

**ALASKA DEPARTMENT OF FISH AND GAME**

**STAFF COMMENTS**

**ON SUBSISTENCE, PERSONAL USE, SPORT, GUIDED SPORT, AND**  
**COMMERCIAL FINFISH REGULATORY PROPOSALS**

**FOR THE ARCTIC-YUKON-KUSKOKWIM MANAGEMENT AREAS**

**ALASKA BOARD OF FISHERIES MEETING**  
**ANCHORAGE, ALASKA**

**JANUARY 31 - FEBRUARY 5, 2007**



Regional Information Report No. 3A06-09

The following staff comments were prepared by the Alaska Department of Fish and Game for use at the Alaska Board of Fisheries (Board) meeting, January 31 – February 6, 2007 in Anchorage, Alaska. The comments are forwarded to assist the public and Board. The comments contained herein should be considered preliminary and subject to change, as new information becomes available. Final department positions will be formulated after review of written and oral public testimony presented to the Board.

## ABSTRACT

This document contains Alaska Department of Fish and Game (ADF&G) staff comments on subsistence, personal use, sport, guided sport, and commercial finfish regulatory proposals for the Arctic-Yukon-Kuskokwim Management Areas. These comments were prepared by ADF&G for use at the Alaska Board of Fisheries meeting, January 31–February 6, 2007 in Anchorage, Alaska. The comments are forwarded to assist the public and Board. The comments contained herein should be considered preliminary and subject to change, as new information becomes available. Final department positions will be formulated after review of written and oral public testimony presented to the Board.

Key words: Alaska Board of Fisheries, staff comments, Arctic-Yukon-Kuskokwim, finfish, management, regulatory proposals, subsistence, personal use, sport, guided sport, commercial fisheries.

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**Summary of Department Positions on Board of Fish 2007 AYK Finfish Proposals**

**Committee A**

Prop. #	Department Position	Issue
137	S	Adopt Lake Trout Management Plan
130	S	Remove minimum size limit for lake trout in Tangle Lake system
127	S	Prohibit use of bait for Fielding Lake
126	O	Modify methods and means for Fielding Lake
134	O	Limit the number of lines to one in Fielding Lake
133	O	Prohibit use of “tip ups” in Fielding Lake
129	N	Increase size limit for lake trout in Harding Lake
123	S	Reduce Northern pike bag and possession limit for Nowitna drainage
128	O	Reduce bag limit for Northern pike in George Lake
132	O	In the Tanana River drainage, require Northern Pike to be left whole
124	O	Allow harvest of Arctic grayling in lower Chena River
125	S	Expand harvest dates for Arctic grayling in Delta Clearwater River
131	S	Update Tanana River Management Area stocked waters list
135	N	Modify stocked waters management category for Koole Lake
136	O	Reduce bag limit in the AYK Stocked Waters Management Plan
240	N	Define spear specifications for Northern pike (statewide proposal)
241	O	Definition of “tip-up” (statewide proposal)
139	N/S	Allow spears and fishwheels in personal use whitefish and sucker fishery
138	N/O	Allow spearfishing for whitefish in the Chatanika River

N = Neutral    S = Support    O = Oppose    NA = No Action

NS = Neutral on Allocative Aspects, but Support    N/O = Neutral on Allocative Aspects but Support

**Summary of Department Positions on Board of Fish 2007 AYK Finfish Proposals  
(Continued)**

**Committee B**

Prop. #	Department Position	Issue
155	O	Increase mesh size to 8 in or less in Kuskokwim River District 1
156	N	Allow 8-hour periods in Kuskokwim Rive Subdistrict 1-B
157	N	Establish a Holitna Basin fisheries reserve area
254	S	Align subsistence hook & line and sport bag and possession limits in the Aniak River
144	S	Expand hook and line use for subsistence
140	S	Clarify permit limits for subsistence gear
141	S	Allow EO subsistence openings for sockeye in Salmon Lake
142	S	Modify closed subsistence area in Nome River
143	S	Reduce bag limit for Northern pike in George Lake
145	S	Open portions of Penny and Cripple rivers to subsistence fishing
146	O	Modify sport and subsistence coho limits, Norton Sound Subdistrict 2
147	O	Modify sport and subsistence coho limits, Norton Sound Subdistrict 2
148	N	Allow cash exchange of subsistence caught fish
149	S	Clarify Norton Sound salmon fishing periods
150	S	Open Port Clarence District sockeye fishery
151	S	Simplify Kotzebue District salmon fishing periods
152	S	Simplify Norton Sound herring district boundary
153	O	Close Norton Sound District herring fishery
154	N	Establish controlled use area for Nome River along highway

**N = Neutral    S = Support    O = Oppose    NA = No Action**

**NS = Neutral on Allocative Aspects, but Support    N/O = Neutral on Allocative Aspects but Support**

**Summary of Department Positions on Board of Fish 2007 AYK Finfish Proposals  
(Continued)**

**Committee C**

Prop. #	Department Position	Issue
158	S	Change subsistence marking requirement for king salmon
159	O	Require windows schedule May 1 to September 1
160	O	Require windows schedule for entire river all season
161	O	Require windows schedule for entire river all of summer season
162	O	Require windows schedule for entire river all of summer season
163	N/O	Prohibit subsistence and comm. gillnets over 6 in. mesh size
164	N	Prohibit commercial gillnets over 6 inch mesh size
165	N	Restrict subsistence and comm nets over 6 in mesh to 35 meshes deep
166	N	Restrict commercial nets over 6 inch mesh to 35 meshes in depth
167	N	Modify commercial fishery to address changing size of king salmon
169	N	Allow earlier commercial opening for king salmon in Lower Yukon
168	N	Allow earlier commercial opening for king salmon
170	N	Modify commercial king salmon allocation for District 1
171	N	Modify boundary and commercial allocation for Districts 1 and 2
172	N	Modify Districts 2 and 3 commercial boundary
173	N/S	Amend Yukon River Coho Salmon Management Plan
174	N	Close commercial fishing for fall cisco, whitefish, and sheefish
175	S	Allow catch-and-release king salmon fishing in the Goodpaster River
176	S	Allow catch-and-release king salmon fishing in the Goodpaster River
177	O	Allow archery as legal gear for king salmon in the Salcha River

**N = Neutral    S = Support    O = Oppose    NA = No Action**

**NS = Neutral on Allocative Aspects, but Support    N/O = Neutral on Allocative Aspects but Support**



## **COMMITTEE A: RESIDENT SPECIES (19 PROPOSALS)**

### **Lake Trout**

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#### **PROPOSAL NO. 137, PAGE 98, - 5 AAC 70.XXX. Lake Trout Management Plan.**

PROPOSED BY: Alaska Department of Fish and Game

#### WHAT WOULD THE PROPOSAL DO?

If adopted, this proposal will provide regulatory guidelines to manage lake trout populations in the Arctic-Yukon-Kuskokwim (AYK) sport fish management areas. These guidelines are the same as adopted in 2005 for the Upper Copper Upper Susitna Management Area (UCUSMA). The plan would provide the Board of Fisheries with a consistent means to address proposals submitted by the public and the Department. The management plan would set bag, possession, size limits, seasons, and methods and means for lake trout waters based upon current harvest levels and population data.

#### WHAT ARE THE CURRENT REGULATIONS?

There are no regulations establishing guidelines for management options for lake trout waters in the AYK. There are specific regulations for individual or a group of lakes within the area, but no standard regulations for lake trout fisheries within the region.

#### WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

The plan would provide management guidelines to the Department for the region's lake trout waters. These guidelines would provide regulatory options for lake trout waters dependent on current effort and harvest levels, specific population data, and biological characteristics of the water body. This plan would provide consistent, objective-based management for lake trout fisheries throughout the region. It would also provide criteria for the Board, public, and Department to address future proposals directed towards lake trout fisheries.

#### BACKGROUND:

In the past, the Department and public have developed proposals on a case-by-case basis for specific lake trout fisheries. To prevent fragmentation of regulations for lake trout fisheries and to reduce confusion among the angling public, there is a need to consolidate the lake trout regulations within the area. In 2004, regional and area staff met to classify the lake trout fisheries within the region and developed the regulatory categories outlined in this proposed management plan. These categories were based upon current regulations, fishing effort, characteristics of lakes in which lake trout inhabit, and existing biological information on lake trout stocks within the region. A management plan provides the framework and guidelines to address future regulatory proposals. Maximum Sustained Yield (MSY) for a lake is estimated using a population yield model developed in Canada based upon a sample of more than 100 lake trout populations. The model estimates lake trout productivity for individual populations from lake surface area.

DEPARTMENT COMMENTS: The Department submitted this proposal and continues to **SUPPORT** it.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in AYK lake trout fisheries.

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**PROPOSAL 130, Page 93, - 5 AAC 70.015 Seasons, bag, possession, and size limits, and methods and means in the Tanana River Management Area.**

PROPOSED BY: Alaska Department of Fish and Game

WHAT WOULD THE PROPOSAL DO? This proposal would eliminate the minimum size limit for lake trout in the Tangle Lake system.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 70.015 (c)(24)(B) the bag and possession limit for lake trout is one fish, 18 inches or greater in length; all lake trout caught that are less than 18 inches in length must be released immediately;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted this proposal would simplify and align the regulations with the proposed AYK Lake Trout Management Plan (proposal 137).

BACKGROUND: The Tangle Lake system comprises six lakes which support lake trout populations. Regulations were adopted in 1987 on the Tangle Lakes system that reduced the bag and possession limit from 12 fish (2 fish > 20" and 10 fish < 20") to 1 fish with a minimum size limit of 18 inches.

From 2001 – 2005, the average harvest of lake trout was 305 fish and an average catch of 1,598 fish. Assuming a 10% hooking mortality on the average catch, after harvest is subtracted, combined with the average harvest results in an average total mortality of 435 fish. The estimated annual yield for lake trout 18 inches or greater for the Tangle Lake system is 521 fish. A no-length-limit regulation provides an estimated yield of 731 fish since all lake trout present in the Tangle lake system would be available for harvest.

The current 18-inch minimum length limit for lake trout in the Tangle Lake system is not needed to restrict harvests to sustainable levels, and is not an appropriate length limit to protect spawning-age fish from harvest. Currently, the harvest in the Tangle Lake system is below the estimated yield for lake trout. The Regional Lake Trout Management Plan (proposal 137) recommends that the minimum length limit, if needed, be 24 inches, to protect most fish through at least one spawning cycle. Because current harvests are below the estimated sustained yield, having a minimum length limit is unnecessary.

DEPARTMENT COMMENTS: The Department submitted this proposal and continues to **SUPPORT** it. The proposed regulatory change is consistent with the Regional Lake Trout Management Plan under consideration in proposal 137.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in the Tangle Lake system lake trout fishery.

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**PROPOSAL 127, Page 91, - 5 AAC 70.015 Seasons, bag, possession, and size limits, and methods and means in the Tanana River Management Area.**

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit the use of bait in Fielding Lake.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 70.015(d)(7) in Fielding Lake, (B) When fishing for burbot or lake trout, only one single hook with bait, may be used;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted this proposal would prohibit the use of bait in Fielding Lake.

BACKGROUND: Regulations were adopted during the 2001 BOF meeting to reduce sport harvests of lake trout in Fielding Lake. These included increasing the minimum size limit from 22” to 26”, establishing a spawning closure in September, and allowing only single hooks for lake trout and burbot to reduce hooking mortality. These restrictions were initially effective in reducing lake trout harvest but since 2003 harvest has been above the sustainable yield of 78 lake trout, averaging approximately 100 fish with a catch of 600 fish. During 2001-2002, lake trout total mortality (harvest and an estimated 10% hooking mortality applied to catch after harvest is subtracted) averaged 18 fish; while from 2003 – 2005 total mortality was 149 fish.

The most recent stock assessment estimated abundance of spawning lake trout in 1999 at 386 fish; approximately 29% of all fish sampled (average for sampling during 1998 – 2000) were above the 26-inch minimum size limit. Given the low abundance of lake trout and the high proportion that are caught and released, the use of bait and associated hooking mortality will continue to cause the total lake trout mortality to exceed the sustained yield.

DEPARTMENT COMMENTS: The Department submitted this proposal and continues to **SUPPORT** it. The proposed regulatory change is consistent with the Regional Lake Trout Management Plan under consideration in proposal 137.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in the Fielding Lake lake trout fishery.

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**PROPOSAL 126, Page 90, - 5 AAC 70.015 Seasons, bag, possession, and size limits, and methods and means in the Tanana River Management Area.**

PROPOSED BY: Ethan Birkholz

WHAT WOULD THE PROPOSAL DO? This proposal would require the use of single hook or single hook artificial lures only in Fielding Lake from April 1 through September 30; the use of bait would only be permitted from October 1 through March 31.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 70.015(d)(7) in Fielding Lake, (A) the use of set lines is prohibited; (B) when fishing for burbot or lake trout, only one single hook with bait, may be used.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If this proposal is adopted, only single hook or single hook artificial lures may be used in Fielding Lake from April 1 through September 30 and the use of bait would only be permitted from October 1 through March 31.

BACKGROUND: Regulations were adopted during the 2001 BOF meeting to reduce sport harvests of lake trout in Fielding Lake. These included increasing the minimum size limit from 22” to 26”, establishing a spawning closure in September, and allowing only single hooks for lake trout and burbot to reduce hooking mortality. These restrictions were initially effective in reducing lake trout harvest but since 2003 harvest has been above the sustainable yield of 78 lake trout, averaging approximately 100 fish with a catch of 600 fish. During 2001-2002, lake trout total mortality (harvest and an estimated 10% hooking mortality applied to catch after harvest is subtracted) averaged 18 fish; while from 2003 – 2005 total mortality was 149 fish.

The most recent stock assessment estimated abundance of spawning lake trout in 1999 at 386 fish; approximately 29% of all fish sampled (average for sampling during 1998 – 2000) were above the 26-inch minimum size limit. Given the low abundance of lake trout and the high proportion that are caught and released, the use of bait and associated hooking mortality will continue to cause the total lake trout mortality to exceed the sustained yield.

DEPARTMENT COMMENTS: The Department is **OPPOSED** to this proposal. While this proposal would likely reduce hooking mortality in lake trout to some extent, current harvest levels indicate the need for more restrictive regulations as outlined in proposal 127.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in the Fielding Lake lake trout fishery.

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**PROPOSAL 134, Page 96, - 5 AAC 70.015 Seasons, bag, possession, and size limits, and methods and means in the Tanana River Management Area.**

PROPOSED BY: Ethan Birkholz

WHAT WOULD THE PROPOSAL DO? This proposal would allow only one closely attended line to be fished on Fielding Lake from October 1 through March 31, this would be in addition to the open water period when only one line is permitted.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 70.015(d) (7) in Fielding Lake, (A) the use of set lines is prohibited (B) when fishing for burbot or lake trout, only one single hook with bait, may be used.

5 AAC 75.020(a) Unless otherwise provided in 5 AAC 47 – 5 AAC 75, sport fishing may only be conducted by the use of a single line having attached to it not more than one plug, spoon, spinner, or series of spinners, or two flies, or two hooks. The line must be closely attended.

5 AAC 75.021(a) Sport fishing through the ice is permitted with the use of two closely attended lines, provided only one hook or artificial lure is used on each line, except that additional gear may be used for northern pike and burbot as specified by statewide or area regulations.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted, this proposal would reduce the time that two closely attended lines could be used during the ice fishery. This still would allow the use of two lines during April and May during which ice fishing can still occur, a time at which ice fishing effort can be at peak levels due to warmer temperatures and longer day length.

BACKGROUND: Regulations were adopted during the 2001 BOF meeting to reduce sport harvests of lake trout in Fielding Lake. These included increasing the minimum size limit from 22” to 26”, establishing a spawning closure in September, and allowing only single hooks for lake trout and burbot to reduce hooking mortality. The burbot fishery was closed by regulation in 1994 due to declining abundance and was reopened at the 2001 meeting to limited harvest opportunity with a bag and possession limit of one fish, no size limit.

These restrictions were initially effective in reducing lake trout harvest but since 2003 harvest has been above the sustainable yield of 78 lake trout, averaging approximately 100 fish and a catch of 600 fish. During 2001-2002, lake trout total mortality (harvest and an estimated 10% hooking mortality applied to catch after harvest is subtracted) averaged 18 fish; while from 2003 – 2005 total mortality was 149 fish. The most recent stock assessment estimated abundance of spawning lake trout in 1999 at 386 fish; approximately 29% of all fish sampled (average for sampling during 1998 – 2000) were above the 26-inch minimum size limit.

Burbot harvests have been relatively low since 1984 averaging 22 fish annually until 1994 when the burbot fishery was closed. Since reopening in 2001, burbot harvests have averaged 17 fish annually. The most recent stock assessment (2000) estimated the abundance of burbot greater than 18 inches in length at 917.

DEPARTMENT COMMENTS: The Department is **OPPOSED** to this proposal. It is uncertain what, if any, harvest reduction would be realized by adoption of this proposal. Adoption of this proposal would also increase the complexity of regulations for the Fielding Lake lake trout fishery. The no bait regulatory change in proposal 127 is the preferred means to reduce harvest of lake trout in Fielding Lake.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in Fielding Lake lake trout fishery.

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**PROPOSAL 133, Page 95, - 5 AAC 70.015 Seasons, bag, possession, and size limits, and methods and means in the Tanana River Management Area.**

PROPOSED BY: Ethan Birkholz

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit the use of tip-ups as fishing gear.

WHAT ARE THE CURRENT REGULATIONS? There are no current regulations regarding tip-ups for Fielding Lake.

5 AAC 70.015(d) (7) in Fielding Lake, (A) the use of set lines is prohibited; (B) when fishing for burbot or lake trout, only one single hook with bait, may be used;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted, this proposal would prohibit the use of tip-ups in Fielding Lake, which potentially could reduce lake trout and burbot harvests and reduce hooking mortality in lake trout that are released.

