

Submitted by ADF&G and Kuskokwim River Stakeholders  
January 17, 2013

**Conventions:**

- **Black Font** = original regulation narrative and changes described in Proposal 105.
- **[TEXT IN ALL CAPS]** to be deleted
- **Text in bold and underscore** to be added

1 **5 AAC 07.365. Kuskokwim River Salmon [REBUILDING] Management Plan.** (a) The purpose of  
2 this management plan is to provide guidelines for [THE REBUILDING AND] management of the  
3 Kuskokwim River salmon **fisheries that** [FISHERY THAT WILL] result in the sustained yield of salmon  
4 stocks large enough to meet [THE] escapement goals, amounts necessary for subsistence, and for  
5 nonsubsistence fisheries. **The department shall use the best available data, including preseason and**  
6 **inseason run projections, test fishing indices, age and sex composition, harvest reports, passage**  
7 **escapement estimates, and recognized uncertainty, to assess run abundance for the purpose of**  
8 **implementing this plan.**

9 (b) It is the intent of the Board of Fisheries that the Kuskokwim River salmon stocks shall be  
10 managed [DURING JUNE AND JULY] in a conservative manner consistent with the Policy for the  
11 Management of Sustainable Salmon Fisheries (5 AAC 39.222) **to meet escapement goals** and the  
12 subsistence priority.

13 (c) **In the king salmon fishery,**

14 **(1) when the projected escapement of king salmon is below the drainagewide**  
15 **escapement goal range, the commissioner shall, by emergency order, close the commercial, sport,**  
16 **and subsistence king salmon fisheries;**

17 **(2) when the projected escapement of king salmon is within the drainagewide**  
18 **escapement goal range, the commissioner shall, open and close, by emergency order, fishing periods**  
19 **as follows:**

20 **(A) to the extent practicable, at least one fishing period per week will be**  
21 **opened for a subsistence directed king salmon fishery to provide harvest opportunity on**  
22 **surplus king salmon in excess of escapement needs, except that when surplus king salmon in**  
23 **excess of the drainagewide escapement goal is limited, the commissioner may, by emergency**  
24 **order, close the subsistence fishery and immediately reopen a subsistence fishery during**  
25 **which,**

26 **(i) king salmon may be taken only by individuals 60 years of age or**  
27 **older; and**

28 **(ii) a person authorized to take king salmon under (i) of this**  
29 **paragraph may not authorize a proxy to take or attempt to take king salmon under**

30 AS 16.05.405 or 5 AAC 01.011, but the participant may be assisted by family  
31 members within the second degree of kinship;

32 (B) fishing may be open for the commercial and sport fisheries to provide  
33 harvest opportunity on surplus king salmon in excess of escapement and subsistence needs;

34 (3) when the projected escapement of king salmon exceeds the drainagewide  
35 escapement goal range, the

36 (A) king salmon directed subsistence fishery will be open seven days per  
37 week; and

38 (B) commercial and sport fisheries will be managed to provide harvest  
39 opportunity on surplus king salmon in excess of escapement and subsistence needs.

40 (d) In the subsistence fishery, in the Kuskokwim River drainage, in the waters of the mainstem  
41 of the river and other salmon spawning tributaries, unless otherwise specified by the department,

42 (1) the subsistence salmon net and fish wheel fisheries will be open seven [FOR FOUR  
43 CONSECUTIVE] days per week [IN JUNE AND JULY AS ANNOUNCED BY EMERGENCY  
44 ORDER]; however, in order to achieve escapement goals, the commissioner may alter fishing periods,  
45 by emergency order, based on run abundance [STRENGTH AND TO ACHIEVE ESCAPEMENT  
46 GOALS];

47 (2) in addition to the gear specifications and operations provisions of 5 AAC  
48 01.270(n), when the commissioner determines it is necessary to conserve king salmon to achieve  
49 escapement goals, the commissioner may, by emergency order, close the subsistence fishery and  
50 immediately reopen the fishery during which the gillnet mesh size may not exceed four inches until  
51 sockeye and chum abundance exceeds the king salmon abundance;

52 (3) actions to conserve king salmon may be applied to the entire Kuskokwim River,  
53 its sections, or tributaries, consistent with harvest trends and variability in abundance of king  
54 salmon available for harvest as the run progresses upstream[DURING SUBSISTENCE CLOSURES  
55 OF THREE CONSECUTIVE DAYS PER WEEK IN JUNE AND JULY, ALL SALMON NETS WITH  
56 A MESH SIZE LARGER THAN FOUR INCHES MUST BE REMOVED FROM THE WATER, AND  
57 FISH WHEELS MAY NOT BE OPERATED; HOWEVER, THE COMMISSIONER MAY ALTER  
58 FISHING PERIODS BY EMERGENCY ORDER BASED ON RUN STRENGTH AND TO ACHIEVE  
59 ESCAPEMENT GOALS];

60 (3) AS THE SALMON RUN PROGRESSES UPSTREAM FROM DISTRICTS 1 - 2,  
61 AND FURTHER UPSTREAM, THE PROVISIONS OF (1) OF THIS SECTION WILL BE  
62 IMPLEMENTED IN THE MAINSTEM OF THE KUSKOKWIM RIVER AND SALMON SPAWNING  
63 TRIBUTARIES];

64 (4) the commissioner may alter the subsistence hook and line bag and possession limits  
65 specified in 5 AAC 01.295 by emergency order if the commissioner determines that inseason  
66 information [INDICATORS] indicates it is necessary for conservation purposes.

