

PROPOSAL 203 – 5 AAC 75.003. Emergency order authority. Expand emergency authority to close sport fishing in special harvest areas if hatchery cost recovery goals may not be met, as follows:

5 AAC 75.003 is amended to read:

(5) The commissioner or an authorized designee may close a hatchery special harvest area, or a portion of a hatchery special harvest area, to sport fishing for hatchery produced fish by emergency order when

(A) the special harvest area is closed to commercial common property fishery harvest of hatchery-produced fish; and

(B) the total escapement of hatchery-produced fish through existing fisheries into the special harvest area is projected to be less than the hatchery escapement goal for that species, which includes broodstock, cost recovery, and any natural spawning requirements as listed in hatchery annual management plans that have been approved by the department; the intent of this subparagraph is to assure hatchery broodstock, cost-recovery, and natural spawning requirements are met.

What is the issue you would like the board to address and why? There are nonprofit hatchery programs throughout Alaska providing harvest opportunities for sport and commercial

fisheries. To support these programs, hatcheries must have access to: 1) broodstock to supply gametes (eggs and sperm) to perpetuate hatchery releases; and 2) the financial resources generated from cost recovery harvests to operate the hatchery facilities and associated programs. On occasion, a hatchery return after passing through common property fisheries into a hatchery special harvest area is insufficient to meet hatchery escapement goals (broodstock and cost recovery harvest) and also support sport and commercial harvests within the hatchery special harvest area. This proposal provides authority for Alaska Department of Fish and Game to close by emergency order a special harvest area or a portion of a special harvest area to sport fishing when commercial harvest within that special harvest area has been closed to achieve hatchery escapement goals. The proposal also recognizes natural spawning requirements. By ensuring natural spawning, hatchery broodstock, and cost recovery requirements are met, future harvest opportunities are maintained for all users.

PROPOSED BY: Cook Inlet Aquaculture Association, Douglas Island Pink and Chum, Inc., Kodiak Regional Aquaculture Association, Prince William Sound Aquaculture Corporation, Northern Southeast Regional Aquaculture Association, and Southern Southeast Regional Aquaculture Association (EF-C15-067)

PROPOSAL 204 – 5 AAC 75.995. Definitions. Modify the definition of an artificial fly to include the use of a bare single hook, as follows:

5 AAC 75.995(a)(1) is amended to read:

(1) “artificial fly” means a fly that is constructed by common methods known as fly tying, including a dry fly, wet fly, and nymph, **or a bare single hook**, and that is free of bait as defined in (36) of this section; materials and chemicals designed and produced primarily to cause flies to float or sink may be used on artificial flies.

What is the issue you would like the board to address and why? Current sport fishing regulations for waters where only artificial flies may be used are not clear regarding the use of bare hooks. This proposal would broaden the definition of an artificial fly to include a bare hook. This would clarify the regulation and allow it to be more easily understood by anglers and more easily enforced by law enforcement.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F15-047)

PROPOSAL 205 – 5 AAC 75.020. Sport fishing gear. Clarify that a bead not attached to a hook is an attractor, and not a lure or fly, as follows:

5 AAC 75.020(b) is amended to read:

(b) An attractor (bead), when used with a fly, lure, or bare hook, must be either fixed within two inches of the bare hook, fly, or lure, or be free sliding on the line or leader. For the purposes

of this subsection, a bead not attached to the hook is an attractor **and may be used in waters where gear is limited to artificial lures or artificial flies** [, NOT A FLY].