BACKGROUND: Currently, there is no definition for “tip-ups” in regulation. Proposal 241, under consideration during the statewide meeting of this Board cycle, defines a “tip-up” as an “ice fishing mechanism with an attached flag or signal device to indicate fishing action, used to hold a fishing rod, spindle or pole with a spool for line and hook”. This gear has become popular with winter anglers as it allows fishing, primarily with bait, and does not require the angler to actively fish the gear. Hooking mortality studies on lake trout have reported mortality rates in lake trout released from tip-ups as high as 32%.

The estimated sustained yield of lake trout for Fielding Lake under the current 26-inch minimum size regulation is 78 fish. During 2001-2002, lake trout total mortality (harvest and an estimated 10% hooking mortality applied to catch after harvest is subtracted)

averaged 18 fish; while from 2003 – 2005 total mortality was 149 fish. The most recent stock assessment estimated abundance of spawning lake trout in 1999 at 386 fish; approximately 29% of all fish sampled (average for sampling during 1998 – 2000) were above the 26-inch minimum size limit. Given the low abundance of lake trout and the high proportion that are caught and released, the use of bait and associated hooking mortality will continue to cause the total lake trout mortality to exceed the sustained yield.

Burbot harvests have been relatively low since 1984 averaging 22 fish annually until 1994 when the burbot fishery was closed. Since reopening in 2001, burbot harvests have averaged 17 fish annually. The most recent stock assessment (2000) estimated the abundance of burbot greater than 18 inches in length at 917.

DEPARTMENT COMMENTS: The Department is **OPPOSED** to this proposal. Proposal 127 requests the prohibition the use of bait in Fielding Lake, which if adopted, would eliminate the need for this proposed regulation as tip-ups would become relatively ineffective without bait. Proposal 127 was submitted by the department and is the preferred means to reduce lake trout harvest and is also consistent with the Regional Lake trout Management Plan under consideration in proposal 137.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in Fielding Lake winter fishery.

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**PROPOSAL 129, Page 92,- 5 AAC 70.015 Seasons, bag, possession, and size limits, and methods and means in the Tanana River Management Area.**

PROPOSED BY: Ethan Birkholz, Jason Hill, Travis Donovan and Per Sather

WHAT WOULD THE PROPOSAL DO?

This proposal would increase the minimum size limit for retention of lake trout in Harding Lake from 26 inches to 36 inches.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 70.015 Seasons, bag, possession, and size limits, and methods and means in the Tanana River Management Area

(c)(13) In Harding Lake,

(C) the bag and possession limit for lake trout is one fish, 26 inches in length; all lake trout caught that are less than 26 inches in length must be released immediately.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

This proposal will likely reduce the number of lake trout retained in Harding Lake.

BACKGROUND:

The lake trout population in Harding Lake originated from stockings in the 1960's and is now naturally reproducing. The population was last augmented by a low density stocking in 2001 (3,000 ~10-inch fish). The current minimum size limit for lake trout was put into effect in 2001. Prior to 2001 the lake trout bag and possession limit was 2 fish, with a minimum size of 18 inches. The 2005 sport catch of lake trout on Harding Lake was 707 fish and the harvest was 48 fish. This compares to the recent 5 year (2000-04) average catch of 457 fish and harvest of 54 fish.

The annual lake trout yield estimate from the Lake Area model for Harding Lake is 123 fish with a 26 inch minimum size limit and 62 fish with a 36 inch minimum size limit. Applying a 10% hooking mortality rate to the recent 5 year average catch and adding this to the 5 year average harvest a total mortality of approximately 100 lake trout can be assumed under current regulations. It is unknown what level of the current harvest is above 36 inches, but based on recent trophy fish certificate records it is believed that annual harvest of fish this size is less than 10 fish.

DEPARTMENT COMMENTS:

The Department is **NEUTRAL** to this proposal, as the proposed regulations would fall under the Special Management Category of the proposed AYK Lake Trout Management Plan. The Department recommends that if this proposal is adopted, it be modified to require the use of a single hook or single-hook artificial lure to reduce hooking mortality.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in this fishery.

Northern Pike

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**PROPOSAL 123, Page 88, - 5 AAC 70.013. Seasons, bag, possession, and size limits, and methods and means in the Yukon River Management Area.**

WHAT WOULD THE PROPOSAL DO? If the proposal is adopted, the daily bag and possession limit for northern pike in the Nowitna River drainage would be reduced from 10 fish to 5 fish per day. In addition, only one of the five fish harvested could be larger than 30 inches in length.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 70.013(b)(7) northern pike: the bag and possession limit is 10 fish, with no size limit.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The total number of northern pike that each angler could harvest would be reduced from 10 to 5 fish per day and only one of the five fish could be larger than 30 inches.

BACKGROUND: The current bag and possession limit for northern pike in the Nowitna River is 10 fish with no size limit. This background regulation was established in 1987 for areas of the Yukon drainage where little fishing effort for northern pike occurred. In Yukon



River locations where anglers specifically target northern pike such as the Innoko River, and the Yukon River drainage between the mouth of the Tanana and the Hodzana rivers (including the Dall River), the bag and possession limit is five fish, of which only one may be 30 inches or greater in length (or more restrictive). The Nowitna River fishery, along with the Dall River and the Innoko River fisheries account for the majority of the sport catch and harvest of this species in the Yukon Area.

On average the Nowitna River fishery provides approximately 10% of the harvest and 13% of the catch of northern pike in the Yukon Management Area (the Tanana River drainage is excluded from the Yukon Management Area). Northern pike harvest and catch from 1996-2005 averaged 181 fish and 2,772 fish, respectively. Due to low number of respondents from the Nowitna River fishery to the annual mail-out survey, these estimates are imprecise and provide only general estimates of magnitude of the harvest and catch. The other two locations in the Yukon Management Area that support sport fisheries specifically for northern pike are the Innoko River and the Dall River. On average the Innoko River has provided about 4% (91 fish) of the Yukon Management Area harvest and 32% (6,925) of the catch while the Dall River has supported 18% (403 fish) of the harvest and 14% (3,103 fish) of the catch. The remainder of the northern pike catch from the Yukon Management Area comes from numerous locations particularly in the Koyukuk and Porcupine drainages. Due to the large area the Nowitna River encompasses, northern pike abundance has not been estimated, but stock assessment from portions of the Nowitna indicate that the population is large and current harvest levels of northern pike by all fisheries (sport and subsistence) are sustainable.

DEPARTMENT COMMENTS: The Department submitted this proposal and continues to **SUPPORT** it. This proposal would align regulations for northern pike fisheries in the Yukon River with similar size fisheries and maintain the proportion of large fish in the population. As with other fisheries where a similar regulation has been established, the intent is to increase the survival of large northern pike and to maintain or increase the proportion of large fish available for catch-and-release and for limited harvest.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in the Nowitna River northern pike fishery.

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**PROPOSAL 128, Page 91, - 5 AAC 70.015 Seasons, bag, possession, and size limits, and methods and means in the Tanana River Management Area.**

PROPOSED BY: Delta Fish and Game Advisory Committee

WHAT WOULD THE PROPOSAL DO? This proposal would reduce the current bag and possession limit in George Lake and its outlet stream from 5 northern pike to 3 fish, of which only one may be 30 inches or greater.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 70.015(c) (11) in George Lake, including the George Lake outlet stream, northern pike may be taken only from June 1 through March 31, with a bag and possession limit of five fish, of which only one fish may be 30 inches or greater in length;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted, this proposal may decrease harvest of northern pike in George Lake.

BACKGROUND: During the late 1980's and 1990's George Lake had a reputation of supporting a large population of small fish (e.g., < 20 inches). Recently anglers and the local Fish and Game Advisory Committee have reported on the improved quality of their fishing experience at George Lake because catch rates, particularly of larger-sized fish (e.g., > 24 inches), have been good. However, anglers have also expressed concerns that too many large fish are being harvested during February-March when pre-spawning females are more active.

ADF&G monitored the ice fishery in 2006 and interviewed 183 anglers who caught 474 northern pike of which 237 were harvested. Of the fish harvested, 190 were measured for length and 19 (10%) were  $\geq 30$  inches. Sex was determined on 164 fish, of which 133 (81%) were female and 31 (19%) were males. Eighteen of the females were  $\geq 30$  inches, there were no males  $\geq 30$  inches, and sex on one fish  $\geq 30$  inches was not determined.

From 2001-2005, northern pike harvest and catch have averaged 516 fish and 3,728 fish, respectively. A management objective of 9,300 fish  $\geq 18$  inches has been set as the minimum threshold at which any regulatory changes that restrict harvest may be supported by the department. Stock assessment was conducted in May 2006 and an estimated total abundance was 16,178 fish  $\geq 18$  inches. Prior to 2006, stock assessment was last conducted in 1992 when an estimated 7,001 fish  $\geq 18$  inches were present in George Lake. In addition, there were an estimated 1,013 fish  $\geq 30$  inches in 2006, while only 501 northern pike were  $\geq 30$  inches in 1992.

DEPARTMENT COMMENTS: The Department is **OPPOSED** to this proposal. The most recent population estimate of northern pike in George Lake indicates that harvests are sustainable and at this time no regulatory changes are necessary. Adoption of this proposal would also increase complexity of northern pike regulations in the region.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in George Lake northern pike fishery.

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**PROPOSAL 132, Page 94, - 5 AAC 70.015 Seasons, bag, possession, and size limits, and methods and means in the Tanana River Management Area.**

PROPOSED BY: Mary Malcom

WHAT WOULD THE PROPOSAL DO?

This proposal would create a regulation requiring that Tanana River Drainage anglers keep their pike whole, until they reach their residence. This is proposed as a tool for enforcing length limits.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 75.003. Emergency order authority

(3) For purposes of data collection to improve harvest or stock assessment, or for purposes of enforcement of bag and size limits, the commissioner or an authorized designee may establish, by emergency order, times and areas when anglers may not fillet, mutilate, or otherwise disfigure a specific species of fish in a manner that would prevent species identification, examination of the adipose fin of salmonids, recovery of tags, or determination of the number, sex, age, or length of fish taken until the fish are brought to shore and offloaded from a vessel or removed from a shoreline fishing site. The commissioner or an authorized designee may also require in the emergency order that certain parts of a fish remain attached for the purpose of species identification or data collection. However, during these periods, an angler may gill and gut a fish before the fish is brought to shore and offloaded from a vessel or removed from a shoreline fishing site. This section does not prohibit the consumption or preservation of fish aboard a vessel. For the purposes of this section, "shoreline fishing site" means the shoreline where the fish is hooked and removed from the water and becomes part of the angler's bag limit.

5 AAC 70.015. Seasons, bag, possession, and size limits, and methods and means in the Tanana River Management Area

(b)(9) northern pike: the bag and possession limit is five fish, of which only one fish may be 30 inches or greater in length.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

In the Tanana River drainage anglers could gut and gill their pike catches, but they could not fillet the fish until they reached their primary residence.

BACKGROUND:

There are currently no sport fisheries in Alaska where anglers are required to keep their fish whole until they reach their residence. The Department currently has emergency order authority stating that we can require that fish remain whole for purposes of stock and/or harvest assessment; or for enforcement until the fish are offloaded from a vessel or removed from a shoreline fishing site. In the Tanana River drainage there are only three systems in which there are northern pike population concerns. Those systems (and their restrictions) are: Harding Lake (closed), Volkmar Lake (1 fish/day), and the Chisana

River drainage (2 fish, only 1 over 30 inches). All other pike fisheries in the Tanana River drainage are regulated under the regional background bag and possession limits of 5 fish/day, of which only 1 may be over 30 inches.

There are personal use and sport shellfish regulations that require crab to be left whole so that minimum size and sex can be determined. Southeast Alaska commercial fishing regulations require that king salmon be left in a manner that the minimum size can be determined. Sport anglers in Southeast are prohibited by EO from filleting certain species in areas where creel survey programs are in effect for stock assessment programs.

DEPARTMENT COMMENTS:

The Department is **OPPOSED** to this proposal as it would be an overly restrictive and unnecessary regulation. If it was deemed necessary for a specific water body the Department could use its EO authority to implement this proposal.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in this fishery.

**Arctic grayling**

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**PROPOSAL 124, Page 88, - 5 AAC 70.015 Seasons, bag, possession, and size limits, and methods and means in the Tanana River Management Area.**

PROPOSED BY: Fairbanks Advisory Committee

WHAT WOULD THE PROPOSAL DO?

This proposal would allow a limited harvest of Arctic grayling less than 12 inches from June 1 – July 15 below the Nordale Bridge on the Chena River. From June 1 – July 15 the Chena River would remain closed to grayling retention above the Nordale Bridge. From July 16 – May 31 the entire Chena River would be closed to all grayling retention.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 70.015 Seasons, bag, possession, and size limits, and methods and means in the Tanana River Management Area

(c)(3) in the Chena River and its tributaries,

(B) Arctic grayling may be taken by catch and release only.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

This will allow Chena River anglers fishing downstream of the Nordale Bridge to retain one small grayling per day for a limited time in the summer.

BACKGROUND:

The Chena River has been catch-and-release for Arctic grayling since 1991 by Emergency Order and by regulation since 1992. The 2005 sport catch of grayling on the Chena River was 31,026 fish and the recent 5 year (2000-04) average catch was 44,453 fish. The 2005 sport fish effort on the upper Chena River (where anglers are primarily

targeting grayling) was 8,773 days fished; this was 104% of the recent 5 year (2000-04) average of 8,416 days fished.

The management objectives of the DRAFT Fishery Management Plan for the Chena River Arctic Grayling Sport Fishery are:

- In the upper river (river-miles 45-90) maintain a minimum abundance of 8,500 grayling over 12 inches (~305mm) in total length.
- In the lower river (downriver from river –mile 45 (the Moose Creek dam)) maintain a minimum abundance of 2,200 grayling over 12 inches (~305mm) in total length.

Stock assessment conducted in 2005 provided abundance estimates of:

- Upper river 5,253 fish  $\geq 270$ mm (~10.6 inches).
- Lower river 2,196 fish  $\geq 270$ mm (~10.6 inches).

DEPARTMENT COMMENTS:

The Department is **OPPOSED** to this proposal, because the 2005 abundance estimate does not indicate that we are meeting our minimum objectives necessary to consider opening the Chena River to grayling retention. Adoption of this proposal would also increase complexity of Arctic grayling regulations for the Chena River.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in this fishery.

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**PROPOSAL 125, Page 89, - 5 AAC 70.015 Seasons, bag, possession, and size limits, and methods and means in the Tanana River Management Area.**

PROPOSED BY: Delta Fish and Game Advisory Committee

WHAT WOULD THE PROPOSAL DO? This proposal would extend the period during which Arctic grayling 12 inches or less in size may be retained in the Delta Clearwater River drainage.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 70.015 (c)(5) In the Delta Clearwater River drainage including the Clearwater Lake drainage, Arctic grayling may be taken by catch-and-release fishing only, except that from July 10 through August 9, a person may retain Arctic grayling with a bag and possession limit of one fish, 12 inches or less in length; all Arctic grayling caught that are greater than 12 inches in length must be released immediately;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted, this proposal could increase the harvest of fish 12 inches or less. The proposal would maintain the proportion of large sized grayling in the population while allowing additional opportunity to harvest a fish.

BACKGROUND: The Delta Clearwater River (DCR) and Clearwater Lake are managed under the special management section of the Wild Arctic Grayling Management Plan (5 AAC 70.055) to maintain large sized grayling in the population and still allow a limited harvest of small sized fish (12 inches or less).

The DCR is the largest of several spring-fed tributaries entering the Tanana River. The DCR has a population of Arctic grayling, predominately adults five years or older, which migrate during mid-May into the DCR after spawning in adjacent Tanana River tributaries (up to eight different Arctic grayling stocks utilize the DCR). Arctic grayling use the DCR for feeding and remain in the river from mid-May through November.

Estimates of abundance as high as 13,000 fish in 1983 declined to fewer than 3,000 in 1996. Environmental variables and high exploitation in the DCR and adjacent tributaries are believed to have contributed to the decline of the Delta Clearwater River Arctic grayling population. Emergency orders from 1995 – 1997 were issued to reduce the harvest through bag limit reductions and eventually catch-and-release. In 1997 the Board of Fish adopted catch-and-release regulations for Arctic grayling in the DCR. In 2001, the BOF adopted regulations allowing the harvest of one Arctic grayling 12 inches or smaller from July 10 to August 9, and allowed only unbaited, single-hook artificial lures from January 1 through August 31.

During the past five years (2001-2005) catch of Arctic grayling has averaged 15,439 fish, and 2005 had the greatest catch ever reported (19,922 fish). Harvest of small fish (12 inches or less) has averaged 79 fish during the same period. The Statewide Harvest Survey separates catch of Arctic grayling less than and greater than 12 inches for the DCR. During the past five years (2001-2005) anglers caught 3,851 fish less than 12 inches and 11,599 fish 12 inches and over. Based on this information anglers' apparently have little interest in keeping fish smaller than 12 inches and this has kept the harvest minimal (less than 100 fish).

In 2006, ADF&G conducted a stock assessment of Arctic grayling on the Delta Clearwater River and the preliminary abundance estimate of Arctic grayling over 12 inches is 14,799. An estimate of abundance for fish less than 12 inches is not available. The last reported abundance estimated in 2000 was 7,591 fish over 12 inches.

DEPARTMENT COMMENTS: The Department **SUPPORTS** this proposal. The population of Arctic grayling in the Delta Clearwater River has increased with current regulations. Current harvest levels of Arctic grayling less than 12 inches is well within the sustainable yield and the department believes the additional harvest resulting from adoption of this proposal will also be sustainable.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in the Delta Clearwater River Arctic grayling fishery.

## Stocked Waters

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### **PROPOSAL 131, PAGE 93, - 5AAC 70.015. Seasons, bag, possession, and size limits, and methods and means in the Tanana River Management Area.**

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would change the regional stocked lakes regulation under 5 AAC 70.015(c)(29) to accurately reflect the regulatory language contained in 5 AAC 70.065(d), the Arctic-Kuskokwim-Yukon Region Stocked Waters Management Plan. This change would clarify 5 AAC 70.015(c)(29) so that the combined bag and possession limit applies to stocked species, and that the regulation applies to stocked waters, and updates the list of waters by removing seven waters that are no longer stocked and adding fifteen waters that have been added to the stocking program.

