskokwim Salmon stocks of origin.

Based on Yukon and Kuskokwim preseason forecasts, if the lower bound of escapement goals are projected to not be met in one or both rivers, then fishing time would be reduced by 50% in the South Unimak and Shumagin Islands June Salmon Management Plan (5 AAC 09.365), the Post-June Salmon Management Plan for the South Alaska Peninsula (5 AAC 09.366), and the Southeastern District Mainland Salmon Management Plan (5 AAC 09.360).

In addition to time restrictions, fishing area should be modified to reduce catch rates in areas where Chinook and Chum salmon are abundant and gear restrictions employed that may also reduce catch rates of Chinook and Chum salmon specifically.

Based on Yukon and Kuskokwim inseason management tools if the first inriver test fisheries and sonar fish passage monitoring projects confirm low Chinook or Chum salmon returns then the post-June South Alaska Peninsula Management Plans will be further reduced in fishing time and area and gear restrictions will be in order to support sustainable passage of all Yukon and Kuskokwim Bound Chinook and Chum salmon.

The Council understands conservative management options the Board is authorized to make include reduction of time, area, and methods and means. We did not provide prescribed recommendations or defined restrictions. During the Board meeting through the submitting and participation in the AC report, RC submissions, Public Testimony, and Committee of the Whole process, the Council will refine recommended specifics following public distribution of the Alaska Department of Fish and Game proposal analyses. We expect to have further defined restrictions to time, area, and gear types based on information made available by the Alaska Department of Fish and Game describing the known take of Kuskokwim and Yukon bound Chinook and Chum salmon. We will submit data requests to become more informed on the impacts intercept fisheries have on the referenced watersheds and stocks, which should assist educating the public and the public process during deliberations of this proposal.

What is the issue you would like the board to address and why? This proposal addresses the 3 management plans that regulate the South Alaska Peninsula Management Area (Area M) commercial salmon fisheries: the South Unimak and Shumagin Islands June Salmon Management Plan (5 AAC 09.365), the Post-June Salmon Management Plan for the South Alaska Peninsula (5 AAC 09.366), and the Southeastern District Mainland Salmon Management Plan (5 AAC 09.360).

5 AAC 09.365. South Unimak and Shumagin Islands June Salmon Management Plan (a) The South Unimak and Shumagin Islands June fisheries harvest both Sockeye Salmon and Chum Salmon in a mixed stock fishery during the month of June. The Sockeye Salmon are predominantly of Bristol Bay and Alaska Peninsula origin. The Chum Salmon are bound for a number of areas, including Japan, Russia, the Arctic-Yukon-Kuskokwim, Bristol Bay, the Alaska Peninsula, and Southcentral Alaska. These salmon stocks have historically been harvested along the south Alaska Peninsula during the month of June. This management plan is intended to be consistent with the Policy for the Management of Sustainable Salmon Fisheries (5 AAC 39.222) and the Policy for the Management of Mixed Stock Salmon Fisheries (5 AAC 39.220).

These fisheries as noted in AAC 09.365 are a mixed stock salmon fishery and the Chum Salmon directed harvest include stocks bound for the Arctic-Yukon-Kuskokwim region rivers. Additionally, these South Alaska Peninsula Management Area fisheries are known to catch Chinook and Chum salmon of mixed stock origin when targeting Sockeye Salmon. As the Alaska Board of Fisheries (Board) is aware, the Yukon and Kuskokwim Chinook Salmon returns have been severely depressed for over ten years and escapement goals on both rivers have not been met in recent years. The catastrophic Chum Salmon crash in 2021 resulted in severe subsistence harvest restrictions on the Kuskokwim River and complete closure to any salmon harvest on the Yukon River and still escapement goals were not met. Every single salmon is now needed to make it to the spawning grounds and the Area M commercial fishery is within the Alaska Department of Fish and Game authority to manage this mixed stock salmon fishery sustainably in order to help meet Chum and Chinook salmon escapement goals on the Arctic-Yukon-Kuskokwim Rivers. The

State of Alaska is also charged with Canada Yukon Salmon treaty obligations and that management authority should extend to sustainable management of all fisheries managed by ADF&G that catch Yukon bound salmon.

This proposal is being submitted to reduce the directed harvest and interception of Arctic-Yukon-Kuskokwim Chinook Salmon stocks, which have been identified by Alaska Department of Fish and Game as Stocks of Yield Concern. Equal burden of conservation efforts should be applied throughout the range of these critically low Yukon and Kuskokwim salmon stocks. During times when subsistence fisheries are severely restricted or closed entirely on these rivers due to low salmon returns, we request the Alaska Board of Fisheries to adopt a modification of the existing regulations in a way that the Area M commercial salmon fisheries equally share the burden of conservation through the restrictions of equal magnitude. The intent of this proposal is to ensure all user groups managed by the State of Alaska are restricted from take of Arctic-Yukon-Kuskokwim stock of origin salmon during times while there are stocks identified by regulation as Stocks of Concern due to critically low returns.

If the regulations remain unchanged, then salmon essential to meeting escapement goals in these Arctic-Yukon-Kuskokwim rivers will continue to be harvested in Area M unabated and escapement goals, Treaty obligations, and basic subsistence salmon needs and mandated State and Federal subsistence priorities will not be met.

All other solutions to ensure every salmon needed to meet Yukon and Kuskokwim rivers Chinook and Chum salmon escapement goals are already being applied via complete closures to the harvest of any salmon on the Yukon River and Coast and severe subsistence fishing restrictions in place on the Kuskokwim River. And of course the inriver commercial fisheries have already been closed completely as well..

PROPOSED BY: Yukon-Kuskokwim Delta Subsistence Regional Advisory Council
(HQ-F22-013)

PROPOSAL 149

5 AAC 09.365 South Unimak and Shumagin Islands June Salmon Management Plan; 5AAC 09.366 Post-June Salmon Management Plan for the South Alaska Peninsula; 5 AAC 09.360 Southeastern District Mainland Salmon Management Plan.

Amend management plans for the South Alaska Peninsula area to reduce commercial fishing time, as follows:

During the March-April 2022 Board meeting, the RC 104 captured the language to be evaluated as a management plan to protect the Chignik River Early-Run Sockeye Salmon stock by enacting restrictions to allow salmon to pass through those fisheries. That Board action and intent is parallel to the intent of this proposal. The framework below represents the management tools the Alaska Department of Fish and Game may utilize to manage the South Alaska Peninsula Management Area (Area M) commercial salmon fisheries to reduce take of fish bound to other watersheds. Parallel restrictions are in order to conserve Yukon and Kuskokwim Chum and Chinook salmon during this time of low abundance.

This framework does not restrict the Alaska Department of Fish and Game's emergency order authority to manage salmon stocks sustainably in the South Alaska Peninsula Management Areas and use this emergency order to close fisheries when deemed necessary to protect Yukon and Kuskokwim Salmon stocks of origin.

Based on Yukon and Kuskokwim preseason forecasts, if the lower bound of escapement goals are projected to not be met in one or both rivers then fishing time would be reduced by 50% in the South Unimak and Shumagin Islands June Salmon Management Plan (5 AAC 09.365), the Post-June Salmon Management Plan for the South Alaska Peninsula (5 AAC 09.366), and the Southeastern District Mainland Salmon Management Plan (5 AAC 09.360).

