

Submitted by the Department of Fish and Game at the request of board member Webster

December 8, 2012

Substitute regulatory language for Proposal 79

5 AAC 06.367(b)(3) is repealed:

5 AAC 06.367. Nushagak District Commercial Set and Drift Gillnet Sockeye Salmon Fisheries Management and Allocation Plan.

(3) repealed ___/___/___ [NOTWITHSTANDING (2)(A) AND (B) OF THIS SUBSECTION, THE HARVESTABLE SURPLUS OF SOCKEYE SALMON TAKEN FROM THE WOOD RIVER SPECIAL HARVEST AREA WHEN IT IS OPEN AND THE NUSHAGAK DISTRICT IS CLOSED, OR WHEN THE WOOD RIVER SPECIAL HARVEST AREA AND THE NUSHAGAK DISTRICT ARE OPEN CONCURRENTLY, WILL BE DISTRIBUTED AS FOLLOWS:

- (A) DRIFT GILLNET - 74 PERCENT; AND
- (B) SET GILLNET - 26 PERCENT].

5 AAC 06.358(d) is repealed and readopted to read:

5 AAC 06.358. Wood River Sockeye Salmon Special Harvest Area Management Plan.

(d) When the Wood River Special Harvest Area is open under this section, the following apply within the open waters:

- (1) set gillnets may be operated only as follows:
 - (A) a set gillnet may not exceed 25 fathoms in length;
 - (B) a set gillnet may not be set or operated within 150 feet of another set gillnet;
 - (C) a person may have more than 50 fathoms of set gillnet on board a vessel;
 - (D) all gear associated with set gillnet fishing must be removed when it is not being used to fish in the WRSWA;

(E) set gillnet running lines may not be in the water during a drift gillnet fishing period;

(2) drift gillnets may be operated only as follows:

(A) no more than 75 fathoms of drift gillnet may be used to take salmon;

(B) a person may not have more than 200 fathoms of drift gillnet on board a vessel;

(3) notwithstanding 5 AAC 39.240, a person operating a commercial salmon fishing vessel in the Wood River Sockeye Salmon Special Harvest Area may carry additional drift or set gillnet gear on board the fishing vessel if the additional gear is stored in a net bag or in a brailer bag; for the purposes of this paragraph a "brailer bag" means a bag-shaped net on board a drift gillnet vessel used to lift fish from the hold of the vessel into a tender vessel, processing vessel, or processing facility;

(4) except as specified in (5) of this subsection, when the WRSOA is open, the drift gillnet and set gillnet fisheries will open separately, with a seasonal ratio of three drift gillnet gear fishing periods to every one set gillnet fishing period;

(5) when the WRSOA is open under (c)(3) of this section, the WRSOA will only be open for the gear group that is behind in allocation specified in 5 AAC 06.367(b) for the regular Nushagak commercial fishing District.