WHAT ARE THE CURRENT REGULATIONS? 5AAC 70.015(c)(29) in stocked lakes, the bag, possession and size limit for rainbow trout, Arctic char/Dolly Varden, landlocked salmon and Arctic grayling is 10 of all species combined, of which no more than one fish maybe 18 inches or greater in length, ...

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The adoption of this proposal would not change bag and possession limits for stocked lakes, but would clarify that the regulations apply to all stocked waters, including Piledriver Slough, which is stocked, but is not a lake. The proposal would also clarify that the regulation does not apply to native species found in some stocked waters. The new regulatory language would also apply the regulations to fifteen stocked waters that have been added to the stocking program, and remove from regulation seven waters that have been removed from the stocking program due to access or habitat suitability reasons.

BACKGROUND: The Board of Fish adopted a Regional Stocked Waters Management Plan in 2004, which implemented consistent regulations for three different categories of stocked waters. This is a housekeeping proposal that updates the waters covered by the Regional Stocked Waters Management regulations. During each Board cycle, the department reviews the stocked waters list for each management area, and adds newly stocked waters and removes any waters that are no longer stocked.

DEPARTMENT COMMENTS: The Department submitted this proposal and continues to **SUPPORT** it. It will eliminate confusion and apply the correct regulations to newly stocked waters and waters no longer stocked.

COST ANALYSIS: The department does not believe adoption of this proposal would result in an additional direct cost for a private person to participate in this fishery.

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**PROPOSAL 135, Page 96, - 5 AAC 70.065 Arctic-Kuskokwim-Yukon Region  
Stocked Waters Management Plan.**

PROPOSED BY: Bill Larry and Ralph Seekins

WHAT WOULD THE PROPOSAL DO? This proposal would reduce the bag limit of rainbow trout in Koole Lake from 10 fish to 5 fish, of which only one fish can be 18 inches or greater.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 70.065 (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, and only one of those fish may be 18 inches or greater in length. The fishing season is open year round and bait may be used.

5 AAC 70.015 (29) in stocked lakes, the bag, possession, and size limit for rainbow trout, Arctic char/Dolly Varden, landlocked salmon, and Arctic grayling is 10 of all species combined, of which no more than one fish may be 18 inches or greater in length; for the purposes of this paragraph “stocked lakes” include...Koole Lake...

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted this proposal would reclassify Koole Lake from the regional management approach to the conservative management approach. This would reduce the bag limit, but increase the potential of an angler harvesting a fish greater than 18 inches.

BACKGROUND: Koole Lake is 320 acres in size and is classified as a “remote” stocked lake in the upper Tanana Valley. Anglers access Koole Lake by float plane during the open-water months and by snow machine after freeze-up. The 5-year stocking plan currently has Koole Lake stocked every other year with 24,500 rainbow trout.

Koole Lake is currently managed under the regional management approach to provide and maintain a fishery that provides for a reasonable expectation of high catch rates and harvesting a daily bag limit. Stock assessment in 2004 estimated the abundance of rainbow trout greater than age-3 at 1,305.

A model of the Koole Lake rainbow trout population indicated that an annual abundance of 1,000 to 2,000 age-2 and older rainbow trout is needed to sustain this fishery. For 2005, the expected population abundance for Koole Lake is 700 age-2 or older fish, which is below the management objective for the fishery. This estimated abundance being below the objective is likely a result of no stocking occurring in 2002 and 2003 due to a regional realignment of annual stocking levels. The rainbow trout population in 2006 should meet management objectives for abundance and length-age as stocking levels return to the every other year schedule. If future stocking levels are maintained as



outlined in the 5-year stocking plan, the Koole Lake fishery could sustain either the regional or conservative management approach.

DEPARTMENT COMMENTS: The Department is **NEUTRAL** to this proposal, as the proposed regulation change would fall under the Arctic-Yukon-Kuskokwim Region Stocked Waters Management Plan. The plan requires the Board to address proposals to reclassify the management approach of a stocked water through the Board process. The current population structure and stocking levels of rainbow trout in Koole Lake indicate that it meets the criteria to be managed under either the regional or the conservative management approach.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in the Koole Lake stocked waters fishery.

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**PROPOSAL 136, PAGE 97, - 5AAC 70.065. Arctic-Yukon-Kuskokwim Region Stocked Waters Management Plan.**

PROPOSED BY: Wendell Shiffler.

WHAT WOULD THE PROPOSAL DO?. This proposal would reduce the regional daily bag and possession limit for stocked lakes in the Arctic-Yukon-Kuskokwim Region from 10 fish per day, 10 fish in possession, only one fish over 18 inches to 5 fish per day, 5 fish in possession, only one fish over 20 inches.

WHAT ARE THE CURRENT REGULATIONS?. 5AAC 70.015(c)(29) in stocked lakes, the bag, possession and size limit for rainbow trout, Arctic char/Dolly Varden, landlocked salmon and Arctic grayling is 10 of all species combined, of which no more than one fish maybe 18 inches or greater in length; ...

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?. The proposal would reduce the bag limit in most stocked waters from 10 to 5 fish, but potentially increase harvest of large fish as the minimum size of one fish 18 inches or greater is increased to one fish 20 inches or greater in length.

BACKGROUND: The Board of Fish adopted a Regional Stocked Waters Management Plan in 2004, which implemented regulations for three different categories of stocked waters. The regulations for these categories of stocked waters are the regional management regulations, covering most stocked waters, with a daily bag and possession limit of 10 fish/day, only one over 18 inches, the conservative management regulations, with a daily bag and possession limit of 5 fish per day, only one over 18 inches, and the special management regulations, with options for regulations ranging from bag and possession limits of one fish per day with or without appropriate length limits to catch-and-release only regulations.

The Regional Stocked Waters Management Plan was developed over several years with input from Advisory Committees, user groups, and the general public. Prior to 2004, the background regulation for stocked species in Region III was 10 fish per day of each species with no size limit.

DEPARTMENT COMMENTS: The Department is **OPPOSED** to this proposal. Because fish populations in stocked waters are maintained by annual or semi-annual stockings from the state’s hatchery system, there are no conservation reasons to limit harvest. The regional management regulations adopted by the Board of Fish as part of the Regional Stocked Waters Management Plan specifically allow for different types of regulations in waters where the public seeks opportunities to catch larger fish, or waters where fishing pressure levels may justify conservative management. Currently, estimated effort, catch, and harvest levels in stocked waters within Region III do not indicate a need to reduce harvests for stocked waters on a region-wide basis. The Department also maintains emergency order authority to reduce bag limits in specific stocked waters if needed. Additionally, this proposal, while potentially reducing the overall harvest from stocked waters, also has the potential to increase the harvest of desirable large fish, since the proposal seeks to increase the “only one fish over 18 inches” portion of the regional management approach to “only one fish over 20 inches”.

COST ANALYSIS: The Department does not believe adoption of this proposal would result in an additional direct cost for a private person to participate in this fishery.

### **Statewide gear**

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## **PROPOSAL 240, PAGE 185, - 5AAC 75.034. Sport fishing gear for northern pike.**

PROPOSED BY: Delta Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would set minimum requirements for spears used when fishing for northern pike. These standards are based upon a common commercially available spear model.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 75.034. Unless otherwise provided in 5 AAC 47 – 5 AAC 75, northern pike may be taken by spear.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted, this proposal would set minimum requirements for spears used when fishing for northern pike.

BACKGROUND: Statewide sport fishing regulations permit the use of a spear to take northern pike (5 AAC 75.034), but a spear or its dimensions are not defined in the sport fishing regulations. Under statewide subsistence regulations (5 AAC 01.010(a)(3)) a spear is defined as “a shaft with a sharp point or fork-like implement attached to one end, used to thrust through the water to impale or retrieve fish and which is operated by hand”.

In the Susitna River drainage, northern pike may be taken by spear in all lakes except Alexander Lake from January 1 – December 31. In the AYK region, northern pike may be taken by spear or bow and arrow from September 1 through April 30. The exceptions are in the Tanana River drainage, where Harding Lake is closed to the taking of northern pike by spear or bow and arrow, the Chatanika and Tolovana River drainages where the open season for northern pike is June 1 through October 14, and in George and Volkmar lakes where the open season is June 1 through March 31. In the Dall River (Yukon River drainage), the open season for northern pike is May 20 through September 30.

The average statewide harvest of northern pike from 2001-2005 was 23,439 fish and average catch was 117,112. The statewide harvest survey does not separate northern pike harvests by rod and reel and spear, as a result, the actual number of northern pike taken by spear is unknown. It is assumed that the majority of northern pike harvested are taken by rod and reel.

DEPARTMENT COMMENTS: The Department is **NEUTRAL** to this proposal. At this time the department is unaware of any issues associated with the northern pike spear fishery. There is uncertainty whether the proposed specifications would be effective in reduced fishing mortality. In addition, this proposal if adopted would add complexity to the regulations which may not resolve the issue.

COST ANALYSIS: The department believes that adoption of this proposal would result in additional direct costs for private individuals to participate in the northern pike spear fishery if the angler needs to purchase a new spear to meet the minimum requirements.

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**PROPOSAL 241, PAGE 185, - 5AAC 75.995. Definitions.**

PROPOSED BY: Ethan Birkholz.

WHAT WOULD THE PROPOSAL DO? This proposal would define a “tip up” as an ice fishing mechanism with an attached flag or signal device to indicate fishing action, used to hold a fishing rod, spindle or pole with a spool for line and hook.

WHAT ARE THE CURRENT REGULATIONS? Tip up is not defined under sport fish regulations.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted, this proposal would require “tip ups” to meet minimum requirements when used for ice fishing.

BACKGROUND: Statewide sport fishing regulations define sport fishing as “the use of a single line having attached to it not more than one plug, spoon, spinner, or series of spinners, or two flies, or two hooks. The line must be closely attended.” (5 AAC 75.020). Ice fishing is further defined as “the use of two closely attended lines, provided only one hook or artificial lure is used on each line, except that additional gear may be used for

northern pike and burbot as specified by statewide or area regulations.” “Tip ups” currently fall under the definition of ice fishing gear.

“Tip ups” are commercially available fishing gear that allows an angler to fish, generally with bait, without actively fishing the line. A strike indicator alerts the angler that a fish has taken the bait. Tip ups are generally used to target northern pike, lake trout, or burbot where setlines are not permitted. In lakes where there may be a conservation concern for a fish population the department would likely restrict the use of bait to reduce fishing success or associated hooking mortality to reduce harvest. Eliminating bait would negate the effectiveness of tip ups and therefore make the prohibition of tip ups for a management action a moot point. In addition, there are a wide variety of models of tip up which would make concisely defining a tip up difficult.

DEPARTMENT COMMENTS: The Department is **OPPOSED** to this proposal. The Department prefers to take action regarding the use of tip ups through bait restrictions as opposed to adding complexity to the regulations which may not resolve the issue or cause confusing through interpreting whether a specific tip up meets the definition criteria.

COST ANALYSIS: The department believes that adoption of this proposal would result in additional direct costs for private individuals to participate in the ice fisheries, if they would be required to purchase a new “tip up” to meet the minimum requirements set in a definition of “tip up”.

### **Personal Use**

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#### **PROPOSAL 139, Page 100, - 5 AAC 77.190. Personal use whitefish and sucker fishery.**

PROPOSED BY: Fairbanks Advisory Committee

#### WHAT WOULD THE PROPOSAL DO?

This proposal would add spears as a legal gear type in the personal use whitefish and sucker fisheries that occur in the Fairbanks nonsubsistence area [5 AAC 99.015(a)(4)].

#### WHAT ARE THE CURRENT REGULATIONS?

5 AAC 77.190. Personal use whitefish and sucker fishery.

(b)(2) permits may be issued for set gillnet, beach seine, dip net, fyke net, and fish wheel gear;

#### WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

This will enable the Department to issue permits which would allow the public to harvest whitefish on the Chatanika River via spear gear.

#### BACKGROUND:

Prior to 1994 the Chatanika River was open to a whitefish spear fishery under sport fish regulations. The average annual Chatanika River whitefish sport harvest from 1983 –

1988, when there was no bag limit, was 15,325 fish. From 1988 – 1994, when there was a 15 fish/day bag limit, the sport harvest was 4,490 whitefish. Due to conservation concerns of declining whitefish populations the sport spear fishery was closed by emergency order in 1990, 1991 and 1994-2001. The sport spear fishery was closed by regulation in 2001.

In 2005, 10 personal use permits (2 of which were for the Chatanika River using dip nets) were issued for the Fairbanks nonsubsistence area and 81 whitefish were harvested, this compares to the recent 5 year average (2000-2004) of 4 personal use permits issued and 24 whitefish harvested. Whitefish are harvested in subsistence fisheries throughout the Yukon and Tanana rivers. Subsistence whitefish harvests were estimated in 1983 for Minto village at 6,477 fish and 330 fish in 2004. Manley Hot Springs was surveyed in 2004 reported a harvest of 74 whitefish.

Whitefish population assessments were performed intermittently on the Chatanika River from 1988 – 1997. The humpback whitefish population ranged from a high of 41,211 fish in 1988 to a low of 12,700 fish in 1994. The most recent estimate of abundance for humpback whitefish was 16,107 fish in 1997. The least cisco population ranged from a high of 135,065 fish in 1991 to a low of 22,811 fish in 1997. No assessments have been performed since 1997, but it is believed that the whitefish populations can sustain limited additional harvests. Little is known about whitefish distribution in the Minto Flats system (of which the Chatanika River is a part). It is assumed that the Chatanika River whitefish spawning population does not represent the majority of the Minto Flats system whitefish population as numerous other tributaries contribute to the Minto Flats system.

DEPARTMENT COMMENTS:

The Department is **NEUTRAL** due to the allocative aspects of this proposal. If the Board chooses to adopt this proposal to provide personal use opportunity, the department supports proposal 139, as opposed to proposal 138, as it will allow the Department to conduct an orderly fishery in which both effort and harvest can be monitored in-season (through issued and returned personal use permits). The Department does not intend to open the Chatanika River sport fishery to the use of spears. Allowing the use of spears as personal use gear provides the public the opportunity to harvest whitefish and allows the Department to monitor the fishery in a way which is not possible under sport fishing regulations.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in this fishery.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a non-subsistence area? Yes, whitefish reside seasonally and migrate into the tributaries of the Tanana River drainage within the Fairbanks non-subsistence area.
2. Is the stock customarily and traditionally taken or used for subsistence? Yes, the BOF made a positive customary and traditional use finding for freshwater fish species, including

sheefish, whitefish, lamprey, burbot, sucker, grayling, pike, and char in the Yukon-Northern Area (5 AAC 01.236(a)(2)).

3. Can a portion of the stock be harvested consistent with sustained yield? Yes.

4. What amount is reasonably necessary for subsistence use? The BOF determined that 133,000 to 2,850,000 pounds of freshwater finfish are reasonable and necessary for subsistence in the Yukon Area (BOF December 1997, Tab 14).

5. Do the regulations provide a reasonable opportunity for subsistence use? The BOF will need to make this determination as it considers this proposal.

6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence use? This is a BOF determination. The harvestable surplus for these stocks exceeds documented levels of subsistence harvests.

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**PROPOSAL 138, Page 99, - 5 AAC 77.190. Personal use whitefish and sucker fishery.**

PROPOSED BY: Dr. Fred Bouse

WHAT WOULD THE PROPOSAL DO?

This proposal requests that a regulatory management plan be created for a Chatanika River whitefish spear fishery.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 77.190. Personal use whitefish and sucker fishery.

- (a) Whitefish and suckers may be taken for personal use only in the Fairbanks nonsubsistence area described in 5 AAC 99.015(a)(4) under the authority of a permit issued under 5 AAC 77.015.
- (b) The department shall adhere to the following when issuing personal use whitefish and sucker permits:
  - (1) the fishing effort may be permitted only in places and during times when resource abundance will allow a harvest without jeopardizing sustained yield and in a manner that will provide for an orderly fishery;
  - (2) permits may be issued for set gillnet, beach seine, dip net, fyke net, and fish wheel gear;
  - (3) finfish other than whitefish and suckers must be immediately returned to the water unharmed.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

The Department would develop a Chatanika River whitefish spear sport fishery management plan.

BACKGROUND:

Prior to 1994 the Chatanika River was open to a whitefish spear fishery under sport fish regulations. The average annual Chatanika River whitefish sport harvest from 1983 – 1988, when there was no bag limit, was 15,325 fish. From 1988 – 1994, when there was a 15 fish/ day bag limit, the sport harvest was 4,490 whitefish. Due to conservation concerns of declining whitefish populations the sport fishery was closed by emergency order in 1990, 1991 and 1994-2001. The sport spear fishery was closed by regulation in 2001.

In 2005, 10 personal use permits (2 of which were for the Chatanika River using dip nets) were issued for the Fairbanks nonsubsistence area and 81 whitefish were harvested, this compares to the recent 5 year average (2000-2004) of 4 personal use permits issued and 24 whitefish harvested. Whitefish are harvested in subsistence fisheries throughout the Yukon and Tanana rivers. Subsistence whitefish harvests were estimated in 1983 for Minto village at 6,477 fish and 330 fish in 2004. Manley Hot Springs was surveyed in 2004 reported a harvest of 74 whitefish.

Whitefish population assessments were performed intermittently on the Chatanika River from 1988 – 1997. The humpback whitefish population ranged from a high of 41,211 fish in 1988 to a low of 12,700 fish in 1994. The most recent estimate of abundance for humpback whitefish was 16,107 fish in 1997. The least cisco population ranged from a high of 135,065 fish in 1991 to a low of 22,811 fish in 1997. No assessments have been performed since 1997, but it is believed that the whitefish populations can sustain limited additional harvests. Little is known about whitefish distribution in the Minto Flats system (of which the Chatanika River is a part). It is assumed that the Chatanika River whitefish spawning population does not represent the majority of the Minto Flats system whitefish population as numerous other tributaries contribute to the Minto Flats system.