In addition to time restrictions, fishing area should be modified to reduce catch rates in areas where Chinook and Chum salmon are abundant and gear restrictions employed that may also reduce catch rates of Chinook and Chum salmon specifically.

Based on Yukon and Kuskokwim inseason management tools if the first inriver test fisheries and sonar fish passage monitoring projects confirm low Chinook or Chum salmon returns then the post-June South Alaska Peninsula Management Plans will be further reduced in fishing time and area and gear restrictions will be in order to support sustainable passage of all Yukon and Kuskokwim Bound Chinook and Chum salmon.

The Council understands conservative management options the Board is authorized to make include reduction of time, area, and methods and means. We did not provide prescribed recommendations or defined restrictions. During the Board meeting through the submitting and participation in the AC report, RC submissions, Public Testimony, and Committee of the Whole process, the Council will refine recommended specifics following public distribution of the Alaska Department of Fish and Game proposal analyses. We expect to have further defined restrictions to time, area, and gear types based on information made available by the Alaska Department of Fish and Game describing the known take of Kuskokwim and Yukon bound Chinook and Chum salmon. We will submit data requests to become more informed on the impacts intercept fisheries have on the referenced watersheds and stocks which should assist educating the public and the public process during deliberations of this proposal.

We further request that Alaska Department of Fish and Game implement a genetic testing program for the Area M commercial fisheries to identify stock of origin for effective management of Arctic-Yukon-Kuskokwim Chinook and Chum salmon. Genetics data will aid in development of avoidance measures to ensure passage of Arctic-Yukon-Kuskokwim bound salmon.

What is the issue you would like the board to address and why?

This proposal addresses the 3 management plans that regulate the South Alaska Peninsula Management Area (Area M) commercial salmon fisheries: the South Unimak and Shumagin Islands June Salmon Management Plan (5 AAC 09.365), the Post-June Salmon Management Plan for the South Alaska Peninsula (5 AAC 09.366), and the Southeastern District Mainland Salmon Management Plan (5 AAC 09.360).

5 AAC 09.365. South Unimak and Shumagin Islands June Salmon Management Plan (a) The South Unimak and Shumagin Islands June fisheries harvest both Sockeye Salmon and Chum Salmon in a mixed stock fishery during the month of June. The Sockeye Salmon are predominantly of Bristol Bay and Alaska Peninsula origin. The Chum Salmon are bound for a number of areas, including Japan, Russia, the Arctic-Yukon-Kuskokwim, Bristol Bay, the Alaska Peninsula, and Southcentral Alaska. These salmon stocks have historically been harvested along the south Alaska Peninsula during the month of June. This management plan is intended to be consistent with the Policy for the Management of Sustainable Salmon Fisheries (5 AAC 39.222) and the Policy for the Management of Mixed Stock Salmon Fisheries (5 AAC 39.220).

These fisheries as noted in AAC 09.365 are a mixed stock salmon fishery and the Chum Salmon directed harvest include stocks bound for the Arctic-Yukon-Kuskokwim region rivers. Additionally, these South Alaska Peninsula Management Area fisheries are known to catch Chinook and Chum salmon of mixed stock origin when targeting Sockeye Salmon. As the Alaska Board of Fisheries (Board) is aware, the Yukon and Kuskokwim Chinook Salmon returns have been severely depressed for over ten years and escapement goals on both rivers have not been met in recent years. The catastrophic Chum Salmon crash in 2021 resulted in severe subsistence harvest restrictions on the Kuskokwim River and complete closure to any salmon harvest on the Yukon River and still escapement goals were not met. Every single salmon is now needed to make it to the spawning grounds and the Area M commercial fishery is within the Alaska Department of Fish and Game authority to manage this mixed stock salmon fishery sustainably in order to help meet Chum and Chinook salmon escapement goals on the Arctic-Yukon-Kuskokwim Rivers. The State of Alaska is also charged with Canada Yukon Salmon treaty obligations and that management authority should extend to sustainable management of all fisheries managed by ADF&G that catch Yukon bound salmon.

This proposal is being submitted to reduce the directed harvest and interception of Arctic-Yukon-Kuskokwim Chinook Salmon stocks, which have been identified by Alaska Department of Fish and Game as Stocks of Yield Concern. Equal burden of conservation efforts should be applied throughout the range of these critically low Yukon and Kuskokwim salmon stocks. During times when subsistence fisheries are severely restricted or closed entirely on these rivers due to low salmon returns we request the Alaska Board of Fisheries to adopt a modification of the existing regulations in a way that the Area M commercial salmon fisheries equally share the burden of conservation through the restrictions of equal magnitude.

The intent of this proposal is to ensure all user groups managed by the State of Alaska are restricted from take of Arctic-Yukon-Kuskokwim stock of origin salmon during times while there are stocks identified by regulation as Stocks of Concern due to critically low returns.

If the regulations remain unchanged then salmon essential to meeting escapement goals in these Arctic-Yukon-Kuskokwim rivers will continue to be harvested in Area M unabated and escapement goals, Treaty obligations, and basic subsistence salmon needs and mandated State and Federal subsistence priorities will not be met.

All other solutions to ensure every salmon needed to meet Yukon and Kuskokwim rivers Chinook and Chum salmon escapement goals are already being applied via complete closures to the harvest

of any salmon on the Yukon River and Coast and severe subsistence fishing restrictions in place on the Kuskokwim River. And of course the inriver commercial fisheries have already been closed completely as well..

PROPOSED BY: Yukon-Kuskokwim Delta Subsistence Regional Advisory Council
(HQ-F22-014)

Alaska Peninsula Salmon Gear, Closed Waters and Description of Districts and Sections (3 proposals)

PROPOSAL 150

5 AAC 09.200. Description of districts and sections, 09.360. Southeastern District Mainland Salmon Management Plan & 09.365. South Unimak and Shumagin Islands June Salmon Management Plan.

Amend districts and sections, *Southeastern District Mainland Salmon Management Plan* and *South Unimak and Shumagin Islands June Salmon Management Plan* by including the Volcano Bay Section of the Southwestern District into the South Central District, as follows:

Move the Volcano Bay Section of the Southwestern District into the existing South Central District. Include and manage specified Sections of the South Central District with the Southeastern District Mainland Salmon Management Plan.