67           (e) [(d)] In the commercial fishery,

68                   (1) the guideline harvest level for king salmon **and sockeye salmon is as follows:**

69                               **(A) 0-50,000 king salmon; and**

70                               **(B) 0-50,000 sockeye salmon** [IS 0 – 50,000 FISH];

71                   (2) only those waters of District 1 [DOWNSTREAM OF THE ADF&G REGULATORY

72 MARKERS LOCATED AT BETHEL] may be opened during the first commercial salmon fishing period;

73                   (3) the commissioner shall open and close the Kuskokwim River commercial salmon

74 fishery by emergency order if inseason **information indicates** [INDICATORS OF RUN STRENGTH

75 INDICATE] a run strength that is large enough to provide for a harvestable surplus and a reasonable

76 opportunity for subsistence uses and for non-subsistence fisheries [, THE SUBSISTENCE FISHING

77 SHALL REVERT TO THE FISHING PERIODS AS SPECIFIED IN 5 AAC 01.260];

78                   (4) the department shall provide, to the extent practicable, at least 24 hours advance

79 notice of the opening of Districts 1 and 2 to commercial fishing periods;

80                   (5) Districts 1 and 2 commercial fishing periods are from **12:00** [1:00] p.m. through **6:00**

81 [7:00] p.m.; when longer fishing periods are allowed, the extra time is to be divided before **12:00** [1:00]

82 p.m. and after **6:00** [7:00] p.m.;

83                   (6) **the department shall manage the commercial fishery to ensure there is no**

84 **significant impact on escapement or allocations of salmon species harvested incidentally in**

85 **commercial fisheries directed at other salmon species;**

86                   (7) **in June and when king salmon are abundant, the department shall manage the**

87 **commercial fishery conservatively to ensure king salmon escapement goals are achieved and**

88 **reasonable opportunity for subsistence use is provided in consideration of harvest trends and**

89 **abundance of king salmon available for the subsistence fishery, as follows:**

90                               **(A) when the projected escapement of king salmon is within the**

91 **drainagewide escapement goal range,**

92                                       **(i) the first opening may not occur until after June 23;**

93                                       **(ii) only the waters of Subdistrict 1-B may be opened during the first**

94 **commercial fishing period;**

95                                       **(iii) 72 hours must pass between the first Subdistrict 1-B opening**

96 **and the first Subdistrict 1-A opening;**

97                               **(B) when the projected escapement of king salmon exceeds the**

98 **drainagewide escapement goal range, the commercial fishery will be managed to provide**

99 **harvest opportunity on surplus king salmon in excess of escapement and subsistence needs;**

100 **(8) when** [IN JUNE, AND UNTIL COHO SALMON RELATIVE ABUNDANCE  
101 EXCEEDS] chum salmon [RELATIVE] abundance **exceeds king salmon relative abundance**, the  
102 department shall manage, to the extent practicable, the commercial salmon fishery based on the chum  
103 salmon run strength;

104 [(7) THE GUIDELINE HARVEST LEVEL FOR SOCKEYE SALMON IS 0-50,000  
105 FISH;]

106 **(9)** [(8) WHEN CHUM SALMON ABUNDANCE IS SUFFICIENT TO PROVIDE  
107 FOR ESCAPEMENT AND SUBSISTENCE NEEDS, AND] when coho salmon [RELATIVE]  
108 abundance exceeds chum salmon [RELATIVE] abundance, the department shall manage, to the extent  
109 practicable, the commercial salmon fishery based on the strength of the coho salmon run;

110 [(9) WHEN THE CHUM SALMON RUN IS PROJECTED TO BE INADEQUATE TO  
111 MEET ESCAPEMENT AND SUBSISTENCE NEEDS, THE DEPARTMENT SHALL MANAGE THE  
112 COMMERCIAL COHO SALMON FISHERY TO MINIMIZE THE INCIDENTAL HARVEST OF  
113 CHUM SALMON AND TO PROVIDE FOR COHO SALMON ESCAPEMENT AND SUBSISTENCE  
114 NEEDS];

115 (10) a person may not sell salmon roe taken in Districts 1 and 2.

116 **(f)** [(e)] In the sport fishery,

117 (1) if the commissioner restricts the fishery by emergency order for conservation  
118 purposes, the restrictions will be based on the level of abundance;

119 (2) in the Aniak River drainage, the king salmon fishery is open from May 1 through  
120 July 25, with a bag and possession limit of two fish, 20 inches or greater in length, with an annual limit of  
121 two fish, 20 inches or greater in length; the sockeye, pink, chum, and coho salmon fisheries are open year  
122 round, with a combined daily bag and possession limit of three fish, of which no more than two may be  
123 king salmon;

124 **(3) actions to conserve king salmon will be implemented when king salmon are**  
125 **present, consistent with migratory timing as the run progresses upstream**