DEPARTMENT COMMENTS:

The Department is **NEUTRAL** due to the allocative aspects of this proposal. If the Board chooses to provide personal use opportunity for the harvest of whitefish and suckers using spears in the Fairbanks nonsubsistence area, the Department favors of adoption of proposal #139 which allows modification of the current regulations and reduces regulatory complexity.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in this fishery.



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**COMMITTEE B- KUSKOKWIM, KOTZEBUE, AND NORTON  
SOUND-PORT CLARENCE AREAS SALMON  
AND HERRING (19 PROPOSALS)**

**Kuskokwim – Commercial**

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**PROPOSAL 155, PAGE 113, – 5AAC 07.331. Gillnet specifications and operations.**

PROPOSED BY: Lower Kuskokwim Advisory Committee

WHAT WOULD THE PROPOSAL DO? Allow salmon to be taken with gillnets of eight-inch or smaller mesh in the District 1 commercial fishery from June 15 to July 1.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 07.331 (c) In Districts 1 and 2, salmon may be taken only with gillnets of six-inch or smaller mesh.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would have the effect of establishing a directed king salmon commercial fishery in District 1.

BACKGROUND: Gillnet mesh size in Kuskokwim River commercial fishing districts has been restricted to six-inches or less since 1985 and directed king salmon commercial fishing has been closed since 1987. These restrictions were put in place as conservation measures to improve escapements of king salmon, to provide for the subsistence priority for king salmon, and to allow for a directed commercial fishery on more abundant chum salmon in June and July. Because of conservative management strategies implemented since 2000 and poor market conditions for chum salmon, commercial salmon harvest has been minimal in District 1 during late June and July. The Kuskokwim River king salmon stock has been rebuilding since poor runs from 1998 to 2000 and the designation as a stock of yield concern in September 2000. A harvestable surplus has been available based on record to near record escapements from 2004 to 2006.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Allowing eight-inch mesh gear in the commercial fishery would further increase exploitation of older and larger king salmon. Presently, it is uncertain whether older and larger king salmon can sustain additional directed exploitation. A harvestable surplus of king salmon exists, especially for younger age classes. A restricted mesh commercial fishery allows for harvest of more abundant sockeye and chum salmon stocks and allows for harvest of king salmon throughout all age, sex, and size classes.

COST ANALYSIS: If this proposal were adopted, there could be cost to a private person to participate in this fishery if they chose to change to eight-inch mesh gear.

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**PROPOSAL 156, PAGE 114, – 5AAC 07.365. Kuskokwim River Salmon Rebuilding Management Plan.**

PROPOSED BY: Douglas Kernak

WHAT WOULD THE PROPOSAL DO? During subdistrict commercial openings, Subdistrict 1-B would be open for eight hours and Subdistrict 1-A would be open for six hours.

WHAT ARE THE CURRENT REGULATIONS? Commercial fishing periods are established by emergency order. Currently commercial fishing periods for both Districts 1 and 2 are from 1:00 p.m. to 7:00 p.m.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would provide 2 hours of additional fishing time to fishers registered in Subdistrict 1-B.

BACKGROUND: District 1 was divided into Subdistrict 1-A (upstream of Bethel) and Subdistrict 1-B (downstream of Bethel) in 2000. In addition, a subdistrict registration requirement and regulations were established (5 AAC 07.370). These regulations were adopted to address declining salmon market conditions and limited processing capacity. Fishing period duration has been equal between the two subdistricts when opened separately. However, when buyers are anticipated to be able to handle the harvest, full district openings may be allowed. Historically, participation in the statistical areas making up Subdistrict 1-B has been higher, which has resulted in larger comparative harvests. In recent years, Subdistrict 1-B harvest and participation has been declining to a point equal to, or just below, harvest and participation in Subdistrict 1-A. Subdistrict 1-B is located in a wider and slower moving section of the Kuskokwim River and has more tidal influence compared Subdistrict 1-A, which is more channelized and narrower along the majority of its length. Since the 1980s, catch per fisher has been consistently higher in the statistical areas within Subdistrict 1-A, which can be attributed to higher efficiency in the more channelized and narrower hydrology of Subdistrict 1-A.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal because it is allocative in nature. Under current harvest and participation levels, additional fishing time in Subdistrict 1-B may achieve the balance sought by this proposal without adversely impacting effective management. However, if Subdistrict 1-B participation and harvest returned to historical levels, allowing Subdistrict 1-B to fish longer could compromise the department's ability to effectively manage the fishery during times of lower salmon abundance or limited processing capacity. Furthermore, providing additional fishing time to Subdistrict 1-B would likely shift participation towards Subdistrict 1-B commercial periods, and harvests could exceed current processing capacity limitations. During recent years, limited processing capacity has been taken into account when determining timing and duration of fishing periods. Thus, the department would like to maintain management flexibility.

COST ANALYSIS: The department does not believe that adoption of this proposal would result in an additional direct cost for a private person to participate in this fishery.

## Kuskokwim – Miscellaneous

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### **PROPOSAL 157, PAGE 115, – Recommend designation of Holitna River Basin Fisheries Reserve under AS 16.05.251 (a) (1) to the legislature.**

PROPOSED BY: Orutsararmiut Native Council and Sleetmute Traditional Council.

WHAT WOULD THE PROPOSAL DO? This proposal asks the BOF to recommend to the legislature a designation of “fisheries reserve” for the Holitna River drainage.

WHAT ARE THE CURRENT REGULATIONS? AS 16.05.251 (a) authorizes the Board to “adopt regulations it considers advisable in accordance with AS 44.62 (Administrative Procedures Act) for (1) setting apart fish reserve areas, refuges, and sanctuaries in the waters of the state over which it has jurisdiction, subject to the approval of the legislature;”

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Any recommendation from the BOF to the Legislature would be subject to Legislative adoption. The effect of the Legislature creating a fish reserve area will depend on the resulting Legislation. If the Legislature established a fish reserve area similar to Special Areas currently in statute, ADF&G permitting authority would apply for certain activities unless the Legislature provided otherwise. Contingent on legislative approval, the intent of this proposal would be to “recognize, elevate, and emphasize...” the importance of the Holitna River drainage’s fisheries resources, their use, and their significant contribution to overall Kuskokwim River fisheries stocks, such that any other activities and their potential to degrade the preservation and use of Holitna River fisheries resources are of secondary consideration.

BACKGROUND: The Holitna River is one of the largest tributaries of the Kuskokwim River drainage. It supports populations of all five pacific salmon species and various migratory and resident freshwater fish populations. Spawning and rearing of anadromous salmon populations occurs throughout the drainage. The size of the drainage and the variety of its relatively undisturbed habitat has resulted in a high level of potential fish production. This level of productivity is important to sustained yield management of Kuskokwim River subsistence, commercial, and sport fisheries. Recent interest in developing gas and mineral resources within the Holitna River drainage has elevated public concern over potential impacts to Kuskokwim River fisheries resources and their use.

The BOF has not yet utilized its authority under AS 16.05.251 (a)(1) to set apart fish reserve areas. The Legislature has created 32 State Game Refuges, State Game Sanctuaries, and Fish and Game Critical Habitat Areas under AS 16.20, Articles 1, 2 and 5. Associated Statutes describe the areas and their purpose and contain provisions that directly authorize or restrict land use, access, and activities. The statutes also provide

direction to Department of Natural Resources, ADF&G and other agencies. Statutes for many of the 32 Special Areas, for example, require ADF&G to adopt a management plan. Regulations found in 5 AAC 95.400 – 5 AAC 95.999 describe activities for which ADF&G permits are required, provide application procedures to the public, and provide permitting procedures and standards to ADF&G. These regulations also adopt existing Special Area management plans by reference, and, for two State Game Refuges, specifically authorize or restrict use activities. The Board of Game approved regulations in 5 AAC 92.063-066. These regulations contain permit provisions for access to the three State Game Sanctuaries.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. The Holitna River drainage is clearly an important area that is believed to account for 1/3 to 1/2 of the overall Kuskokwim River salmon production based on recent king, chum, and sockeye radio telemetry and mark and recapture studies. Holitna River fisheries populations also provide for a high level of human consumptive use, both locally and throughout the lower half of the Kuskokwim River drainage. How a fish reserve designation would affect management is unclear because of the lack of precedent for such a designation. Should the BOF pursue this proposal or otherwise recommend that a fish reserve area be established, it is the department's desire that action by the Legislature should clearly identify specific activities that are and are not allowed in the refuge, and provide clear guidance to ADF&G, ADNR, and other appropriate agencies with respect to managing resource use and development.

COST ANALYSIS: The department does not believe that adoption of this proposal would result in an additional direct cost for a private person to participate in area fisheries.

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**PROPOSAL 254 (Formerly ACR #29), – 5 AAC 01.295. Aniak River bag and possession limits.** Increase daily bag and possession limit for the Aniak River subsistence fishery as follows:

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal asks the BOF to have the same bag and possession limits in the hook and line attached to a rod or pole subsistence fishery from June 1 through August 31 as the sport fishery in that portion of the Aniak River drainage upstream of Doestock Creek.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 01.295. Aniak River bag and possession limits. From June 1 through August 31, when subsistence fishing with a hook and line attached to a rod or pole, in that portion of the Aniak River drainage upstream of Doestock Creek,

- (1) the aggregate daily bag and possession limit is six fish, of which no more than three fish may be salmon, of which no more than two fish may be king salmon; and
- (2) rainbow trout may not be retained.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The bag and possession limits for the hook and line attached to a rod or pole subsistence fishery would be the same as the sport fishery.

BACKGROUND: This is a housekeeping proposal related to the January 2004 BOF meeting where a proposal (Proposal 137) to eliminate the bag limit and other restrictions associated with hook and line attached to a rod or pole subsistence fishery failed, and a similar proposal to liberalize the bag and possession limits for the sport fishery (Proposal 104) was adopted. These actions resulted in the subsistence bag and possession limits becoming more restrictive than those in the sport fishery.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal with the following amended regulatory language in 5 AAC 01.295:

(1) **the bag and possession limits, by species, specified in 5 AAC 70.017; and**  
[THE AGGREGATE DAILY BAG AND POSSESSION LIMIT IS SIX FISH,  
OF WHICH NO MORE THAN THREE FISH MAY BE SALMON, OF WHICH  
NO MORE THAN TWO FISH MAY BE KING SALMON; AND]

This amended language is based upon the precedent in the Norton Sound-Port Clarence Management Area in 5 AAC 01.172(a)(2). The department prefers this method of addressing subsistence bag and possession limits for hook and line attached to a rod or pole in open water subsistence fisheries when harvest limitations correspond to those of the sport fishery. Such an approach reduces the likelihood of such oversights being repeated in future given that any subsequent change to the sport fishery bag and possession limits would automatically be reflected in the open water hook and line attached to a rod or pole subsistence fishery.

COST ANALYSIS: The department does not believe that adoption of this proposal would result in an additional direct cost for a private person to participate in this fishery.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a non-subsistence area? No.

2. Is the stock customarily and traditionally taken or used for subsistence? Yes, the BOF made a positive customary and traditional use finding for king, chum, sockeye, coho, and pink salmon in the Kuskokwim River drainage (5 AAC 01.286(a)(3)) and all other finfish in the Kuskokwim Management Area (5 AAC 01.286(a)(1)).

3. Can a portion of the stock be harvested consistent with sustained yield? Yes.

4. What amount is reasonably necessary for subsistence use? The BOF determined the amount reasonably necessary for subsistence to be 64,500–83,000 king salmon, 39,500–75,500 chum salmon, 27,500–39,500 sockeye salmon, and 24,500–35,000 coho salmon in

the Kuskokwim River drainage (5 AAC 01.286(b)(1-4)), and 1,583,033–2,638,384 pounds of all freshwater fish excluding salmon in the Kuskokwim Area (BOF December 1997 RC1, Tab 14).

5. Do the regulations provide a reasonable opportunity for subsistence use? The BOF will need to make this determination as it considers this proposal.

6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence use? This is a BOF determination. The harvestable surplus for these stocks exceeds documented levels of subsistence harvests.

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### **Norton Sound-Port Clarence – Subsistence and Sport**

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**PROPOSAL 144, PAGE 104, – 5 AAC 01.175(c). Waters closed to subsistence fishing.** Amend as follows:

(c) The following waters are closed to subsistence fishing for salmon **with a net**:

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would specify that waters closed to subsistence salmon fishing in Subdistrict 1 pertain to net gear only, and allow subsistence fishers using hook and line attached to a rod or pole the opportunity to harvest salmon in the same areas as sport fishers.

WHAT ARE THE CURRENT REGULATIONS? In the majority of rivers in Subdistrict 1 (Nome), subsistence salmon fishing is only allowed in limited areas under 5 AAC 01.175 (c).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Subsistence fishers using hook and line attached to a rod or pole would have the same opportunity as sport fishers.

BACKGROUND: Since hook and line became legal subsistence gear in 2001, subsistence fishers have been able to use a subsistence salmon permit instead of a sport fish license to harvest salmon. However, in Subdistrict 1 (Nome) the major rivers have limited areas where subsistence fishing is allowed while sport fishers can fish throughout the drainages. The department has allowed subsistence fishers using hook and line to fish in the same areas as sport fishers by emergency order.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Adopting this proposal would provide for subsistence fishing opportunity and reflect current management practices.

COST ANALYSIS: The department does not believe that approval of this proposal would result in an additional direct cost for a private person to participate in this fishery.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a non-subsistence area? No.

2. Is the stock customarily and traditionally taken or used for subsistence? Yes, the BOF made a positive customary and traditional use determination for salmon and all finfish other than salmon in the Norton Sound-Port Clarence Area (5 AAC 01.186(2)) and chum salmon in Subdistrict 1 of the Norton Sound District (5 AAC 01.186(3)). The administrative record indicates that, in 1993, the BOF made separate findings for all freshwater finfish excluding salmon in the Norton Sound – Port Clarence Area (BOF December 1997 RC1, Tab 14).

3. Can a portion of the stock be harvested consistent with sustained yield? Yes.

4. What amount is reasonably necessary for subsistence use? The BOF determined the amount reasonably necessary for subsistence to be 96,000–160,000 salmon for Norton Sound-Port Clarence Area (5 AAC 01.186(b)(1)), 3,430–5,716 chum salmon for Subdistrict 1 (Nome) of the Norton Sound District (5 AAC 01.186(b)(2)), 225,084–375,140 pounds of all freshwater finfish excluding salmon (BOF December 1997 RC1, Tab 14).

5. Do the regulations provide a reasonable opportunity for subsistence use? The board will need to make this determination as it considers this proposal.

6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence use? Yes. Commercial and sport fishing for chum salmon is closed in Subdistrict 1.

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**PROPOSAL 140, PAGE 100, – 5 AAC 01.172. Limitations on subsistence fishing gear.**

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would restore subsistence hook and line bag and possession limits and methods and means in areas where subsistence permits are required, but permit limits are not in effect.

WHAT ARE THE CURRENT REGULATIONS? The current regulation exempts subsistence fishers using hook and line from methods and means and bag and possession limits in areas where a subsistence permit is required and there is no prohibition on snagging.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? In areas where subsistence limits are not in effect, the subsistence hook and line bag and

possession limit would be the sport fish limit and sport fish methods and means including prohibiting snagging would apply in all waters where subsistence hook and line fishing is allowed.

BACKGROUND: When the BOF recognized hook and line attached to a rod or pole as legal subsistence gear for waters in Northern Norton Sound in 2001, sport fish bag limits, possession limits, and methods and means were applied to subsistence fishing, except when fishing through the ice or in areas where a subsistence permit was required. In Northern Norton Sound, subsistence fishing permits are required only for catching salmon. At the time this regulation was adopted, most Norton Sound subsistence salmon fishing permits had catch limits. Prior to 2004, subsistence permits were only required in the Subdistrict 1 (Nome), Cape Woolley area and on the Pilgrim River in Port Clarence District. Thus, hook and line fishing also had limits, whether for sport or for subsistence fishing.

In 2004, the BOF extended the subsistence salmon permit requirements to Norton Sound Subdistrict 2 (Golovin and White Mountain), and Subdistrict 3 (Moses Point), and portions of the Port Clarence District (Brevig Mission and Teller). Unlike salmon permits issued for waters along the majority of the Nome road system, the new areas requiring subsistence salmon permits do not have harvest limits. Because 5 AAC 01.172 does not apply in areas where subsistence fishing permits are required, hook and line now can be used in these areas without bag and possession limits and no regulations on methods and means. This was an unintended consequence of expanding the permit area. This proposal would restore 5 AAC 01.172 to its original intent. In areas where subsistence salmon permit *limits* (as opposed to just subsistence *permits*) exist, subsistence permit limits would apply to all subsistence fishing, including hook and line, except hook and line fishing through the ice. In all other areas of Northern Norton Sound, the sport fish bag and possession limits and methods and means would apply when hook and line was being used, whether for sport or for subsistence fishing. In addition, under the current regulations snagging is not prohibited, because only sport fish methods and means for the area were included, whereas the prohibition against snagging is under statewide methods and means (5 AAC 75.022(c)).

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Adoption of this proposal will clarify subsistence hook and line regulations and aid in enforcement of sport and subsistence fishing regulations.

COST ANALYSIS: The department does not believe that approval of this proposal would result in an additional direct cost for a private person to participate in this fishery.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a non-subsistence area? No.
2. Is the stock customarily and traditionally taken or used for subsistence? Yes, the BOF made a positive customary and traditional use determination for salmon and all finfish other than salmon in the Norton Sound-Port Clarence Area (5 AAC 01.186(2)) and chum salmon in Subdistrict 1 of the Norton Sound District (5 AAC 01.186(3)). The administrative record



indicates that, in 1993, the BOF made separate findings for all freshwater finfish excluding salmon and all marine finfish excluding salmon and herring in the Norton Sound – Port Clarence Area (BOF December 1997 RC1, Tab 14).

3. Can a portion of the stock be harvested consistent with sustained yield? Yes.

4. What amount is reasonably necessary for subsistence use? The BOF determined the amount reasonably necessary for subsistence to be 96,000–160,000 salmon for Norton Sound-Port Clarence Area (5 AAC 01.186(b)(1)), 3,430–5,716 chum salmon for Subdistrict 1 (Nome) of the Norton Sound District (5 AAC 01.186(b)(2)), 225,084–375,140 pounds of all freshwater finfish excluding salmon, 95,789–159,648 pounds of all marine finfish excluding salmon and herring (BOF December 1997 RC1, Tab 14).