5 AAC 09.200. Description of districts and sections

(d) Southwestern District: waters on the south side of the Alaska Peninsula north and east of a line extending 115° from Cape Pankof Light (54° 39.60' N. lat., 163° 03.70' W. long.) and west of a line extending **152° from Moss Cape (55° 7.26' N. lat., 161° 56.30' W. long.)** [106° FROM ARCH POINT LIGHT (55° 12.30' N. LAT., 161° 54.30' W. LONG.) TO THE WESTERN BOUNDARY OF THE SOUTHEASTERN DISTRICT (LONGITUDE OF MCGINTY POINT: 160° 59.00' W. LONG.),] including Inner Iliasik, Outer Iliasik, [GOLOI, DOLGOI, POPERECHOI,] and Deer Islands, waters of Ikatan Bay, and waters of Isanotski Strait south of a line from the False Pass cannery dock (54° 51.35' N. lat., 163° 24.38' W. long.) to Nichols Point (54° 51.43' N. lat., 163° 23.23' W. long.);

[(7) VOLCANO BAY SECTION: WATERS BETWEEN MOSS CAPE AND ARCH POINT, INCLUDING GOLOI, DOLGOI, AND POPERECHNOI ISLANDS;]

(e) South Central District: waters on the south side of the Alaska Peninsula north and east of a line extending **152° from Moss Cape (55° 7.26' N. lat., 161° 56.30' W. long.)** [106° FROM ARCH POINT LIGHT (55° 12.30' N. lat., 161° 54.30' W. LONG.)] and west of a line extending south from McGinty Point (55° 27.37' N. lat., 160° 59.00' W. long.), including Ukolnoi and Wosnesenski Islands;

(5) Volcano Bay Section: waters between Moss Cape and Arch Point, including Goloi, Dolgoi, and Poperechnoi Islands;

5 AAC 09.360. Southeastern District Mainland and South Central District Salmon Management Plan

(a) The purpose of this management plan is to provide guidelines to the department for the management of the interception of Chignik River sockeye salmon caught in the Southeastern District Mainland and South Central District fishery conducted in the East Stepovak, Stepovak Flats, Northwest Stepovak, Southwest Stepovak, Balboa Bay, and Beaver Bay Sections, as well as the Volcano Bay Section, and the East and West Pavlof Bay Sections south of a line extending west from Settlement Point at 55° 29.18' N. lat. Except as specified in 5 AAC 09.330 (f) (3), before July 11, only set gillnet gear may be used in these sections. For the purpose of the management plan in this section, local runs include only those salmon in the waters

(1) beginning July 1, in the Northwest Stepovak Section described in 5 AAC 09.200(f);

(2) in the Stepovak Flats Section described in 5 AAC 09.200(f).

(b) In years when a harvestable surplus for the first (Black Lake) and second (Chignik Lake) runs of Chignik River system sockeye salmon is expected to be less than 600,000 fish, a commercial salmon fishery is not allowed in the East Stepovak, Southwest Stepovak, Balboa Bay, and Beaver Bay Sections, and in the Northwest Stepovak Section, excluding Orzinski Bay north of a line from Elephant Point at 55° 41.92' N. lat., 160° 03.20' W. long. to Waterfall Point at 55° 43.18' N. lat., 160° 01.13' W. long., as well as the Volcano Bay Section, and the East and West Pavlof Bay Sections south of a line extending west from Settlement Point at 55° 29.18' N. lat., until the department projects that a harvest of 300,000 sockeye salmon in the Chignik Area described in 5 AAC 15.100. After July 8, if at least 300,000 sockeye salmon have been harvested in the Chignik Area, and if escapement goals are being met, the department shall manage the fishery so that the number of sockeye salmon harvested in the Chignik Area will be at least 600,000 fish and the number of sockeye salmon destined for the Chignik River that are harvested in the East Stepovak, Stepovak Flats, Southwest Stepovak, Balboa Bay, and Beaver Bay Sections, as well as the Volcano Bay Section, and the East and West Pavlof Bay Sections south of a line extending west from Settlement Point at 55° 29.18' N. lat., and before July 1 in the Northwest Stepovak Section, approaches as near as possible 7.6 percent of the sockeye salmon harvest in the Chignik Area.

(c) In years when a harvestable surplus beyond escapement goals for the first and second runs of Chignik River system sockeye salmon is expected to be more than 600,000 fish but the first run fails to develop as predicted and it is determined that a total sockeye salmon harvest in the Chignik Area of 600,000 or more fish may not be achieved, the commercial salmon fishery in the East Stepovak, Stepovak Flats, Southwest Stepovak, Balboa Bay, and Beaver Bay Sections, and in the Northwest Stepovak Section, excluding Orzinski Bay north of a line from Elephant Point at 55° 41.92' N. lat., 160° 03.20' W. long. to Waterfall Point at 55° 43.18' N. lat., 160° 01.13' W. long., as well as the Volcano Bay Section, and the East and West Pavlof Bay Sections south of a line extending west from Settlement Point at 55° 29.18' N. lat., shall be curtailed until the department projects a harvest in the Chignik Area of at least 300,000 sockeye salmon through July 8 if that number of fish are determined to be surplus to the escapement goals of the Chignik River system. After July 8, if at least 300,000 sockeye salmon have been harvested in the Chignik Area,

and if escapement goals are being met, the department shall manage the fishery so that the number of sockeye salmon harvested in the Chignik Area is at least 600,000 fish and the number of sockeye salmon destined for the Chignik River that are harvested in the East Stepovak, Stepovak Flats, Southwest Stepovak, Balboa Bay, and Beaver Bay Sections, **as well as the Volcano Bay Section, and the East and West Pavlof Bay Sections south of a line extending west from Settlement Point at 55° 29.18' N. lat.,** and before July 1 in the Northwest Stepovak Section, approaches as near as possible 7.6 percent of the sockeye salmon harvest in the Chignik Area.

(d) In years when a harvestable surplus beyond the escapement goals for the first and second runs of Chignik River system sockeye salmon is expected to be more than 600,000 fish and the department determines that the runs are as strong as expected, the department shall manage the fishery so that the number of sockeye salmon destined for the Chignik River that are harvested in the East Stepovak, Stepovak Flats, Southwest Stepovak, Balboa Bay, and Beaver Bay Sections, **as well as the Volcano Bay Section, and the East and West Pavlof Bay Sections south of a line extending west from Settlement Point at 55° 29.18' N. lat.,** and before July 1 in the Northwest Stepovak Section, approaches as near as possible 7.6 percent of the sockeye salmon harvest in the Chignik Area.

(f) The estimate of sockeye salmon destined for the Chignik River has been determined to be 80 percent of the sockeye salmon harvested in the East Stepovak, Stepovak Flats, Southwest Stepovak, Balboa Bay, and Beaver Bay Sections, **as well as the Volcano Bay Section, and the East and West Pavlof Bay Sections south of a line extending west from Settlement Point at 55° 29.18' N. lat.,** and before July 1 in the Northwest Stepovak Section. Beginning July 1, all sockeye salmon taken in the Northwest Stepovak Section are considered to be destined for Orzinski Bay.

(g) The percentage of sockeye salmon destined for the Chignik River that are harvested in the Southeastern District Mainland **and South Central District** fishery may be permitted to fluctuate above or below 7.6 percent of sockeye salmon harvest in the Chignik Area at any time before July 25.

(h) The allocation method described in (a) - (g) of this section is in effect through July 25. The commissioner may not open the first fishing period of the commercial salmon fishing season in the East Stepovak, Southwest Stepovak, Balboa Bay, and Beaver Bay Sections, **as well as the Volcano Bay Section, and the East and West Pavlof Bay Sections south of a line extending west from Settlement Point at 55° 29.18' N. lat.,** and before July 1 in the Northwest Stepovak Section, before the first fishing period of the commercial salmon fishing season in the Chignik Area. After July 25, the commissioner may open, by emergency order, commercial salmon fishing in the entire Southeastern District Mainland **and South Central District** area for local stocks.