What is the issue you would like the board to address and why? The allowable uses of a bead when sport fishing are defined in sport fishing regulations. The current regulations state that a bead not attached to a hook is an attractor and not a fly. This has been incorrectly interpreted that when a bead is fished and not attached to an artificial fly it is then a artificial lure. This has also caused confusion in waters where only artificial flies may be used, since some anglers do use a bead with a fly as permitted in regulation. The proposed addition clarifies the use of a bead with a artificial fly or a artificial lure, clarifies the regulation, and allows it to be more easily understood by all anglers.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F15-048)

PROPOSAL 206 – 5 AAC 75.995 Definitions. (a)(40). Revise definition of “closely attended” as it applies to coho salmon fishing, as follows:

Solution: I propose that fall fishing for coho’s "attentive" be changed as follows:

1. If a person is more than an arm’s length from their fishing rod, the rod must have an audible devise attached to it (i.e. bell).
2. The fisherman must be attentive to their rod and not more than seven (7) rod lengths from his or her pole while in a rod holder. (Most people can cover the distance of seven rod lengths in 5–7 seconds, which should be an allowable response time).
3. If a person is farther than 7 rod lengths from their fishing rod (i.e. going after a runaway child), a second person must be a designated observer to assist in rod attendance (attentiveness).

If this regulation is not changed: (I am sure that ADFG wants Alaskans to go fishing and does not want to regulate the fun and safety out of fall fishing.)

1. Citizens will continue to fish outside the regulation requirements. They are breaking the law. This also includes fisherman fishing from inside the cabins of their boats as well.
2. If the ranger does his job and cites all the Alaskans that are farther than an arm’s length from their fishing rod, there will be a lot of very unhappy citizens.
3. Families have a need to be warm while out in the Alaskan elements (i.e. by a fire, shelter), so this rule either encourages them to build a fire closer to the river (not in a designated safe fire pit), and/or risk the effects of cold exposure longer than they are able to safely endure.

What is the issue you would like the board to address and why? I was informed by a park ranger on the Kenai River in September that a person fishing must be attending to their rod within arm’s length when bank fishing. I was informed that I would be given a citation if I was not within arm’s length of my fishing pole in a rod holder on the bank. I am having a difficult time finding this rule in the regulations although I am sure that it is there and the ranger is right, and within his duty to cite all fisherman that are more than one arm’s length of their fishing rods.

I took a tally of about 30 fishermen fishing for coho at a park on the Kenai a day after I was warned. The majority of the fishermen were sitting, standing, visiting up the bank from their rods. Of the thirty or so, I counted a half dozen within arm's length of their rods, and those were baiting up or working with their poles for some other reason.

Fall is cold, often rainy, windy and below freezing temperatures. It is unreasonable to expect us Alaskan folks to not be able to stand by a fire, sit in a vehicle (or cabin of their boat) while they enjoy an outing fishing with friends and family.

This regulation should be changed so that a reasonable and prudent person can enjoy fishing without a ranger watching them to be sure they are no more than an arm's length from their fishing pole. This also applies to children.

PROPOSED BY: John Hoback (EF-C15-003)

PROPOSAL 207 – 5 AAC 75.027. Use of explosives or toxicants. Allow a bang stick to be used to dispatch sport-caught fish, as follows:

Options:

1. The use of a shaft tipped with an explosive charge, commonly known as a bang stick or power head is prohibited in all waters Fresh and Salt for the taking of fish. (Taking fish means to catch, not dispatch)
2. The use of a shaft tipped with an explosive charge, commonly known as a bang stick or power head is prohibited in all waters as a means of taking fish. (Again, taking fish means catch, not dispatch.)
3. The use of a shaft tipped with an explosive charge, commonly known as a bang stick or power head, may be used in the dispatching of a fish that was harvested in salt water on hook and line.

What is the issue you would like the board to address and why? Adjust wording to delete (salt water) from the regulation in paragraph 2.

Bang sticks are a safe and humane method for dispatching halibut that are caught with hook and line. The use of a bang stick is also safer than other forms and methods of dispatching halibut due to the way they function.

PROPOSED BY: Jody Mason (EF-C15-061)

PROPOSAL 208 – 5 AAC 75.010 Possession of sport-caught fish. Establish bag limits by port of call, as follows:

1. One shall not retain any fish from a management area with a bag limit larger than that of Port of Call.

What is the issue you would like the board to address and why? Limits for bag and possession should be from the port of call. One should not be able to retain fish from a management area with a bag limit larger than that of the port of call.

PROPOSED BY: Jody Mason

(EF-C15-060)