5. Do the regulations provide a reasonable opportunity for subsistence use? The board will need to make this determination as it considers this proposal.

6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence use? Yes. Commercial and sport fishing for chum salmon is closed in Subdistrict 1.

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**PROPOSAL 141, PAGE 102, – 5 AAC 01.175. Waters closed to subsistence fishing.**

Amend as follows:

(b) In the Port Clarence District, Salmon Lake, its tributaries and waters within 300 feet of Department of Fish and Game regulatory markers placed at the outlet of Salmon Lake are closed to subsistence fishing from July 15 through August 31 **unless opened by emergency order.**

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would allow subsistence fishing opportunity in Salmon Lake by emergency order from July 15 through August 31.

WHAT ARE THE CURRENT REGULATIONS? Salmon Lake is closed by regulation from July 15 through August 31.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Subsistence fishing may be opened by emergency order in Salmon Lake for those interested in targeting sockeye salmon prior to September.

BACKGROUND: In recent years record sockeye salmon runs have returned to Salmon Lake in the Port Clarence District. Previously the department had kept Salmon Lake closed to protect spawning salmon. However, since 2005 the department has opened approximately one-half of Salmon Lake near the Pilgrim River outlet to subsistence fishing after August 31 for those wishing to target sockeye salmon. Salmon have entered

the lake in late June during recent years and the present closure for the lake is July 15 through August 31. Allowing the subsistence fishery to be opened by emergency order during the closed period in years of strong sockeye salmon runs will provide additional subsistence fishing opportunity.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Adoption of this proposal may allow for increased subsistence fishing opportunity during large sockeye runs by providing more flexibility in management.

COST ANALYSIS: The department does not believe that approval of this proposal would result in an additional direct cost for a private person to participate in this fishery.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a non-subsistence area? No.

2. Is the stock customarily and traditionally taken or used for subsistence? Yes, the BOF made a positive customary and traditional use determination for salmon and all finfish other than salmon in the Norton Sound-Port Clarence Area (5 AAC 01.186(2)) and chum salmon in Subdistrict 1 of the Norton Sound District (5 AAC 01.186(3)). The administrative record indicates that, in 1993, the BOF made separate findings for all freshwater finfish excluding salmon in the Norton Sound – Port Clarence Area (BOF December 1997 RC1, Tab 14).

3. Can a portion of the stock be harvested consistent with sustained yield? Yes.

4. What amount is reasonably necessary for subsistence use? The BOF determined the amount reasonably necessary for subsistence to be 96,000–160,000 salmon for Norton Sound-Port Clarence Area (5 AAC 01.186(b)(1)), 3,430–5,716 chum salmon for Subdistrict 1 (Nome) of the Norton Sound District (5 AAC 01.186(b)(2)), 225,084–375,140 pounds of all freshwater finfish excluding salmon (BOF December 1997 RC1, Tab 14).

5. Do the regulations provide a reasonable opportunity for subsistence use? The board will need to make this determination as it considers this proposal.

6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence use? The board will need to make this determination as it considers this proposal.

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**PROPOSAL 142, PAGE 102, – 5 AAC 01.175. Waters closed to subsistence fishing.**  
Amend as follows:

(c) The following waters are closed to subsistence fishing for salmon:

(1) the Nome River from its terminus upstream for a distance of 200 yards and upstream from an ADF&G regulatory marker located near [OSBORN] **the VOR site approximately two miles upstream from the Nome River mouth.**

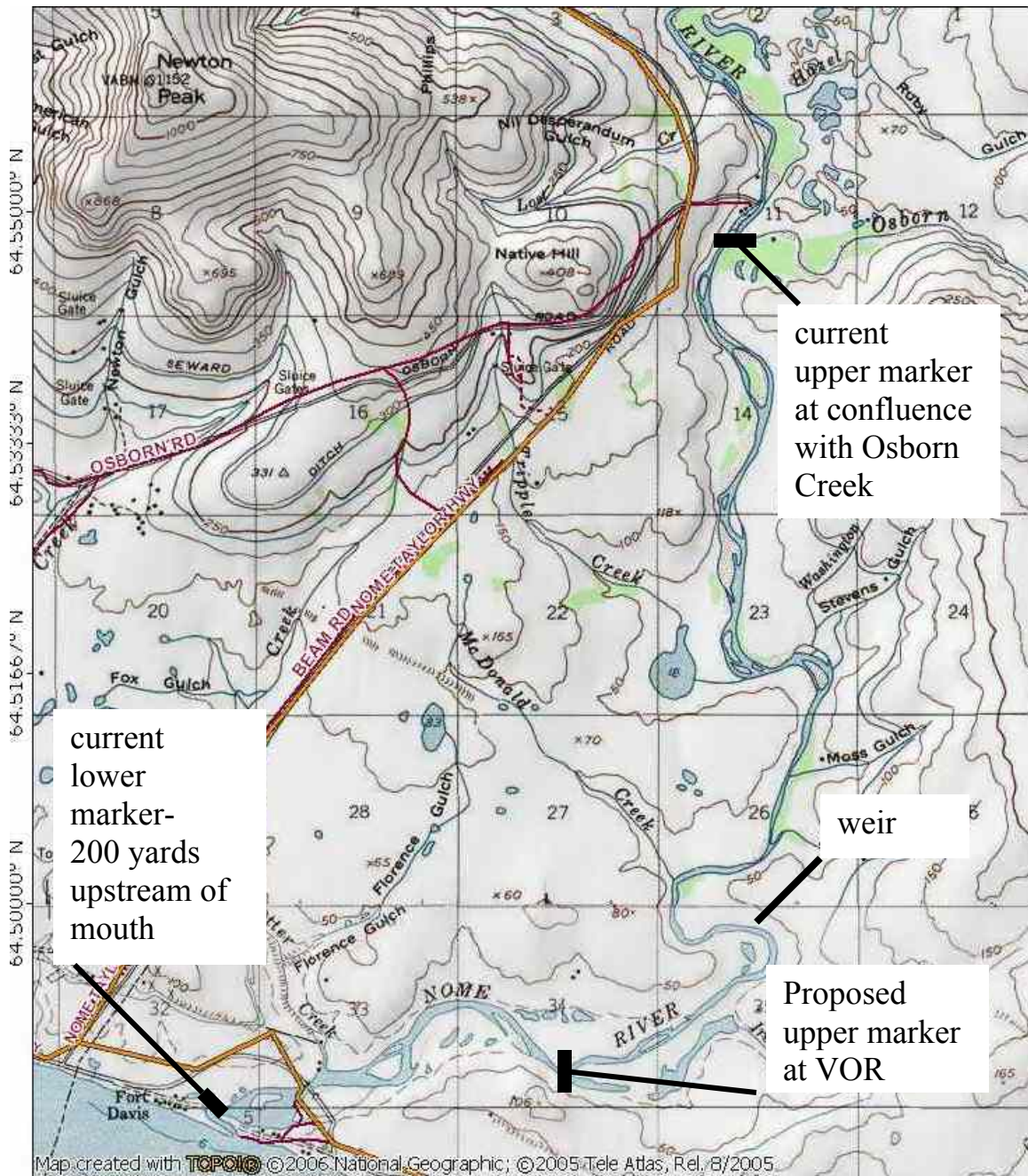
PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would limit the subsistence salmon fishing area on the Nome River from 200 yards upstream of the mouth to the VOR site approximately two miles upstream of the mouth.

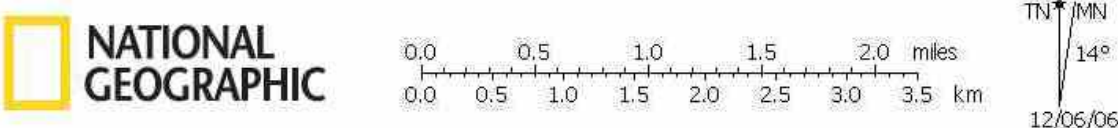
WHAT ARE THE CURRENT REGULATIONS? The current area open to subsistence salmon fishing is from 200 yards upstream of the Nome River mouth to Osborn Creek approximately seven miles upstream of the mouth.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would restrict subsistence salmon fishing to a smaller area on the Nome River.

BACKGROUND: In recent years, the waters open to subsistence fishing have been moved downstream to the VOR site by emergency order to prevent the overharvest of salmon spawning upstream of the VOR site. From 2001 through 2003, the lower end of the chum salmon escapement goal range (2,900–4,300) for the Nome River was not achieved, but was achieved in 2004 and exceeded in 2005 and 2006. Both chum and coho salmon congregate and spawn in some locations between Osborn Creek and the VOR site, and are more vulnerable to harvest than when they are located farther downstream. Coho salmon are particularly vulnerable in the upriver holding areas now that hook and line attached to a rod or pole became legal subsistence fishing gear. Prior to the use of emergency orders to reduce the area open to subsistence fishing, most fishing with nets has occurred below the VOR site. In addition, by allowing subsistence fishing farther downstream, the department is able to waive subsistence salmon limits earlier in the run when warranted, which in effect provides more subsistence fishing opportunity on migrating fish.



Map created with **TOPIC** ©2006 National Geographic; ©2005 Tele Atlas, Rel. 8/2005



Map of NOME River, Norton Sound District, Proposal 142.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Adoption of this proposal will reflect current management practices.

COST ANALYSIS: The department does not believe that approval of this proposal would result in an additional direct cost for a private person to participate in this fishery.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a non-subsistence area? No.

2. Is the stock customarily and traditionally taken or used for subsistence? Yes, the BOF made a positive customary and traditional use determination for salmon and all finfish other than salmon in the Norton Sound-Port Clarence Area (5 AAC 01.186(2)) and chum salmon in Subdistrict 1 of the Norton Sound District (5 AAC 01.186(3)). The administrative record indicates that, in 1993, the BOF made separate findings for all freshwater finfish excluding salmon in the Norton Sound – Port Clarence Area (BOF December 1997 RC1, Tab 14).

3. Can a portion of the stock be harvested consistent with sustained yield? Yes.

4. What amount is reasonably necessary for subsistence use? The BOF determined the amount reasonably necessary for subsistence to be 96,000 – 160,000 salmon for Norton Sound - Port Clarence Area (5 AAC 01.186(b)(1)), 3,430 – 5,716 chum salmon for Subdistrict 1 (Nome) of the Norton Sound District (5 AAC 01.186(b)(2)), 225,084 – 375,140 pounds of all freshwater finfish excluding salmon (BOF December 1997 RC1, Tab 14).

5. Do the regulations provide a reasonable opportunity for subsistence use? The board will need to make this determination as it considers this proposal.

6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence use? Yes. Commercial and sport fishing for chum salmon is closed in Subdistrict 1.

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**PROPOSAL 143, PAGE 103, – 5 AAC 01.175. Waters closed to subsistence fishing.**

Amend as follows:

(c) The following waters are closed to subsistence fishing for salmon:

(8) the Penny River **upstream of an ADF&G regulatory marker approximately 100 yards upstream from its mouth;** and

(9) the Cripple River **upstream of ADF&G regulatory marker approximately 400 yards upstream from its mouth.**

**(e) The following waters are closed to subsistence fishing for chum salmon:**

**(1) the Penny River; and**

**(2) the Cripple River.**

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would allow subsistence fishing for salmon other than chum salmon in the lower portion of the Cripple and Penny Rivers.

WHAT ARE THE CURRENT REGULATIONS? The Cripple and Penny Rivers are closed to subsistence salmon fishing.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would provide subsistence fishing opportunity for salmon species other than chum salmon in the lower portion of the Cripple and Penny Rivers.

BACKGROUND: The department's action plan for the Norton Sound Subdistrict 1 chum salmon stock at the January 2001 BOF meeting, requested the closure of Cripple and Penny Rivers to chum salmon subsistence fishing. However, the regulation adopted closed all subsistence salmon fishing rather than just chum salmon fishing. There have been tens of thousands to hundreds of thousands pink salmon and hundreds of coho salmon returning to Cripple and Penny Rivers the last several years. The proposed areas to be open to subsistence fishing are the same as previously in regulation prior to adoption of the fishing closure.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. This proposal will allow for increased subsistence fishing opportunity for pink and coho salmon.

COST ANALYSIS: The department does not believe that approval of this proposal would result in an additional direct cost for a private person to participate in this fishery.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a non-subsistence area? No.

2. Is the stock customarily and traditionally taken or used for subsistence? Yes, the BOF made a positive customary and traditional use determination for salmon and all finfish other than salmon in the Norton Sound-Port Clarence Area (5 AAC 01.186(2)) and chum salmon in Subdistrict 1 of the Norton Sound District (5 AAC 01.186(3)). The administrative record indicates that, in 1993, the BOF made separate findings for all freshwater finfish excluding salmon in the Norton Sound – Port Clarence Area (BOF December 1997 RC1, Tab 14).

3. Can a portion of the stock be harvested consistent with sustained yield? Yes.

4. What amount is reasonably necessary for subsistence use? The BOF determined the amount reasonably necessary for subsistence to be 96,000 – 160,000 salmon for Norton Sound - Port Clarence Area (5 AAC 01.186(b)(1)), 3,430 – 5,716 chum salmon for Subdistrict 1 (Nome) of the Norton Sound District (5 AAC 01.186(b)(2)), 225,084 – 375,140 pounds of all freshwater finfish excluding salmon (BOF December 1997 RC1, Tab 14).

5. Do the regulations provide a reasonable opportunity for subsistence use? The board will need to make this determination as it considers this proposal.

6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence use? Yes. Commercial and sport fishing for chum salmon is closed in Subdistrict 1.

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**PROPOSAL 145, PAGE 104, – 5 AAC 01.180. Subsistence fishing permits.** Repeal the following regulation:

- (d) Repealed. [IN SUBDISTRICT 1 OF THE NORTON SOUND DISTRICT, THE ANNUAL HARVEST LIMIT FOR THE HOLDER OF A MARINE WATERS SUBSISTENCE SALMON FISHING PERMIT IS 200 SALMON, OF WHICH NO MORE THAN 50 MAY BE CHUM SALMON; THE DEPARTMENT MAY ISSUE ADDITIONAL PERMITS DURING RUNS OF ABUNDANCE.]

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would allow the department to issue one permit for the fishing season in Subdistrict 1 and set permit limits for various locations rather than issuing additional permits.

WHAT ARE THE CURRENT REGULATIONS? The permit limit in marine waters is 200 salmon, of which no more than 50 may be chum salmon. During times of abundance additional permits may be issued.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Subsistence fishers would not need to obtain additional permits and could continue to fish without interruption.

BACKGROUND: When the annual salmon limit was put into regulation, salmon runs to Subdistrict 1 (Nome) of the Norton Sound District were at record lows. During recent years a majority of chum salmon escapement goals have been met and pink salmon runs have been near record to record setting in Subdistrict 1. The department has set permit limits by salmon species at the beginning of the season for fresh water subsistence areas when issuing subsistence permits. In recent years the department has waived salmon limits inseason by emergency order rather than require permit holders to return for additional permits.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Adoption of this proposal will reflect current management practices.

COST ANALYSIS: The department does not believe that approval of this proposal would result in an additional direct cost for a private person to participate in this fishery.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a non-subsistence area? No.
2. Is the stock customarily and traditionally taken or used for subsistence? Yes, the BOF made a positive customary and traditional use determination for salmon and all finfish other than salmon in the Norton Sound-Port Clarence Area (5 AAC 01.186(2)) and chum salmon in Subdistrict 1 of the Norton Sound District (5 AAC 01.186(3)).
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence use? The BOF determined the amount reasonably necessary for subsistence to be 96,000 – 160,000 salmon for Norton Sound - Port Clarence Area (5 AAC 01.186(b)(1)) and 3,430 – 5,716 chum salmon for Subdistrict 1 (Nome) of the Norton Sound District (5 AAC 01.186(b)(2)).
5. Do the regulations provide a reasonable opportunity for subsistence use? The board will need to make this determination as it considers this proposal.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence use? Yes. Commercial and sport fishing for chum salmon is closed in Subdistrict 1.



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**PROPOSAL 146, PAGE 105, – 5 AAC 01.160. Fishing seasons and periods; and 5 AAC 01.172. Limitations on subsistence fishing gear; and 5 AAC 01.180. Subsistence fishing permits; and 5 AAC 70.011. Seasons and bag, possessions, and size limit for the Northwest Management Area.** Amend these regulations as follows:

In Subdistrict 2 (Golovin) of Norton Sound District, except in the fresh water of Kachauik River and McKinley Creek:

- 1) Sport Fishing: Bag and possession limit is one coho salmon per day and must be male. Only single barbless hook and no bait may be used.
- 2) Subsistence Fishing:
  - a. The bag and possession limit is three coho salmon a day when fishing with hook and line. No gear restrictions.
  - b. Seining limit is 20 coho salmon per day per permit holder of which only 4 may be female.
  - c. Gillnet fishing from July 20 to September 15 is limited to two 48-hour periods a week established by emergency order.
  - d. Subsistence coho salmon limit is 50 per year per permit holder.

PROPOSED BY: Chinik Eskimo Community.

WHAT WOULD THE PROPOSAL DO? Restrict sport fishing gear and restrict harvest to one male coho salmon per day. Restrict subsistence fishing harvest to an annual limit of 50 coho salmon per household. Restrict subsistence fishing harvest to 20 coho salmon per day when seining of which no more than 4 can be female. Restrict subsistence gillnet fishing to two 48-hour periods per week during coho salmon season.

WHAT ARE THE CURRENT REGULATIONS? The current sport fish bag limit is 3 coho salmon per day and there are no gear or sex restrictions. Subsistence fishing is open 7 days a week with no catch limit or sex restrictions.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Limiting sport and subsistence harvests would allow more coho salmon escapement. However, when there is a surplus above escapement needs, limits placed on sport and subsistence fishers would be unnecessary and potentially allocate more coho salmon to the commercial fishery.