(i) During the period from approximately June 26 through July 8, the strength of the second run of the Chignik River system sockeye salmon cannot be evaluated. In order to prevent overharvest of the second run, the department may disallow or severely restrict commercial salmon fishing in the East Stepovak, Stepovak Flats, Southwest Stepovak, Balboa Bay, and Beaver Bay Sections, **as well as the Volcano Bay Section, and the East and West Pavlof Bay Sections south of a line**

extending west from Settlement Point at 55° 29.18' N. lat., during this period, and from June 26 through June 30 in the Northwest Stepovak Section.

5 AAC 09.365. South Unimak and Shumagin Islands June Salmon Management Plan

(b) The South Unimak fishery takes place in the Unimak District, the Southwestern District, [THE EAST PAVLOF BAY AND THE WEST PAVLOF BAY SECTIONS OF THE SOUTH CENTRAL DISTRICT,] and the Bechevin Bay Section of the Northwestern District.

[(f) NOTWITHSTANDING (d) OF THIS SECTION, COMMERCIAL SALMON FISHING WILL CLOSE IN THE WATERS OF THE VOLCANO BAY SECTION OF THE SOUTHWESTERN DISTRICT SOUTH AND EAST OF A LINE FROM ARCH POINT LIGHT AT 55° 12.30' N. LAT., 161° 54.30' W. LONG. TO A POINT ON BELKOFSKI PENINSULA AT 55° 09.50' N. LAT., 161° 57.80' W. LONG. AND IN THE PORTION OF THE WEST PAVLOF BAY SECTION SOUTH OF BLACK POINT (55° 24.48' N. LAT.), IF THE HARVEST OF SOCKEYE SALMON FROM THE SOUTH CENTRAL DISTRICT, THE VOLCANO BAY SECTION OF THE SOUTHWESTERN DISTRICT, AND THE BELKOFSKI BAY SECTION, EXCLUDING THOSE WATERS INSIDE OF A LINE BETWEEN VODAPOINI POINT AND BOLD CAPE, REACHES 191,000 SOCKEYE SALMON BASED ON FISH TICKET INFORMATION.]

[(g) NOTWITHSTANDING (d) OF THIS SECTION, COMMERCIAL SALMON FISHING IS CLOSED TO PURSE SEINE GEAR IN THE WATERS OF THE VOLCANO BAY SECTION OF THE SOUTHWESTERN DISTRICT, THE BELKOFSKI BAY SECTION OF THE SOUTHWESTERN DISTRICT, EXCLUDING THOSE WATERS INSIDE OF A LINE BETWEEN VODAPOINI POINT AT 55° 01.88' N. LAT., 162° 24.80' W. LONG., AND BOLD CAPE AT 55° 01.24' N. LAT., 162° 16.40' W. LONG., AND THE SOUTH CENTRAL DISTRICT.]

...

What is the issue you would like the board to address and why? The Volcano Bay Section of the Southwestern District belongs in the South Central District. The South Central District should be managed with the SEDM Management Plan. These areas have just as heavy, if not heavier, interception of Chignik-bound sockeye as SEDM. They also intercept other east-bound sockeye stocks. That interception increases as the season moves into July. There is a long-standing allocation plan in the SEDM that accounts for and provides protection for the interception of Chignik-bound sockeye. It makes sense to align the Volcano Bay Section and the East and West Pavlof Sections of the Central District with SEDM as they share almost identical interception profiles and they are geographically aligned along the Peninsula in the migratory route of Chignik and other east-bound sockeye.

PROPOSED BY: Ben Allen

(EF-F22-061)

PROPOSAL 151

5 AAC 09.331. Gillnet specifications and operations.

Amend gillnet specifications and operations to allow offshore anchoring of the up to 25 fathom seine web lead, as follows:

5 AAC 09.331. In the Unimak Southwestern, South Central and Southeastern Districts 25 fathoms of seine webbing may be used on the shoreward end of a set Gillnet. the lead must be retrieved when the set gillnet is hauled out of the water.

What is the issue you would like the board to address and why? 5AAC 09.331. Gillnet specifications and operations in the unimak southwestern south central and southeast districts 25 fathoms of seine webbing may be used on the shoreward end of a setnet ; The shoreward end of the seine webbing must be attached to the beach above low tide. The problem is it is too rough and rocky to get ashore so i am unable to use my lead . I would like the regulation changed to say a setnet may have a 25 fathom seine lead attached at the shoreward end of the anchored setnet.

PROPOSED BY: Jim Smith

(EF-F22-023)

PROPOSAL 152

5 AAC 09.350. Closed waters.

Amend the closed water boundary in Stepovak Bay to increase commercial fishing area in the Stepovak Flats Section, as follows:

(36) Stepovak Bay

...

(B) from July 29 through September 30, waters north of a line extending east from **55°49.813' N. lat., 159°50.764' W. long. to a point 55° 48.191' N. lat., 159°37.678' W. long.;** [DENT POINT AT 55°47.25'N. LAT., 159°25.00'W. LONG. TO A POINT ON THE KUPREANOF PENINSULA AT 55°46.93'N. LAT., 159°38.70' W. LONG.;

...

What is the issue you would like the board to address and why? To reduce closed waters in the Stepovak Bay section to allow more opportunity to harvest local pink and chum stocks while retaining protections for systems that are difficult to aerial survey due to discolored water.

PROPOSED BY: Sand Point Advisory Committee

(EF-F22-058)

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Gear/Methods and Means (6 proposals)

PROPOSAL 87

5 AAC 39.105. Types of legal gear.

Define eel stick, as follows *(To be heard at the Arctic / Yukon / Kuskokwim meeting and deliberated during the Statewide Finfish and Supplemental Issues meeting):*

5 AAC 39.105(d) is amended to read:

...

(30) a cast net is a circular net with a mesh size of no more than one and one-half inches and weights attached to the perimeter which, when thrown, surrounds the fish and closes at the bottom when retrieved;[.]

(31) an eel stick consists of a single straight or bent pole, equipped with notches or projecting tines, used through the ice to take lamprey.

...

What is the issue you would like the board to address and why? This would add eel sticks as a legal gear for commercial and subsistence fishing. An additional department proposal was submitted to add this as a legal gear type for subsistence fishing. The commercial fishery for Arctic lamprey (eels) operates under a commissioner's permit that allows commercial permit holders to use dip nets and eel sticks; however the eel stick is not included in regulations. Statewide provisions (5 AAC 01.010 (1)) for subsistence gear would refer to and include this addition. Eel sticks are traditionally used in Districts 2, 3 and 4 for harvesting Arctic lamprey for commercial and subsistence purposes through the ice. Eel sticks are described in Subsistence Division Technical Paper No. 289 (<http://www.adfg.alaska.gov/techpap/tp289.pdf>)

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F22-059)

PROPOSAL 153

5 AAC 39.145. Escape mechanism for shellfish and bottomfish pots.

Define escape mechanisms for collapsible 'slinky' groundfish pots, as follows:

AWT and ADF&G have been working on wording that will be easily understood and enforceable. A drafted RC will be submitted at the BOF meeting detailing how an escape mechanism is to be rigged on these newer collapsible style pots.