BACKGROUND: A downturn in coho salmon escapements occurred in 2001 and from 2003 through 2005 in the Golovin Subdistrict. The department established a counting tower on the Niukluk River in 1995 and the three lowest years of coho salmon escapement counts at the tower were 2003 (1,282), 2004 (2,064) and 2005 (2,727). The three highest escapement years were 1996 (12,781), 2000 (11,382) and 2006 (11,169). Additionally, ADF&G has conducted a radio telemetry project in the lower Fish River of which the Niukluk River is a tributary. This tagging study has shown approximately 37% of the coho salmon tagged in 2005 and 45% of the coho salmon tagged in 2006 enter the Niukluk River.

The draft 2006 escapement goal review report recommends a Niukluk River tower escapement goal range of 2,400–5,900 coho salmon. The current goal is an aerial survey goal range of 950 to 1,900 coho salmon for the Niukluk River. Using the proposed tower escapement goal range, there were two years where escapement was not reached, 2003 and 2004. The 2004 coho salmon run was especially disappointing in light of the excellent runs elsewhere in Norton Sound and the good parent-year escapement in 2000.

In 2003–2005, years of low abundance, coho salmon subsistence harvests in the Golovin Subdistrict were estimated to be less than 700 coho each year and no household reported more than 50 coho salmon harvested. Subsistence harvests in years of high abundance, 1996 and 2000, show three to four-fold increases compared to 2003 - 2005.

During 2000 and 2001, when no sport fishery emergency orders were issued, estimated catches of coho salmon by sport anglers in the Fish and Niukluk rivers combined averaged 2,346 fish per year, and harvests average 1,067 fish per year. In five of the last seven years (1999, 2002–2005), bag and possession limits for coho salmon in the Fish and Niukluk rivers were either reduced to one fish or the sport fishery was closed by emergency order as a result of low coho salmon returns. From 2002–2005, the estimated catch was 1,599 fish and harvest was 301 fish.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. This proposal is not necessary for managing for Niukluk River coho salmon escapement every year. A very good coho salmon run occurred in 2006 and these restrictions would not have been necessary. Enforcing catch restrictions by sex would be difficult, because of difficulties in sex determination by external observation. In order to manage for the escapement goal inseason, the sport fishery can be restricted or closed by emergency order and subsistence fishing restrictions can be implemented when necessary. The proposed gillnet fishing time restrictions in July would likely affect pink salmon harvests in odd-numbered years as pink salmon runs in odd-numbered year run later and are approximately at the midpoint of run when gillnet restrictions would be required by this proposal.

COST ANALYSIS: The department does not believe that approval of this proposal would result in an additional direct cost for a private person to participate in this fishery.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a non-subsistence area? No.
2. Is the stock customarily and traditionally taken or used for subsistence? Yes, the BOF made a positive customary and traditional use determination for salmon and all finfish other than salmon in the Norton Sound-Port Clarence Area (5 AAC 01.186(2)).
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.

4. What amount is reasonably necessary for subsistence use? The BOF determined the amount reasonably necessary for subsistence to be 96,000 – 160,000 salmon for Norton Sound - Port Clarence Area (5 AAC 01.186(b)(1)).

5. Do the regulations provide a reasonable opportunity for subsistence use? The board will need to make this determination as it considers this proposal.

6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence use? The board will need to make this determination as it considers this proposal. The harvestable surplus for these stocks exceeds documented levels of subsistence harvests.

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**PROPOSAL 147, PAGE 107, – 5 AAC 01.160. Fishing seasons and periods; and 5 AAC 01.172. Limitations on subsistence fishing gear; and 5 AAC 01.180. Subsistence fishing permits; and 5 AAC 70.011. Seasons and bag, possessions, and size limit for the Northwest Management Area.** Amend these regulations as follows:

In Subdistrict 2 (Golovin) of Norton Sound District:

- 3) Sport Fishing: Bag and possession limit is one coho salmon per day and must be male. Only single barbless hook and no bait may be used.
- 4) Subsistence Fishing:
  - a. The bag and possession limit is three coho salmon a day when fishing with hook and line. No gear restrictions.
  - b. Seining limit is 20 coho salmon per day per permit holder of which only 4 may be female.
  - c. Gillnet fishing from July 20 to September 15 is limited to one 48-hour period from 6:00 p.m. Thursday until 6:00 p.m. Saturday.
  - d. Subsistence coho salmon limit is 50 per year per permit holder.

PROPOSED BY: White Mountain IRA Council.

WHAT WOULD THE PROPOSAL DO? Restrict sport fishing gear and restrict harvest to one male coho salmon per day. Restrict subsistence fishing harvest to an annual limit of 50 coho salmon per household. Restrict subsistence fishing harvest to 20 coho salmon per day when seining of which no more than 4 can be female. Restrict subsistence gillnet fishing to one 48-hour period per week during coho salmon season.

WHAT ARE THE CURRENT REGULATIONS? The current sport fish bag limit is 3 coho salmon per day and there are no gear or sex restrictions. Subsistence fishing is open 7 days a week with no catch limit or sex restrictions.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Limiting sport and subsistence harvests would allow more coho salmon escapement. However, when there is a surplus above escapement needs, limits placed on sport and subsistence fishers

would be unnecessary and potentially allocate more coho salmon to the commercial fishery.

BACKGROUND: A downturn in coho salmon escapements occurred in 2001 and from 2003 through 2005 in the Golovin Subdistrict. The department established a counting tower on the Niukluk River in 1995 and the three lowest years of coho salmon escapement counts at the tower were 2003 (1,282), 2004 (2,064) and 2005 (2,727). The three highest escapement years were 1996 (12,781), 2000 (11,382) and 2006 (11,169). Additionally, ADF&G has conducted a radio telemetry project in the lower Fish River of which the Niukluk River is a tributary. This tagging study has shown approximately 37% of the coho salmon tagged in 2005 and 45% of the coho salmon tagged in 2006 enter the Niukluk River.

The draft 2006 escapement goal review report recommends a Niukluk River tower escapement goal range of 2,400–5,800 coho salmon. The current goal is an aerial survey goal range of 950 to 1,900 coho salmon for the Niukluk River. Using the proposed tower escapement goal range, there were two years where escapement was not reached, 2003 and 2004. The 2004 coho salmon run was especially disappointing in light of the excellent runs elsewhere in Norton Sound and the good parent-year escapement in 2000.

In 2003–2005, years of low abundance, coho salmon subsistence harvests in the Golovin Subdistrict were estimated to be less than 700 coho each year and no household reported more than 50 coho salmon harvested. Subsistence harvests in years of high abundance, 1996 and 2000, show three to four-fold increases compared to 2003–2005.

During 2000 and 2001, when no sport fishery emergency orders were issued, estimated catches of coho salmon by sport anglers in the Fish and Niukluk rivers combined averaged 2,346 fish per year, and harvests average 1,067 fish per year. In five of the last seven years (1999, 2002–2005), bag and possession limits for coho salmon in the Fish and Niukluk rivers were either reduced to one fish or the sport fishery was closed by emergency order as a result of low coho salmon returns. From 2002–2005, the estimated catch was 1,599 fish and harvest was 301 fish.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. This proposal is not necessary for managing for Niukluk River coho salmon escapement every year. A very good coho salmon run occurred in 2006 and these restrictions would not have been necessary. Enforcing catch restrictions by sex would be difficult, because of difficulties in sex determination by external observation. In order to manage for the escapement goal inseason the sport fishery can be restricted or closed by emergency order and subsistence fishing restrictions can be implemented when necessary. The proposed gillnet fishing time restrictions in July would likely affect pink salmon harvests in odd-numbered years as pink salmon runs in odd-numbered year run later and are approximately at the midpoint of run when gillnet restrictions would be required by this proposal.

COST ANALYSIS: The department does not believe that approval of this proposal would result in an additional direct cost for a private person to participate in this fishery.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a non-subsistence area? No.

2. Is the stock customarily and traditionally taken or used for subsistence? Yes, the BOF made a positive customary and traditional use determination for salmon and all finfish other than salmon in the Norton Sound-Port Clarence Area (5 AAC 01.186(2)).

3. Can a portion of the stock be harvested consistent with sustained yield? Yes.

4. What amount is reasonably necessary for subsistence use? The BOF determined the amount reasonably necessary for subsistence to be 96,000–160,000 salmon for Norton Sound - Port Clarence Area (5 AAC 01.186(b)(1)).

5. Do the regulations provide a reasonable opportunity for subsistence use? The board will need to make this determination as it considers this proposal.

6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence use? The board will need to make this determination as it considers this proposal. The harvestable surplus for these stocks exceeds documented levels of subsistence harvests.

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**PROPOSAL 148, PAGE 108, – 5 AAC 01.1XX. Use of subsistence caught fish.**  
Create a new regulation to include the following:

Allow the exchange of subsistence caught fish for cash, not to exceed \$1,000 and should not comprise a significant commercial enterprise.

PROPOSED BY: Austin Ahmasuk.

WHAT WOULD THE PROPOSAL DO? This proposal would allow limited sales of subsistence-caught fish from the Norton Sound-Port Clarence Area.

WHAT ARE THE CURRENT REGULATIONS? Under 5 AAC 01.010 (d), it is unlawful to buy or sell subsistence-taken fish, their parts, or their eggs, unless otherwise specified.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would allow all Alaska state residents to sell their subsistence-taken fish from the Norton Sound-Port Clarence Area, not to exceed \$1,000.

BACKGROUND: Under AS 16.05.940 (33), subsistence uses are defined to include “customary trade.” Under AS 16.05.940 (8), customary trade is defined as “the limited noncommercial exchange, for minimal amounts of cash, as restricted by the appropriate

board, of fish or game resources.” The BOF has recognized customary trade in only one area of the state, for subsistence-harvested herring roe on kelp in Southeast Alaska, under 5 AAC 01.717.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. This proposal requests that the BOF provide for customary trade of fish in the Norton Sound-Port Clarence Area, where there are no provisions for this subsistence use under state regulations. Customary trade in fish is allowed by federally qualified rural residents for fish taken from waters where the federal government claims a federal reserved water right. In the Norton Sound-Port Clarence Area such waters and any associated harvests are extremely limited.

Small person-to-person sales of subsistence-taken fish occur regularly in the Norton Sound-Port Clarence Area. A study of trade for cash and barter by the ADF&G Division of Subsistence and Kawerak, Inc. contacted households in six communities to discuss involvement in trade for cash and barter. Preliminary results showed small amounts of subsistence foods were being sold person-to-person for limited amounts of cash. The sales most commonly involved traditionally processed fish, primarily dried whole salmon and salmon strips, but also other fish and other subsistence foods such as berries. Such exchanges have been occurring for many years. Individual sales ranged from \$10 to \$400. The most common sale amount was \$30, and more than half the sales were less than \$50. Household sales also ranged from \$10 to \$400; the average was about \$92. For comparison, from 1999 to 2002, the average value of salmon sold by Norton Sound CFEC permit holders ranged from \$245 to \$1,818 and the recent 10-year average is \$2,840.

Sales are occurring from stocks of concern. The Subdistrict 2 (Golovin) and Subdistrict 3 (Moses Point) chum salmon stock is a yield concern. The Subdistrict 5 (Shaktoolik) and Subdistrict 6 (Unalakleet) Chinook salmon stock is also a yield concern with escapements below the goal in the North River the past three years. The Subdistrict 1 (Nome) chum salmon stock is a management concern. The commercial fishery for chum salmon in Subdistrict 1 has been closed since the 1980s because of low runs. Subsistence salmon management in the Nome Subdistrict is among the most restrictive in Alaska with the only Tier II fishery (for chum salmon) in the state. Subsistence fishers on the Pilgrim River and within the Nome Subdistrict must possess a subsistence fishing permit that stipulates harvest limits. Permit catch limits may be waived or altered depending on run strength and/or participation.

There is potential for increases in subsistence harvests if customary trade is allowed. If this proposal is adopted, the department suggests that no sale of fish, their parts, or their eggs should be allowed to any individual, business, or organization required to be licensed as a fisheries business. It should be specified that only raw, whole fish may be sold unless DEC regulations for permitting, processing and handling fish are followed. In areas where subsistence fishing permits are required, reporting requirements should include information on fish sales under customary trade regulations. A household limit on the number of fish sold under these regulations should be consistent with existing

subsistence fishing permits. A limit on the number of fish sold would be a better method for determining the amount that can be sold, because a dollar value can change from fisher to fisher, and from day to day, year to year thus resulting in varying levels of fish harvested through time.

COST ANALYSIS: The department does not believe that approval of this proposal would result in an additional direct cost for a private person to participate in this fishery.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a non-subsistence area? No.

2. Is the stock customarily and traditionally taken or used for subsistence? Yes, the BOF made a positive customary and traditional use determination for chum salmon in Subdistrict 1 of the Norton Sound District (5 AAC 01.186(a)(3)), salmon and all finfish other than salmon in the Norton Sound-Port Clarence Area (5 AAC 01.186(a)(2)), and herring and herring roe along the coast between Point Romanof and Cape Prince of Wales and along the coast of St. Lawrence Island (5 AAC 01.186(a)(1)).

3. Can a portion of the stock be harvested consistent with sustained yield? Yes.

4. What amount is reasonably necessary for subsistence use? The BOF determined that 3,430 – 5,716 chum salmon are reasonably necessary for subsistence in Subdistrict 1 of the Norton Sound District (5 AAC 01.186(b)(2)), 96,000–160,000 salmon are reasonably necessary for subsistence in the Norton Sound-Port Clarence District (5 AAC 01.186(b)(1)), 225,084–375,140 pounds of freshwater finfish excluding salmon (BOF December 1997, RC1, Tab 14), 95,789–159,648 pounds of all marine finfish excluding salmon and herring (BOF December 1997, RC1, Tab 14), 33–133 short tons of herring (Andrews 1993 memo), 12,000–47,000 pounds of roe on kelp (Andrews 1993 memo).

5. Do the regulations provide a reasonable opportunity for subsistence use? The board will need to make this determination as it considers this proposal.

6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence use? Yes. Commercial and sport fishing for chum salmon is closed in Subdistrict 1. Generally, the harvestable surplus for other stocks exceeds documented levels of subsistence harvests.

**Norton Sound-Port Clarence and Kotzebue – Commercial**

**PROPOSAL 149, PAGE 108, – 5 AAC 04.320. Fishing periods.** Amend the following regulations in the Norton Sound District as follows:

**5 AAC 04.320 Fishing periods.**

(2) in Subdistricts **2–4** [3] salmon **fishing periods are established by emergency order** [MAY BE TAKEN FROM 6:00 P.M. MONDAY TO 6:00 P.M. TUESDAY AND FROM 6:00 P.M. THURSDAY TO 6:00 P.M. FRIDAY].

(3) in Subdistricts **5–6** salmon **fishing periods are established by emergency order** [2 AND 4-6 MAY BE TAKEN FROM 6:00 P.M. MONDAY TO 6:00 P.M. WEDNESDAY AND FROM 6:00 P.M. THURSDAY TO 6:00 P.M. SATURDAY].

**PROPOSED BY:** Alaska Department of Fish and Game.

**WHAT WOULD THE PROPOSAL DO?** This proposal would allow the department to coordinate commercial fishing times with market conditions and air transportation schedules.

**WHAT ARE THE CURRENT REGULATIONS?** Current regulations provide for two 48-hour commercial fishing periods from 6 p.m. Monday to 6 p.m. Wednesday and from 6 p.m. Thursday to 6 p.m. Saturday in Subdistricts 2 and 4–6 and two 24-hour commercial fishing periods from 6:00 p.m. Monday to 6:00 p.m. Tuesday and from 6:00 p.m. Thursday to 6:00 p.m. Friday in Subdistrict 3.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?** The proposed regulation would reflect current management practices of coinciding fishing periods with airline and market schedules by emergency order.

**BACKGROUND:** For years the only salmon buyer in Norton Sound has requested that weekly commercial fishing periods in Subdistricts 5 and 6 be moved 24 hours earlier so the weekly fishing schedule ends at 6:00 p.m. Friday because of the lack of aircraft to move product on Sunday. The department has moved the fishing schedule to accommodate the buyer.

**DEPARTMENT COMMENTS:** The department submitted and **SUPPORTS** this proposal. Adoption of this proposal would reflect current management practices to provide fishing time by emergency order.

**COST ANALYSIS:** The department does not believe that approval of this proposal would result in an additional direct cost for a private person to participate in this fishery.



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**PROPOSAL 150, PAGE 109, – 5 AAC 04.200. Fishing districts and subdistricts; and 5 AAC 04.310. Fishing seasons; and 5 AAC 04.320. Fishing periods; and 5 AAC 04.330. Gear; and 5 AAC 04.331. Gillnet specifications and operations; and 5 AAC 04.350. Closed waters.** Amend these regulations as follows to provide for the opening of commercial salmon fishing in Port Clarence District:

5 AAC 04.200 The old commercial fishing boundary regulations from the commercial fishery of 1966 be utilized for the first year. The outer line ran from Brevig Lagoon entrance (marked by a now stranded bridge) to the western tip of Cape Riley. The inner line ran from Four Mile Point to Sunset Creek mouth, across Grantley Harbor. Should this result in water marked fish an emergency order could be issued to adjust the line to the narrows at the entrance of Grantley Harbor.

5 AAC 04.310 “from a date established by emergency order after July 1 through August 31.” These dates could be refined after the first season.

5 AAC 04.320 “to be established by emergency order.” Depending on the number of participants this could be left to the buyer and fishers to best manage quality with little additional workload to the department as it is done in other low volume fisheries (Kotzebue salmon).

5 AAC 04.330 and 5 AAC 04.331 Same as Norton Sound District.

5 AAC 04.350. Strike (3) the Port Clarence District.

PROPOSED BY: Norton Sound Economic Development Corporation

WHAT WOULD THE PROPOSAL DO? This proposal would allow a commercial salmon fishery in Port Clarence District.

WHAT ARE THE CURRENT REGULATIONS? Currently, Port Clarence District is closed to commercial salmon fishing.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? A limited commercial salmon fishery could occur in Port Clarence to target sockeye salmon returning to Salmon Lake.