...

What is the issue you would like the board to address and why? With the recent addition of collapsible groundfish pots "slinky pots" in the sablefish fisheries the current regulations for escape mechanism create confusion for users and enforcement on how to properly rig this style of pots. With there being no true bottom, it is unknown where the opening must be placed as the language is currently written, and if the pot lays to rest with the opening on the ocean floor, it will not properly act as an escape mechanism.

PROPOSED BY: Alaska Wildlife Troopers

(HQ-F22-073)

PROPOSAL 82

5 AAC 39.250. Gillnet specifications and operations.

Modify the dates sinking of gillnets is allowed in the Yukon Area from October 1 to April 30, as follows *(To be heard at the Arctic / Yukon / Kuskokwim meeting and deliberated during the Statewide Finfish and Supplemental Issues meeting)*:

5 AAC 39.250(d) is amended to read:

...

(d) The float line and floats of gillnets must be floating on the surface of the water while the net is fishing, unless natural conditions cause the net to temporarily sink. The restriction of this subsection does not apply in the Arctic-Kotzebue Area (5 AAC 03.100), the Norton Sound-Port Clarence Area (5 AAC 04.100), the Yukon Area (5 AAC 05.100) **from October 1 to April 30**, the Kuskokwim Area (5 AAC 07.100), and the Kodiak Area (5 AAC 18.100).

...

What is the issue you would like the board to address and why? This proposal would modify the dates when gillnets are allowed to be fished without the float line on the surface of the water in the Yukon Area. During salmon seasons, from May 1 to September 30, the float line and floats must be floating on the surface. Submerged gillnets are less visible and may be difficult to observe if fishing illegally during closed periods. Allowing a gillnet to be in a fishing condition with floats not visible on the surface of the water is a navigation hazard.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F22-062)

PROPOSAL 154

5 AAC 39.155. Seine drums unlawful.

Allow the use of purse seine drums as follows:

Delete this section

[5 AAC 39.155. Seine drums unlawful

It shall be unlawful to have mounted aboard any seine vessel a seine drum or reel around which a seine can be coiled or rolled.]

What is the issue you would like the board to address and why?

Existing Law

Sec. 16.10.120. Use of drum or reel in operation of purse seine.

A person may not use, employ, or operate a drum or reel around which a purse seine is coiled, rolled, or looped for purposes of taking or removing fish from a body of water located on or over land or tideland owned by the state or over which the state has jurisdiction. This section does not prevent the use of power blocks or the use of a reel mounted on a seine skiff to haul in or let out the separate purse seine lead which is temporarily connected to the purse seine proper, as these terms are generally employed or used in the fishing industry. DELETE THE UNDERLINED PRASE

5 AAC 39.155. Seine drums unlawful

It shall be unlawful to have mounted aboard any seine vessel a seine drum or reel around which a seine can be coiled or rolled.

History

The law banning seine drums dates back to the late 1950's when most of the fishing fleet was in the process of converting from hand pull seines to the new modern Power block systems, also full pursing was the only method used. The average time to haul back the net was 30-60 minutes and a typical day for the average seiner was 10-12 sets. In 1959 a group of seiners also converted their boats to using seine drums, this dramatically changed the efficiency of the process and could feasibly double the number of sets compared to the power block equipped boats. The Law was introduced in 1959 to level the playing field

Why would I like this regulation changed?

The fishery has evolved continuously over the years since 1959 and technology has made the law banning drums antiquated. In today's seine fleet the power block and drum have the same level of efficiency, power block equipped boat can make the same sets per day and in some instances even more than a boat equipped with a drum.

The main reason I would like to change this regulation is the safety aspect. Power blocks can weigh up to 1000 lbs. and having the hanging over a crew piling gear is an incredibly risk of fish, rings, heavy leads falling on individuals below causing injury. As a business owners any injury is not acceptable and it's our job to provide the safest work place possible and I greatly believe that using a drum would lessen the risk for overhead injuries.

Aging and more seasoned crew members are being replaced with young more competitive high speed paced.

PROPOSED BY: Jason Burke

(EF-F22-029)

PROPOSAL 155

5 AAC 75.028. Use of underwater spear and speargun

Allow a person using a spear or speargun to take fish while swimming at the water's surface, as follows:

5 AAC 75.028 is amended to read:

Subject to applicable seasons and bag and possession limits, a person who is completely submerged or swimming on the surface may use a spear or speargun in salt water to take fish if the spear or speargun is not tipped with an explosive charge.

What is the issue you would like the board to address and why? Current regulations stipulate that anglers must be completely submerged while taking fish with a spear or speargun which effectively prevents spearfishing while snorkeling in shallow bays or other areas where some fish species tend to congregate. Adoption of this proposal would allow anglers to use spears or spearguns more effectively while using snorkeling gear, especially in shallow water, by permitting them to be either swimming on the surface or being completely submerged. Since spearfishing anglers must adhere to local bag and possession limits, seasons and closed waters, those wishing to spearfish do not present a conservation concern for any species already targeted by anglers with rod and reel. This proposed regulation provides clarification to the existing regulation while still being enforceable and not creating a conservation concern.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F22-072)

PROPOSAL 156

5 AAC 77.010. Methods, means, and general restrictions

Prohibit the use of felt soled wading footwear while personal use fishing in freshwater, as follows:

5 AAC 77.010 is amended to read:

(n) The use of footgear with absorbent felt or other fiber material on the soles is prohibited while personal use fishing in freshwater.

What is the issue you would like the board to address and why? Felt soled wading footgear have been identified as a primary vector for transferring invasive species such as whirling disease, didymo (rock snot), New Zealand mud snails, and zebra and quagga mussels to freshwater systems.

The board prohibited the use of felt soled footgear when sport fishing in 2010. Extending the precaution to freshwater personal use fisheries would be consistent with previous action and prevent Alaskans from unknowingly spreading these species retained in moist felt soles of wading footgear.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F22-069)

Registration (2 proposals)

PROPOSAL 157

5 AAC 39.115. Designation of salmon net registration area.

Allow a person holding CFEC permits for multiple salmon net areas to commercial fish for salmon in more than one net area per year, as follows:

I would like the board to consider allowing permit holders of different salmon net gear cards to be allowed to fish them on different boats of different gear groups (i.e. Southeast seine, Bristol Bay gillnet) in the same calendar year, but MUST fish the net gear permits on/off separate registered fishing vessel meaning two different fishing vessels and document you intend to fish both salmon net gear cards with CFEC and which designated vessel you plan to fish different gear permits on/off of.

...

What is the issue you would like the board to address and why? 5 AAC 39.115. Designation of salmon net registration area. A person who holds salmon net gear permits for more than one registration area listed in 5 AAC. 39.120(d) shall designate upon a form provided by the CFEC the single area in which he desires to salmon net fish in that year. The area so designated must be an area for which the person holds a valid salmon net permit. What I would like the board to address is allowing a person with valid salmon net cards of different designated areas to fish in a calendar year off different fishing platforms. I.E Bristol Bay drift gear permit card on a 32 foot vessel and a Southeast Salmon gear permit card on a completely separate fishing platform. Under 5 AAC 38 Requires a salmon net fishing vessel to register in the area it intends to fish and under 5 AAC 05.370 No vessel may display more than one vessel license area tab.

In Southeast Alaska you are able to own and operate different salmon gear cards off the same fishing platform in the same calendar year. I.E. Troll, Gillnet, and Seine off the same fishing vessel in the salmon calendar year owned by the same permit holders.

PROPOSED BY: Matthew Kinney (EF-F21-014)

PROPOSAL 158

5 AAC 39.115. Designation of salmon net registration area.

Allow a person holding CFEC permits for multiple salmon net areas to commercial fish for salmon in more than one net area per year, as follows:

This regulation would state, as of the 2022 salmon season and moving forward Bristol Bay permit holders both set and drift gill net will be allowed to own and use another salmon permit anywhere in the state of Alaska. Giving them opportunity to harvest all summer. Another vessel must be used to harvest the fish as it has always been.

...

What is the issue you would like the board to address and why? With Bristol bay being such a condensed fishery it would be nice as a young fisherman to be able to own a seine permit along with my Bristol Bay permit so I can fish all summer. Currently the way it's set up my wife and I own Bristol bay permits and fish two Bristol bay boats. Yet we can't own a kodiak seine permit and go fish around our home waters for august and September. It would allow us to create longer employment for our crews as well as help us maximize the summer salmon runs. There are plenty

of permits not being fished in Kodiak every summer and boats that sit idle. It would allow us to put more money into the Alaskan economy. We'd be fishing a completely separate vessel than our bay boats. We are a small family owned business, this wouldn't be monopolizing anything. It would simply allow us to take advantage of the whole summer.

Bristol Bay fisherman should be allowed to fish other salmon fisheries around the state since our fishery is sometimes as condensed as 3-4 weeks a season. Meanwhile southeast and Kodiak guys get 3-4 months of fishing. I don't understand why you can't continue to set net or seine another fishery after the bay with different equipment. Young eager fishermen are willing to put the work in yet the state won't allow us to own another salmon permit and fish it the same season. Many of these other salmon fisheries around the state are losing many participants every year with graying of the fleet. There is a group of hard working fishermen who'd like to be able to fish another fishery after Bristol Bay is over..

PROPOSED BY: Hayden Linscheid

(EF-F21-028)

Closed Areas (1 proposal)

PROPOSAL 159

5 AAC 39.XXX. New Section.

Close commercial fishing for a given species within one-fourth of a mile of any area closed to sport fishing for that species, as follows:

In areas where sport or other personal use fishing is closed it shall be unlawful to commercially harvest or target the stock of that species Within 1/4 mile of the Area closed to sport fishing.

What is the issue you would like the board to address and why? The state doesn't follow their own regulations in regards to mixed fisheries. There are locations where streams are closed to salmon fishing but commercial fishing openers will open the same streams to commercial fishing. One example is Port Valdez where all streams with the exception of Robe River are closed but Port cleanup commercial openers open all anadromous streams to commercial harvest.

PROPOSED BY: Abe Horschel

(EF-F21-021)

Terminal Harvest Areas (1 proposal)

PROPOSAL 160

5 AAC 39.XXX. New Section.

Require surrender of proceeds gained from sale of wild king salmon caught in hatchery terminal harvest areas, as follows:

Require any opener intended to harvest hatchery salmon to immediately record and then surrender the sale price of wild feeder king salmon to the state

What is the issue you would like the board to address and why? With increase in low price high volume hatchery philosophy such as pink salmon hatcheries commercial fishermen are more prevalent and fishing is open longer to target these hatchery fish. In the process feeder kings are being caught which impact other areas of the state.

PROPOSED BY: Abe Horschel

(EF-F21-024)

Policy (1 proposal)

PROPOSAL 161

5 AAC 28.XXX. New section.

Create and establish Alaska Board of Fisheries policy regarding the management of groundfish fishery resources in waters of Alaska, as follows:

GOAL AND BENEFITS

It is the goal of the Alaska Board of Fisheries and the Alaska Department of Fish and Game to manage groundfish stocks in a manner that will protect, maintain, improve, and extend these resources for the greatest overall benefit.

Management of these fisheries for the purpose of achieving this goal will result in a variety of benefits which include but are not limited to:

Maintaining healthy stocks of groundfish to ensure their continued reproductive viability and the maintenance of their role in the ecosystem;

Providing a sustained and reliable supply of high-quality product to consumers and substantial and stable employment in all sectors of the economy relating to these fisheries; and

Providing opportunities for sport, subsistence, and personal use fisheries.

The Alaska Board of Fisheries also recognizes the benefits of managing for the highest socio-economic benefit consistent with the below objectives.

OBJECTIVES

To achieve the management goal and provide the benefits available from these resources, it is necessary to set objectives which will protect stocks and provide for optimum utilization of these resources. With regards to the management of groundfish fishery resources in State of Alaska waters, the Alaska Board of Fisheries has the following objectives:

Minimize adverse interactions with other stocks and fisheries.

Protect habitat from unsustainable fishing practices.

Utilize management measures that ensure adherence to annual and seasonal catch limits.

Harvest the resource to optimize quality and value of product.

Harvest the resource with consideration of ecosystem interactions.

Coordinate with federal management agencies responsible for groundfish fishery management.

Manage fisheries based upon the best available information.

Manage fisheries consistent with conservation and sustained yield of healthy groundfish resources.

Avoid sport, subsistence, and personal use conflicts.

What is the issue you would like the board to address and why? At its March 23, 2013 meeting, the board repealed 5 AAC 28.089. GUIDING PRINCIPLES FOR GROUND FISH FISHERY REGULATIONS, citing an interest in removing duplicative and unnecessary regulatory wording pertaining to the State's management of its groundfish fisheries. However, we believe that the board did not fully recognize the value that this regulation had in documenting sound and precautionary conservation management practices for the public's consideration.

The Board has a history of adopting policies in other fisheries which are intended to give guidance to future Boards, department staff, and the public (i.e., policies for the management of sustainable salmon stocks, King and Tanner crab, mixed stock fisheries, and statewide escapement goals). The Board and public will benefit from an overall groundfish policy that provides guidance in decision-making during consideration of future proposals. Formalizing this policy for groundfish is consistent with the State's approach in managing the health and sustainability of other Alaska's fisheries and will help document Alaska's record as a leader of fisheries conservation and responsible management.

PROPOSED BY: Alaska Fisheries Development Foundation (EF-F22-090)

Sport/Personal Use/Subsistence Guiding (4 proposals)

PROPOSAL 162

5 AAC 75.077. Sport fishing guide vessel registration requirements.

Allow the Kenai River Special Management Area -DNR decal to serve as proof of ADF&G sport fishing guide vessel registration, as follows:

5 AAC 75.077 is amended to read:

(a) Before being used to provide sport fishing guide services, a vessel must be registered annually with the department. A business owner, or the owner's authorized agent, shall register each individual vessel operated by the business to provide sport fishing guide services by completing a form provided by the department. At the time of registration, the business owner, or the owner's authorized agent, must provide the current division of motor vehicles boat registration number, issued under 2 AAC 70, or the current United States Coast Guard vessel documentation number of each vessel being registered.