BACKGROUND: The department, Norton Sound Economic Development Corporation (NSEDC), and U.S. Bureau of Land Management sponsored a lake fertilization program in Salmon Lake during the past decade. Additionally, current climate conditions may be favorable for sockeye salmon as seen in a trend of increasing abundance in Western Alaska. The sockeye salmon runs in the Port Clarence District have increased by a factor of ten in the past decade. Although subsistence use has had a proportionate increase in harvest and effort, there have been very large escapements to the spawning grounds at Salmon Lake. The Salmon Lake sockeye salmon escapement was the third highest on record in 2006 with

52,223 fish counted at Pilgrim River weir. The department and some residents are now viewing this stock as a potential economic opportunity. This proposal is intended to move that process forward.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal. Based upon the large sockeye escapements in recent years (2003 – 2006), there is a surplus of fish available for harvest. Although there are not enough years of escapement data to determine a weir-based escapement goal at this time, managing a commercial sockeye fishery for a passage of 20,000 to 30,000 at the Pilgrim River weir would be conservative biologically and would provide for a subsistence priority. Existing CFEC salmon permits for Norton Sound can be used in the Port Clarence District. The department views this proposal as developing a small fishery through time and would manage the fishery conservatively.

The department and NSEDC cooperatively conducted a test fishery in Grantley Harbor in 2006 and found that sockeye salmon were available in the proposed fishing area with an incidental harvest of chum salmon. Test fishing results showed the ratio of sockeye salmon to chum salmon by date to be 0.75 to 1 on July 3, 2.83 to 1 on July 7, 1.28 to 1 on July 11, 0.19 to 1 on July 17 and 0.25 to 1 on July 21. The catch of chum salmon was much higher than expected and was likely due to a much stronger chum salmon run in 2006 than average. The 2006 chum salmon escapement at the Pilgrim River weir was a record 45,410 fish, greatly exceeding the second highest escapement in 2003 of 15,192 chum salmon.

COST ANALYSIS: The department does not believe that approval of this proposal would result in an additional direct cost for a private person to participate in this fishery.

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**PROPOSAL 151, PAGE 110, – 5 AAC 03.320. Fishing periods.** Amend as follows:

**5 AAC 03.320. Fishing periods.** In the Kotzebue District

- (1) **fishing periods are established by emergency order.** [WEEKLY SALMON FISHING PERIODS ARE TO BE OPENED AND CLOSED BY EMERGENCY ORDER UNTIL AUGUST 1;]

Repeal the following regulation:

[(2) AFTER AUGUST 1, SALMON MAY BE TAKEN ONLY FROM 8:00 A.M. MONDAY UNTIL 8:00 P.M. TUESDAY AND FROM 8:00 A.M. THURSDAY UNTIL 8:00 P.M. FRIDAY.]

**PROPOSED BY:** Alaska Department of Fish and Game.

**WHAT WOULD THE PROPOSAL DO?** This proposal would eliminate an outdated regulation.

**WHAT ARE THE CURRENT REGULATIONS?** From July 10 until August 1 commercial fishing periods are by emergency order and from August 1 through August 31, two 36-hour periods are allowed by regulation from 8:00 a.m. Monday until 8:00 p.m. Tuesday and from 8:00 a.m. Thursday until 8:00 p.m. Friday.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?** This proposal would allow commercial fishing periods to be established by emergency order.

**BACKGROUND:** Beginning in the mid-1990s market conditions necessitated shorter periods for better fish quality. Since 2002, low fishing effort and limited buyer capacity has resulted in the commercial fishery being open continuously from mid-July through August 31. The only exception was in 2006 when the department had periodic closures in August to allow more fish to migrate through Kotzebue Sound for subsistence users and escapement needs. The opening schedule for the salmon fishery in recent years allows the buyers and catcher-sellers to coordinate the fishing effort with airline schedules for better quality.

**DEPARTMENT COMMENTS:** The department submitted and **SUPPORTS** this proposal. This proposal would simplify regulatory text and reflects the current management practice of coinciding fishing periods with airline and market schedules.

**COST ANALYSIS:** The department does not believe that approval of this proposal would result in an additional direct cost for a private person to participate in this fishery.

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**PROPOSAL 152, PAGE 111, – 5 AAC 27.905. Description of Bering Sea-Kotzebue Area districts and subdistricts.** Amend as follows:

(b) The Norton Sound District consists of all waters between the latitude of the westernmost tip of Cape Douglas and the latitude of **Point Romanof** [CANAL POINT LIGHT]

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would set the southern boundary for the Norton Sound District the same for herring as it is for salmon, which is at Point Romanof.

WHAT ARE THE CURRENT REGULATIONS? The current southern boundary is Canal Point Light for the Norton Sound Herring District.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would make the herring and salmon boundaries the same.

BACKGROUND: The current southern boundary for the Norton Sound Herring District is Canal Point Light while the southern boundary for salmon is Point Romanof, approximately 20 miles south of Canal Point. Also, there is no light at Canal Point.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. The department views this as a housekeeping measure.

COST ANALYSIS: The department does not believe that approval of this proposal would result in an additional direct cost for a private person to participate in this fishery.

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**PROPOSAL 153, PAGE 111, – 5 AAC 27.910. Fishing seasons and periods for Bering Sea-Kotzebue Area.** Amend as follows:

If market prices for Norton Sound herring are too low for the buyers to travel there and for the fishermen to make a profit, the fishery should be closed. No state program, like CDQ, should be allowed to use public funds to create a fishery that only exist for political reasons.

PROPOSED BY: Sidney Nelson

WHAT WOULD THE PROPOSAL DO? Close the Norton Sound District herring fishery unless a profit can be shown.

WHAT ARE THE CURRENT REGULATIONS? Current regulations and management are based on biological considerations.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal might prevent a buyer from entering into a cooperative agreement with Norton Sound Economic Development Corporation (NSEDC) to buy herring and possibly require a buyer to justify price being paid.

BACKGROUND: Since 2002, only one or two buyers have come to Norton Sound for the herring fishery. In 2004 there were no buyers. Since the early 2000s, NSEDC has offered an incentive to Norton Sound resident permit holders for their herring catch. Also, in at least one year since the early 2000s NSEDC has entered into a contract with a herring buyer to provide a market for Norton Sound herring permit holders. Since 2002, the commercial herring harvest has been one-quarter or less than the quota available.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. The herring fishery is managed on biological and conservation considerations. The department does not determine contract issues between buyers and other agencies involved in purchasing herring.

COST ANALYSIS: The department does not believe that approval of this proposal would result in an additional direct cost for a private person to participate in this fishery.

## Norton Sound-Port Clarence – Miscellaneous

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**PROPOSAL 154, PAGE 112, – 5 AAC XX.XXX.** Create a new regulation to include the following:

The new regulation would establish a controlled use area for the Nome River specifically in regulation to Alaska Department of Transportation and Public Facilities activities in locations where the Nome River is within the right-of-way of Nome-Taylor highway. The controlled use provision would only apply to the Alaska Department of Transportation and Public Facilities (ADOT&PF) activities and the provision should prohibit use of river substrate and provide for effective seeding of native willow clumps to enhance Nome riverbanks where they have been destroyed.

PROPOSED BY: Austin Ahmasuk.

WHAT WOULD THE PROPOSAL DO? This proposal would put in regulation requirements for Alaska DOT&PF to follow regarding road maintenance work along the Nome River.

WHAT ARE THE CURRENT REGULATIONS? Current regulations require a permit from DNR for any use of fill from Nome River.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would prohibit ADOT&PF use of river substrate for fill in bank stabilization and require remediation of riverbanks along Nome River when there is damage.

BACKGROUND: Portions of the Nome-Taylor highway are adjacent to the Nome River and flooding sometimes affects the road and repairs are needed alongside the Nome River. In 2002 the ADOT&PF violated ADF&G Habitat Division permits by using fill from channels of the Nome River to stabilize the road and creating a straightened stretch of the river where the river had previously meandered. The location of violations was at approximately mile 26 of the Nome-Taylor highway.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. Permitting is now handled by Alaska Department of Natural Resources (DNR) for work done by ADOT&PF in regard to salmon streams. Stream bank stabilization is important for salmon habitat and production.

COST ANALYSIS: The department does not believe that approval of this proposal would result in an additional direct cost for a private person to participate in this fishery.

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## COMMITTEE C- YUKON AREA SALMON AND FRESH WATER FISH (20 PROPOSALS)

### Subsistence and Commercial- Windows and Gear

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#### **PROPOSAL 158, Page 116, – 5 AAC 01.240. Marking and use of subsistence taken salmon.**

PROPOSED BY: Yukon River Drainage Fisheries Association

WHAT WOULD THE PROPOSAL DO? This proposal seeks to change the marking requirement for subsistence taken king salmon in Districts 1-3 from removing the dorsal fin to removing both lobes of the caudal fin.

WHAT ARE THE CURRENT REGULATIONS? Currently in Districts 1-3, during a commercial salmon fishing period, a person may not possess king salmon taken for subsistence uses unless the dorsal fin has been immediately removed. A person may not sell or purchase salmon from which the dorsal fin has been removed.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would make it easier for fishers in Districts 1-3 to mark subsistence taken fish. In addition, clipping the caudal fin would be more sanitary because flesh would no longer be exposed along the dorsal fin prior to processing the fish for consumption.

BACKGROUND: This regulation was originally intended to aid in the enforcement of subsistence regulations restricting king salmon harvested during subsistence activities from being sold commercially. The current marking requirement of removing the dorsal fin of king salmon taken for subsistence uses is not easily accomplished and exposes the flesh to the environment.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal. Changing the current marking requirement from removal of the dorsal fin to the removal of both lobes of the caudal fin will likely foster better compliance, because marking will be easier for subsistence fishers. In addition, the regulation would be consistent with other areas of the state. The department also supports clarifying when subsistence marking requirements would be in place. Under the current regulation, the marking requirement is effective only during an opening for commercial fishing. To enforce regulations prohibiting the sale of subsistence taken king salmon, the department recommends that the marking requirement be effective from June 1 through July 15.

COST ANALYSIS: The department does not believe that approval of this proposal would result in additional direct cost for a private person to participate in this fishery.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a non-subsistence area? A portion of the king salmon stock migrates through the Fairbanks Non-subsistence Area (primarily Subdistrict 6-C).
2. Is the stock customarily and traditionally taken or used for subsistence? Yes, the BOF made a positive customary and traditional use determination for king, summer chum, fall chum, coho, and pink salmon in the Yukon-Northern Area (5 AAC 01.236(1)).
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence use? The BOF determined the amount reasonably necessary for subsistence to be 45,500-66,704 king salmon, 83,500-142,192 summer chum salmon, 89,500-167,900 fall chum salmon, and 20,500-51,980 coho salmon in the Yukon-Northern Area (5AAC 01.236(b)(1-4)).
5. Do the regulations provide a reasonable opportunity for subsistence use? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence use? During recent years, it has been necessary for the department to reduce other uses of king salmon from their historical average harvest.

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**PROPOSAL 159, Page 116, – 5 AAC 05.360. Yukon River King Salmon Management Plan.**

PROPOSED BY: Fairbanks Advisory Committee

WHAT WOULD THE PROPOSAL DO? This proposal would impose the windowed subsistence fishing schedule from May 1 to September 1 and prohibit lifting the schedule for any reason.

WHAT ARE THE CURRENT REGULATIONS? Currently, the subsistence salmon fishing schedule is implemented by emergency order and implemented upstream, chronologically, following the migration run timing for salmon. Since 2001, the schedule has been initiated in District 1 during very late May to June 1. The subsistence fishing schedule in Districts 1-3 consists of two 36-hour periods per week. In District 4 and Subdistricts 5-A, 5-B, and 5-C, the subsistence fishing schedule consists of two 48-hour periods per week. In District 6, subsistence fishing is allowed for two 42-hour periods per week, except in the Old Minto Area where subsistence fishing is allowed 5 days per week. Subsistence fishing is allowed 7 days per week in the Coastal District, Koyukuk River drainage, and in Subdistrict 5-D. Subsistence fishing in the Innoko River drainage has been allowed 7 days per week by emergency order, because of less efficient fishing conditions and low fishing effort. When a surplus above border passage (treaty obligations), escapement needs, and subsistence uses is identified, subsistence fishing reverts to the pre-2001 subsistence fishing periods. Subsistence fishing is closed 24 hours before the opening of the commercial season. During the commercial fishing season in Districts 1–3, salmon may not be taken 18 hours before, during, and 12 hours after each



commercial salmon fishing period prior to July 15. During the commercial fishing season in Subdistrict 4-A, salmon may not be taken 12 hours before, during, and 12 hours after each commercial salmon fishing period. When commercial periods are opened in Subdistricts 4-B and 4-C and Districts 5 and 6, they are concurrent with subsistence fishing periods.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would restrict subsistence fishers on the Yukon River from harvesting salmon outside of established fishing schedules from May 1 to September 1, regardless of inseason run assessment information.

BACKGROUND: Prior to 2001, subsistence fishing for salmon was generally allowed seven days per week in Districts 1–5, until the opening of the commercial fishing season or, in the upper Yukon, dates set in regulation. In January 2001, the BOF adopted a subsistence salmon fishing schedule on the Yukon River as part of action plans to address king and chum salmon stocks of concern. This schedule was adopted by the BOF and supported by the communities in response to the poor runs from 1998 to 2000. The goal of the schedule was to provide windows of time during which salmon could migrate upriver unexploited. The intent of the schedule was to spread harvest out and reduce the impact on any particular component of the run, in addition to spreading subsistence harvest opportunity among users. The schedule was based on current, or past, fishing schedules and the BOF determined that it provides a reasonable opportunity for subsistence users to meet their needs during years of average to below average runs.

During the March 2003 BOF meeting, a regulation was adopted to clarify discontinuing the schedule and reverting to pre-2001 subsistence fishing period regulations when there was a surplus of salmon greater than needed for escapement needs and subsistence uses. As specified under AAC 05.360. YUKON RIVER KING SALMON MANAGEMENT PLAN. (e); if inseason run strength indicates a sufficient abundance of king salmon to allow a commercial fishery in that district, or subdistrict, subsistence fishing shall revert to the fishing periods as specified in 5AAC 01.210 (c)–(h), which is the pre-2001 subsistence fishing periods.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. This proposal would unnecessarily implement the subsistence schedule well before Yukon River ice breakup and continue the windowed schedule throughout the summer and fall seasons. After ice breakup, subsistence fishers target sheefish, which typically run before returning salmon. Current regulations and management practices allow relaxation of the subsistence fishing schedule when run assessment projections indicate that a surplus of salmon is available above escapement goals and subsistence uses. In addition, this proposal would not allow for reductions in the subsistence fishing schedule in the event of a poor run.

The department requires flexibility in management. For example in 2006, high water and debris impacted subsistence fishing in District 4. As a result, the department allowed subsistence fishing seven days per week during July to provide additional subsistence

fishing opportunity for king salmon. This proposal would require establishing commercial periods during the subsistence windows in Districts 1-3 or establishing commercial fishing periods in between subsistence windows. Both of these options would hamper enforcement of regulations and limit the department's flexibility for managing an orderly fishery in the lower river districts.

COST ANALYSIS: The department does not believe that approval of this proposal would result in additional direct cost for a private person to participate in this fishery.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a non-subsistence area? A portion of the king salmon stock migrates through the Fairbanks Non-subsistence Area (primarily Subdistrict 6-C).
2. Is the stock customarily and traditionally taken or used for subsistence? Yes, the BOF made a positive customary and traditional use determination for king, summer chum, fall chum, coho, and pink salmon in the Yukon-Northern Area (5 AAC 01.236(1)).
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence use? The BOF determined the amount reasonably necessary for subsistence to be 45,500-66,704 king salmon, 83,500-142,192 summer chum salmon, 89,500-167,900 fall chum salmon, and 20,500-51,980 coho salmon in the Yukon-Northern Area (5AAC 01.236(b)(1-4)).
5. Do the regulations provide a reasonable opportunity for subsistence use? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence use? During some recent years, it has been necessary for the department to reduce other uses of salmon from their historical average harvest.

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**PROPOSAL 160, Page 117, – 5 AAC 05.360. Yukon River King Salmon Management Plan.**

PROPOSED BY: Tanana-Rampart-Manley Advisory Committee

WHAT WOULD THE PROPOSAL DO? This proposal would impose a windowed fishing schedule for both commercial and subsistence fishing throughout the Alaskan portion of the Yukon River and prohibit lifting the schedule. It is unclear if the scheduled closures to subsistence and/or commercial fishing would be imposed in areas where subsistence fishing is currently open 7 days per week.

WHAT ARE THE CURRENT REGULATIONS? Currently, the subsistence salmon fishing schedule is implemented by emergency order and implemented upstream, chronologically, following the migration run timing for salmon. Since 2001, the schedule has been initiated in District 1 during very late May to June 1. The subsistence fishing schedule in Districts 1-3 consists of two 36-hour periods per week. In District 4 and Subdistricts 5-A, 5-B, and 5-C, the subsistence fishing schedule is two 48-hour periods per week. In District 6, subsistence fishing is allowed for two 42-hour periods per week, except in the Old Minto Area subsistence fishing is allowed 5 days per week. Subsistence fishing is allowed 7 days per week in the Coastal District, Koyukuk River drainage, and in Subdistrict 5-D. Subsistence fishing in the Innoko River drainage has been allowed 7 days per week by emergency order, because of less efficient fishing conditions and low fishing effort. When a surplus above border passage (treaty obligations), escapement needs, and subsistence uses is identified, subsistence fishing reverts to the pre-2001 subsistence fishing periods. Subsistence fishing is closed 24 hours before the opening of the commercial season. During the commercial fishing season in Districts 1-3, salmon may not be taken 18 hours before, during, and 12 hours after each commercial salmon fishing period prior to July 15. During the commercial fishing season in Subdistrict 4-A, salmon may not be taken 12 hours before, during, and 12 hours after each commercial salmon fishing period. When commercial periods are opened in Subdistricts 4-B and 4-C and Districts 5 and 6, they are concurrent with subsistence fishing periods.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Subsistence and commercial fishing would be allowed only during windowed openings. This proposal would restrict fishers on the Yukon River from harvesting salmon outside established fishing schedules regardless of inseason run assessment information. This proposal may place additional limitations on fishers in areas currently allowed to subsistence fish 7 days per week.