(b) A person may not engage in sport fishing guide services from a powered or unpowered vessel unless the vessel is registered under (a) of this section and displays a sport fishing guide vessel decal with a current annual sticker issued by the department as follows:

(1) upon initial registration of a vessel, two sport fishing guide vessel decals will be issued by the department for that vessel; one decal must be securely affixed on each side of the vessel and must be displayed in plain view at all times the vessel is used to provide sport fishing guide services, **except that a vessel providing sport fishing guide services in the Kenai River Special Management Area may display the current year Department of Natural Resources Kenai River guide decal as proof of ADF&G registration;**

(2) for the years following the year of initial registration of a vessel, two current year renewal stickers will be issued by the department for that vessel; one current year renewal sticker must be securely affixed on each decal over the previous year renewal sticker and must be displayed in plain view at all times the vessel is used to provide sport fishing guide services, **except as provided in (b)(1) for vessels providing sport fishing guides services in the Kenai River Special Management Area.**

What is the issue you would like the board to address and why? Alaska statute and statewide sport fishing regulations require a sticker be displayed on a vessel providing sport fishing services. The statute (AS 16.05.395 Sport fishing vessel registration) specifically requires “proof of registration” with ADF&G be “clearly visible on the vessel while the vessel is used to provide sport fishing services. The regulation (5 AAC 75.077 Sport fishing guide vessel registration requirements) requires that guides display “a sport fishing guide vessel decal with a current annual sticker issued by the department...”

The annual Department of Natural Resources (DNR) current year renewal sticker has been used in lieu of the department’s annual renewal sticker for vessels operating in the Kenai River Special Management Area (KRSMA) because DNR regulations required guides operating in the KRSMA be in compliance with ADF&G regulations prior to receiving the KRSMA sticker. This ensured that guides and their vessels were annually registered with ADF&G and therefore the DNR current year renewal sticker was proof of current ADF&G registration.

However, the DNR regulation currently references a statute that is repealed and 5 AAC 75.077 requires the current annual sticker “issued by the department”. DNR and ADF&G staff are coordinating a response to address the redundancy of requiring two vessel stickers that provide proof of registration. ADF&G by submitting this proposal and, if it passes, DNR will replace the reference to the repealed statute with 5 AAC 75.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F22-071)

PROPOSAL 163

5 AAC 77.XXX. New section.

Prohibit guiding in personal use finfish fisheries, as follows:

Alternative one (preferred): Guiding of persons engaging in personal use fisheries shall not be allowed. **What is the issue you would like the board to address and why?** Commercialization of personal use fisheries.

Personal use fisheries were implemented as a stop gap measure to actively manage sockeye salmon runs after the Exxon Valdez oil spill allowing Alaskan residents to harvest excess fish to maintain optimum escapement goals. Currently the industry of guiding this non commercial fishery is growing rapidly. Personal use fishermen do not pay for management of fisheries, and do not pay for enhancement of those fisheries targeting hatchery salmon (for example, Gulkana River sockeye, Kachemak Bay Coho/Sockeye, Fish Creek Sockeye) allowing persons to commercialize these resources paid for almost exclusively by commercial fishermen (some is paid for through sportfish funded programs) is entirely unfair to the commercial sector and sportfishing license holders.

Personal use fisheries have been entirely to give residents an opportunity to participate in subsistence style fisheries, feeding their families despite living in a non subsistence zone, they are not intended to be commercialized. Imagine a company in Glennallen charging money to operate a fishwheel for subsistence fishing.

Some alternatives:

Alternative two: Impose a fish tax on commercial operators who engage in enhanced PU fisheries based on the market value of those fish.

Alternative three: Impose a flat fee on commercial operators who engage in PU fisheries.

Alternative four (least preferred): Impose a fee on all PU fishery permit holders to pay for management and enhancement of these fisheries.

PROPOSED BY: Patrick McCormick (EF-F21-017)

PROPOSAL 164

5 AAC 77.XXX. New Section.

Establish registration and reporting requirements for personal use guides and transporters, as follows:

-Personal use guides and transporters shall be registered similarly to sport fishing guides following the same requirements established in 5 AAC 75

- Personal use guides and transporters shall report to the department all retained fin fish and shellfish, estimated fishing effort, and any other information deemed helpful to the department.

What is the issue you would like the board to address and why? Establish regulations for commercial guide operations in personal use fisheries. Currently there are no requirements for

guides engaging in commercial operations. This makes it impossible for the department to collect data to better regulate this budding industry and is prudent for management of fisheries.

PROPOSED BY: Patrick McCormick (EF-F21-031)

PROPOSAL 165

5 AAC 01.XXX. New section.

Prohibit compensation for guide services in subsistence fisheries, as follows:

No person or persons shall pay more than the pro rata share in exchange for guide services while engaged in subsistence fisheries.

For the purpose of this section "guide services" include providing direct instruction in fishing techniques and locations, or operating watercraft while subsistence fishing is taking place from that watercraft. "Guide services" do not include transportation to and from the fishing site, customary and traditional barter, fish processing services, gear rentals, or trips between family members of second degree kindred.

"Pro rata" means a proportional share of direct trip costs. Direct trip costs include fuel, ice, food, fish processing or other costs incurred from consumable goods or services, but do not include cost of durable goods such as boats, fishing equipment, or regular maintenance costs of equipment.

What is the issue you would like the board to address and why? Subsistence fishing provides the guide industry a loophole to commercially exploit fish and game resources when other commercial opportunities are closed for conservations reasons. Subsistence fishing is defined to be a non commercial enterprise and should not be used to enrich individuals who choose not to share in the conservation burden, they provide an outsized catch power to resident fishermen who nearly entirely do not need subsistence fish, would not qualify as federal subsistence users, and have the means to participate sport, personal use, commercial or other subsistence fisheries in the state of Alaska.

By allowing commercial guiding in subsistence fisheries the board of fish is allocating fish generally away from local traditional users of the resource towards urban users who have limited knowledge, equipment and means who are not traditional users of the resource.

This proposal is not intended to limit the passing down of traditional knowledge, traditional barter, or sharing of equipment. This proposal is also not intended to affect commercial services in engaging with aiding subsistence fishermen indirectly such as transporting them to subsistence locations, furnishing gear, processing fish etc.

This proposal is simply intended to codify that subsistence fishing shall not support commercial enterprises, as intended by state law.

PROPOSED BY: Patrick McCormick (EF-F21-030)

Personal Use/Subsistence Limits and Reporting (2 proposals)

PROPOSAL 166

5 AAC 77.015. Personal use fishing permits and reports and display of personal use fish.

Establish a statewide bag limit for personal use finfish fisheries, as follows:

Statewide bag limit for all Personal Use dip net fisheries. A bag limit is defined as a maximum number of salmon of any one salmon species a permit may take. A permit may not exceed the statewide bag limit of salmon between all the personal use dip net fisheries.

What is the issue you would like the board to address and why? Currently there is no state wide bag limit for personal use dip net fisheries in the state. As in that every household can collect a permit for multiple personal use fisheries and compound their catch for the year. Referencing hunting regulation 5 AAC. 92.130 (a) a person may not exceed the total of the statewide take of that species in the unit or portion of a unit. Using this hunting regulation as an example one cannot harvest all his or her tags of deer in Southeast Alaska and then hunt Kodiak with a full new set of tags. The tags are a total bag limit for the year. This is the issue I would like to address for the statewide PU dip net fisheries, just like a person must choose where they want to hunt for the year a household should choose where to fish and fill their bag limits. This does not limit the household from fishing multiple personal use dipnet fisheries, but just ensures their catch in one dipnet fishery would subtract from the total allowed in the other.

PROPOSED BY: Darin Gilman

(EF-F21-025)

PROPOSAL 167

5 AAC 01.015. Subsistence fishing permits and reports, and 5 ACC 77.015. Personal use fishing permits and reports and display of personal use fish.

Require inseason reporting of subsistence and personal use salmon harvest within 5 days of harvest, as follows:

(6) subsistence fishing reports must be completed on forms provided by the department and submitted to the department office from which the permit was issued [at a time specified by the department] within 5 days of harvest for each particular area and fishery;

...

(6) personal us fishing reports must be completed on forms provided by the department and submitted to the department office from which the permit was issued [at a time specified by the department] within 5 days of harvest for each particular area and fishery;

What is the issue you would like the board to address and why? Require In-Season reporting of Subsistence and Personal Use Salmon within 5 days of harvest using an online app or phone call to the Department.

Currently, participants in both fisheries are not required to report their harvest until well after the close of the season. Both Fisheries take a substantial number of salmon, especially in low

abundance runs. It is imperative that managers have real time data to use their EO authority to close fisheries when the security of the resource demands it. The Department has been consistent at Area meetings saying this is a Statewide issue. It is time for all users of the valuable resources to be accountable.

PROPOSED BY: Cordova District Fishermen United

(EF-F22-048)

Emergency Order Authority (1 proposal)

PROPOSAL 168

5 AAC 75.003. Emergency order authority.

Extend emergency order authority to allow restrictions of sport fisheries in contaminated waters, as follows:

5 AAC 75.003 is amended to read:

(5) In **all waters** [STOCKED WATERS], if waters become contaminated, or **in stocked waters** during times of low hatchery output, the commissioner may, by emergency order, modify methods and means, reduce bag limits, or institute a catch-and-release fishing only fishery.

What is the issue you would like the board to address and why? In 2019 the board modified the department emergency order authority to restrict stocked waters to catch-and-release fishing when potentially unsafe levels of per- and polyfluoroalkyl substances (PFAS) were detected in the water or fish tissue. The presence of PFAS has since been detected in other water waterbodies that are not stocked and where wild finfish species are present. The only option currently for other waters (not stocked) that have become contaminated is to close them and not provide sport fishing opportunity. Allowing catch-and-release only fishing in contaminated waters would provide fishing opportunity while still taking a precautionary measure for public safety.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F22-070)

Invasive Species (1 proposal)

PROPOSAL 169

5 AAC 41.075. Classification of banned invasive species.

Amend the list of banned invasive species, as follows:

5 AAC 41.075 is amended to read:

(c) The following species are classified as banned invasive species:

(1) Class A banned invasive species

Common Name

Scientific Name

Amphibians

[AMERICAN BULL FROG
Pacific chorus frog
Red-legged frog

Crustaceans

[SIGNAL CRAYFISH
Red swamp crayfish
Rusty crayfish
European green crab
Virile crayfish/Northern crayfish

Fish

[ASIAN CARP
YELLOW PERCH
Cyprinid fishes

American shad
Eastern Mosquitofish
Round goby

Mollusks

New Zealand mudsnail
Dreissenid mussels
Quagga mussel
Zebra mussel
Conrad's or Dark false mussel
Asian clam

(2) Class B banned invasive species

Amphibians
American bull frog

Crustaceans
Signal crayfish

Fish
Yellow perch
Muskellunge
Walleye
Bluegill
Largemouth bass
Smallmouth bass
Black crappie
White crappie

LITHOBATES CATESBEIANUS]
Pseudacris regilla or *Hyla regilla*
Rana aurora

PACIFASTACUS LENIUSCULUS]
Procambarus clarkii
Orconectes rusticus
Carcinus maenas
Faxonius virilis

HYPOPHthalmichthys GENUS
PERCA FLAVESCENS]
**Cyprinidae Family (includes invasive
carps, redbelly shiners, golden shiners, and
fathead minnows)**
Alosa sapidissima
Gambusia holbrooki
Apollonia melanostomus

Potamopyrgus antipodarium
Dreissenidae Family
Dreissena bugensis
Dreissena polymorpha
Mytilopsis leucophaeta
Corbicula fluminea

Lithobates catesbeianus

Pacifastacus leniusculus

Perca flavescens
Esox masquinongy
Sander vitreus
Lepomis macrochirus
Micropterus salmoides
Micropterus dolomieu
Pomoxis nigromaculatus
Pomoxis annularis

Ictalurid fishes

Brook trout

Brown trout

White Perch

Pumpkinseed

Ictaluridae Family (catfish)

Salvelinus fontinalis

Salmo trutta

Morone americana

Lepomis gibbosus

(d) **A person may not possess** [“BANNED INVASIVE SPECIES” INCLUDES ANY PART OF AN ORGANISM, INCLUDING REPRODUCTIVE OR GENETIC MATERIAL, AT ANY STAGE OF ITS LIFE CYCLE] **any part of a Class A banned invasive species, including reproductive or genetic material, at any stage of its life cycle except as follows:**

(1) when transporting a specimen to any department office or another location as directed by the department in a sealed container for the purpose of containing, identifying, or reporting the presence of the species, or

(2) under the provisions of a Aquatic Resource Permit as defined in 5 AAC 41.005.

(e) A person may not possess any live Class B banned invasive species at any stage of its life cycle.

What is the issue you would like the board to address and why? In 2021, regulations specific to banned invasive species were adopted through the Alaska Board of Fisheries delegation of authority under AS 16.05.270 through board finding 2015-275-FB. The language in the adopted regulations in the banned invasive species list was specific to that provided for the 2015 finding. Since 2015, several nonnative species, not previously included in the banned invasive species list, have been discovered in Alaska waters, including largemouth bass (2018), fathead minnows (2018) and muskellunge (2017). In addition, other fish, mollusk, and crustacean species that could survive in Alaskan waters, if introduced, have been added for consideration by the board to update the list. Splitting “banned invasive species” into two classes allows the legal possession and import of edible portions of listed species that may be sport caught in other states for consumption. This would also allow the harvest and possession of frog legs or signal crayfish for consumption. A signal crayfish fishery has developed on the Buskin River in Kodiak.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F22-069)

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