BACKGROUND: Prior to 2001, subsistence fishing for salmon was generally allowed seven days per week in Districts 1-5, until the opening of the commercial fishing season or, in the upper Yukon, dates set in regulation. In January 2001, the BOF adopted a subsistence salmon fishing schedule on the Yukon River as part of action plans to address king and chum salmon stocks of concern. This schedule was adopted by the BOF and supported by the communities in response to the poor runs from 1998 to 2000. The goal

of the schedule was to provide windows of time during which salmon could migrate upriver unexploited. The intent of the schedule was to spread harvest out and reduce the impact on any particular component of the run, in addition to spreading subsistence harvest opportunity among users. The schedule was based on current, or past, fishing schedules and the BOF determined that it provides a reasonable opportunity for subsistence users to meet their needs during years of average to below average runs.

During the March 2003 BOF meeting, a regulation was adopted to clarify discontinuing the schedule and reverting to pre-2001 subsistence fishing period regulations when there was a surplus of salmon greater than needed for escapement needs and subsistence uses. As specified under AAC 05.360. YUKON RIVER KING SALMON MANAGEMENT PLAN. (e); if inseason run strength indicates a sufficient abundance of king salmon to allow a commercial fishery in that district, or subdistrict, subsistence fishing shall revert to the fishing periods as specified in 5AAC 01.210 (c)–(h), which is the pre-2001 subsistence fishing periods.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. This proposal would unnecessarily continue the windowed schedule throughout the summer and fall seasons. Current regulations and management practices allow relaxation of the subsistence fishing schedule when run assessment projections indicate that a surplus of salmon is available above escapement goals and subsistence uses. In addition, this proposal would not allow for reductions in the subsistence fishing schedule in the event of a poor run. The current regulatory subsistence schedule allows subsistence fishing seven days per week in Koyukuk River and Subdistrict 5-D because these locations are less efficient harvesting salmon. It appears this proposal would reduce subsistence fishing time in these locations from current levels.

The department requires flexibility in management. For example in 2006, high water and debris impacted subsistence fishing in District 4. As a result, the department allowed subsistence fishing seven days per week during July to provide additional subsistence fishing opportunity for king salmon. This proposal would require establishing commercial periods during the subsistence windows in Districts 1-3, which would hamper enforcement of regulations and limit the department's flexibility for managing an orderly fishery in the lower river districts.

COST ANALYSIS: The department does not believe that approval of this proposal would result in additional direct cost for a private person to participate in this fishery.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a non-subsistence area? A portion of the king salmon stock migrates through the Fairbanks Non-subsistence Area (primarily Subdistrict 6-C).
2. Is the stock customarily and traditionally taken or used for subsistence? Yes, the BOF made a positive customary and traditional use determination for king, summer chum, fall chum, coho, and pink salmon in the Yukon-Northern Area (5 AAC 01.236(1)).

3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence use? The BOF determined the amount reasonably necessary for subsistence to be 45,500-66,704 king salmon, 83,500-142,192 summer chum salmon, 89,500-167,900 fall chum salmon, and 20,500-51,980 coho salmon in the Yukon-Northern Area (5AAC 01.236(b)(1-4)).
5. Do the regulations provide a reasonable opportunity for subsistence use? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence use? During some recent years, it has been necessary for the department to reduce other uses of salmon from their historical average harvest.

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**PROPOSAL 161, Page 118, – 5 AAC 05.360. Yukon River King Salmon Management Plan; and 5 AAC 01.210. Fishing seasons and periods.**

PROPOSED BY: Eastern Interior Regional Advisory Council

WHAT WOULD THE PROPOSAL DO? This proposal would implement and maintain a windowed fishing schedule for both commercial and subsistence fishing throughout the Alaskan portion of the Yukon River during the summer season. It is unclear if the scheduled closures to subsistence and/or commercial fishing would be imposed in areas where subsistence fishing is currently open 7 days per week.

WHAT ARE THE CURRENT REGULATIONS? Currently, the subsistence salmon fishing schedule is implemented by emergency order and implemented upstream, chronologically, following the migration run timing for salmon. Since 2001, the schedule has been initiated in District 1 during very late May to June 1. The subsistence fishing schedule in Districts 1-3 consists of two 36-hour periods per week. In District 4 and Subdistricts 5-A, 5-B, and 5-C, the subsistence fishing schedule is two 48-hour periods per week. In District 6, subsistence fishing is allowed for two 42-hour periods per week, except in the Old Minto Area subsistence fishing is allowed 5 days per week. Subsistence fishing is allowed 7 days per week in the Coastal District, Koyukuk River drainage, and in Subdistrict 5-D. Subsistence fishing in the Innoko River drainage has been allowed 7 days per week by emergency order, because of less efficient fishing conditions and low fishing effort. When a surplus above border passage (treaty obligations), escapement needs, and subsistence uses is identified, subsistence fishing reverts to the pre-2001 subsistence fishing periods. Subsistence fishing is closed 24 hours before the opening of the commercial season. During the commercial fishing season in Districts 1-3, salmon may not be taken 18 hours before, during, and 12 hours after each commercial salmon fishing period prior to July 15. During the commercial fishing season in Subdistrict 4-A, salmon may not be taken 12 hours before, during, and 12 hours after each commercial salmon fishing period. When commercial periods are opened in

Subdistricts 4-B and 4-C and Districts 5 and 6, they are concurrent with subsistence fishing periods.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?

Subsistence and commercial fishing would be allowed only during windowed openings. This proposal would restrict fishers on the Yukon River from harvesting salmon outside of established fishing schedules regardless of inseason run assessment information. This proposal may place additional limitations on fishers in areas currently allowed to subsistence fish 7 days per week.

BACKGROUND: Prior to 2001, subsistence fishing for salmon was generally allowed seven days per week in Districts 1-5, until the opening of the commercial fishing season or, in the upper Yukon, dates set in regulation. In January 2001, the BOF adopted a subsistence salmon fishing schedule on the Yukon River as part of action plans to address king and chum salmon stocks of concern. This schedule was adopted by the BOF and supported by the communities in response to the poor runs from 1998 to 2000. The goal of the schedule was to provide windows of time during which salmon could migrate upriver unexploited. The intent of the schedule was to spread harvest out and reduce the impact on any particular component of the run, in addition to spreading subsistence harvest opportunity among users. The schedule was based on current, or past, fishing schedules and the BOF determined that it provides a reasonable opportunity for subsistence users to meet their needs during years of average to below average runs.

During the March 2003 BOF meeting, a regulation was adopted to clarify discontinuing the schedule and reverting to pre-2001 subsistence fishing period regulations when there was a surplus of salmon greater than needed for escapement needs and subsistence uses. As specified under AAC 05.360. YUKON RIVER KING SALMON MANAGEMENT PLAN. (e); if inseason run strength indicates a sufficient abundance of king salmon to allow a commercial fishery in that district, or subdistrict, subsistence fishing shall revert to the fishing periods as specified in 5AAC 01.210 (c) – (h), which is the pre-2001 subsistence fishing periods.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. This proposal would unnecessarily continue the windowed schedule throughout the summer season. Current regulations and management practices allow relaxation of the subsistence fishing schedule when run assessment projections indicate that a surplus of salmon is available above escapement goals and subsistence uses. In addition, this proposal would not allow for reductions in the subsistence fishing schedule in the event of a poor run. The current regulatory subsistence schedule allows subsistence fishing seven days per week in Koyukuk River and Subdistrict 5-D because these locations are less efficient harvesting salmon. It appears this proposal would reduce subsistence fishing time in these locations from current levels.

The department requires flexibility in management. For example in 2006, high water and debris impacted subsistence fishing in District 4. As a result, the department allowed subsistence fishing seven days per week during July to provide additional subsistence

fishing opportunity for king salmon. This proposal would require establishing commercial periods during the subsistence windows in Districts 1-3, which would hamper enforcement of regulations and limit the department's flexibility for managing an orderly fishery in the lower river districts.

COST ANALYSIS: The department does not believe that approval of this proposal would result in additional direct cost for a private person to participate in this fishery.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a non-subsistence area? A portion of the king salmon stock migrates through the Fairbanks Non-subsistence Area (primarily Subdistrict 6-C).
2. Is the stock customarily and traditionally taken or used for subsistence? Yes, the BOF made a positive customary and traditional use determination for king, summer chum, fall chum, coho, and pink salmon in the Yukon-Northern Area (5 AAC 01.236(1)).
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence use? The BOF determined the amount reasonably necessary for subsistence to be 45,500-66,704 king salmon, 83,500-142,192 summer chum salmon, 89,500-167,900 fall chum salmon, and 20,500-51,980 coho salmon in the Yukon-Northern Area (5AAC 01.236(b)(1-4)).
5. Do the regulations provide a reasonable opportunity for subsistence use? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence use? During some recent years, it has been necessary for the department to reduce other uses of salmon from their historical average harvest.

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**PROPOSAL 162, Page 119, – 5 AAC 05.360. Yukon River King Salmon Management Plan; and 5 AAC 01.210. Fishing seasons and periods.**

PROPOSED BY: Eastern Interior Regional Advisory Council

WHAT WOULD THE PROPOSAL DO? This proposal would impose a windowed fishing schedule for both commercial and subsistence fishing throughout the Alaskan portion of the Yukon River during the summer season.

WHAT ARE THE CURRENT REGULATIONS? Currently, the subsistence salmon fishing schedule is implemented by emergency order and implemented upstream, chronologically, following the migration run timing for salmon. Since 2001, the schedule has been initiated in District 1 during very late May to June 1. The subsistence fishing schedule in Districts 1-3 consists of two 36-hour periods per week. In District 4 and Subdistricts 5-A, 5-B, and 5-C, the subsistence fishing schedule is two 48-hour periods

per week. In District 6, subsistence fishing is allowed for two 42-hour periods per week, except in the Old Minto Area subsistence fishing is allowed 5 days per week. Subsistence fishing is allowed 7 days per week in the Coastal District, Koyukuk River drainage, and in Subdistrict 5-D. Subsistence fishing in the Innoko River drainage has been allowed 7 days per week by emergency order, because of less efficient fishing conditions and low fishing effort. When a surplus above border passage (treaty obligations), escapement needs, and subsistence uses is identified, subsistence fishing reverts to the pre-2001 subsistence fishing periods. Subsistence fishing is closed 24 hours before the opening of the commercial season. During the commercial fishing season in Districts 1-3, salmon may not be taken 18 hours before, during, and 12 hours after each commercial salmon fishing period prior to July 15. During the commercial fishing season in Subdistrict 4-A, salmon may not be taken 12 hours before, during, and 12 hours after each commercial salmon fishing period. When commercial periods are opened in Subdistricts 4-B and 4-C and Districts 5 and 6, they are concurrent with subsistence fishing periods.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would only allow subsistence and commercial fishing during set windowed openings. This proposal would restrict fishers on the Yukon River from harvesting salmon outside of established fishing schedules regardless of inseason run assessment information. This proposal may place additional limitations on fishers in areas currently allowed to subsistence fish 7 days per week.

BACKGROUND: Prior to 2001, subsistence fishing for salmon was generally allowed seven days per week in Districts 1-5, until the opening of the commercial fishing season or, in the upper Yukon, dates set in regulation. In January 2001, the BOF adopted a subsistence salmon fishing schedule on the Yukon River as part of action plans to address king and chum salmon stocks of concern. This schedule was adopted by the BOF and supported by the communities in response to the poor runs from 1998 to 2000. The goal of the schedule was to provide windows of time during which salmon could migrate upriver unexploited. The intent of the schedule was to spread harvest out and reduce the impact on any particular component of the run, in addition to spreading subsistence harvest opportunity among users. The schedule was based on current, or past, fishing schedules and the BOF determined that it provides a reasonable opportunity for subsistence users to meet their needs during years of average to below average runs.

During the March 2003 BOF meeting, a regulation was adopted to clarify discontinuing the schedule and reverting to pre-2001 subsistence fishing period regulations when there was a surplus of salmon greater than needed for escapement needs and subsistence uses. As specified under AAC 05.360. YUKON RIVER KING SALMON MANAGEMENT PLAN. (e); if inseason run strength indicates a sufficient abundance of king salmon to allow a commercial fishery in that district, or subdistrict, subsistence fishing shall revert to the fishing periods as specified in 5AAC 01.210 (c)–(h), which is the pre-2001 subsistence fishing periods.



DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. This proposal would unnecessarily continue the windowed schedule throughout the summer season. Current regulations and management practices allow relaxation of the subsistence fishing schedule when run assessment projections indicate that a surplus of salmon is available above escapement goals and subsistence uses. In addition, this proposal would not allow for reductions in the subsistence fishing schedule in the event of a poor run. The current regulatory subsistence schedule allows subsistence fishing seven days per week in Koyukuk River and Subdistrict 5-D because these locations are less efficient harvesting salmon. It appears this proposal would reduce subsistence fishing time in these locations from current levels.

The department requires flexibility in management. For example in 2006, high water and debris impacted subsistence fishing in District 4. As a result, the department allowed subsistence fishing seven days per week during July to provide additional subsistence fishing opportunity for king salmon. This proposal would require establishing commercial periods during the subsistence windows in Districts 1-3, which would hamper enforcement of regulations and limit the department's flexibility for managing an orderly fishery in the lower river districts.

COST ANALYSIS: The department does not believe that approval of this proposal would result in additional direct cost for a private person to participate in this fishery.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a non-subsistence area? A portion of the king salmon stock migrates through the Fairbanks Non-subsistence Area (primarily Subdistrict 6-C).
2. Is the stock customarily and traditionally taken or used for subsistence? Yes, the BOF made a positive customary and traditional use determination for king, summer chum, fall chum, coho, and pink salmon in the Yukon-Northern Area (5 AAC 01.236(1)).
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence use? The BOF determined the amount reasonably necessary for subsistence to be 45,500-66,704 king salmon, 83,500-142,192 summer chum salmon, 89,500-167,900 fall chum salmon, and 20,500-51,980 coho salmon in the Yukon-Northern Area (5AAC 01.236(b)(1-4)).
5. Do the regulations provide a reasonable opportunity for subsistence use? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence use? During some recent years, it has been necessary for the department to reduce other uses of salmon from their historical average harvest.

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**PROPOSAL 163, Page 120, – 5 AAC 05.331. Gillnet specifications and operations; and 5 AAC 01.220. Lawful gear and gear specifications.**

PROPOSED BY: Eastern Interior Regional Advisory Council

WHAT WOULD THE PROPOSAL DO? This proposal would restrict subsistence and commercial gillnets in the Yukon River drainage to no more than 6-inch mesh size.

WHAT ARE THE CURRENT REGULATIONS? Currently, with the exception of subsistence fishing gear in a few tributaries, there is no maximum mesh size imposed on a river wide basis. The department has the ability to close and immediately reopen the subsistence fishery with mesh size restrictions based on the need to conserve king or chum salmon. The department also has the ability to direct the commercial harvest toward chum salmon by restricting gillnet mesh size to 6-inch, or smaller, and to conserve chum salmon by restricting mesh size to 8-inch, or larger, by emergency order.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would likely change subsistence harvest patterns and would result in a substantial increase in the harvest of chum salmon during subsistence and commercial fishing activities targeting king salmon. At this time there is very little commercial interest in Districts 1-5 for summer chum salmon and subsistence fishers only need so many chum salmon, which may result in wastage of the resource.

BACKGROUND: Some fishers in the Yukon River drainage have reported that king salmon have decreased in size since the 1980s. There is a concern in some areas of the river that this decrease has been caused by the use of large mesh gillnets (8-inch and larger), which target larger fish. The department has documented a trend in fewer 7-year old king salmon and smaller corresponding average size fish since the 1980s. It is unknown whether this is due to selective harvest or environmental conditions.

Large mesh size gillnets have been used in the Yukon River since the early 1900s to target king salmon. Commercial fishing periods restricted to gillnets of 6-inch or less mesh size are used to target chum salmon and have resulted in chum to king salmon ratios of approximately 20:1. In January 2004, the BOF rejected a similar proposal to restrict commercial gillnet mesh size to 6-inch, or less, mesh.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. The department is NEUTRAL on its allocative aspects. The department is able to conduct orderly fisheries at this time under current regulations. Since 2000, the department has managed the commercial king salmon fishery conservatively by decreasing the exploitation rate. The average commercial harvest from 2001 to 2006 of 33,241 kings is about one-third of the 1990-1999 average harvest of 97,231 kings, and escapement goals have generally been met or exceeded since 2000.

Restricting subsistence gillnet mesh size to 6-inch or smaller may not provide a subsistence priority for king salmon. For subsistence fishers, this restriction will likely

result in an incidental harvest of summer chum salmon beyond subsistence needs, while requiring an increase in effort to harvest king salmon. Limiting commercial gillnets to 6-inch mesh size would increase the harvest of chum salmon, for which there is currently little commercial market and may result in wastage. Reducing the efficiency of gillnet gear used to target king salmon may reallocate harvest opportunity to other gear types and user groups.

This proposal limits the department's flexibility to manage Yukon River salmon runs based on inseason run assessment for a given species of salmon. For example, in years of low chum abundance, the king salmon harvest may require restrictions to conserve chum salmon. In years of high summer chum salmon abundance, high incidental harvest of this non-targeted species will likely lead to wastage.

COST ANALYSIS: The department believes that approval of this proposal would result in additional direct cost for a private person to participate in this fishery, because some fishers would have to bear the cost of procuring new gear. An example would be subsistence fishers participating in the Subdistrict 4-A subsistence king salmon drift gillnet fishery.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a non-subsistence area? Yes, a portion of the king salmon stock migrates through the Fairbanks Non-subsistence Area (primarily Subdistrict 6-C).
2. Is the stock customarily and traditionally taken or used for subsistence? Yes, the BOF made a positive customary and traditional use determination for king, summer chum, fall chum, coho, and pink salmon in the Yukon-Northern Area (5 AAC 01.236(1)) and also for freshwater species including sheefish, whitefish, burbot, Arctic grayling, northern pike, char, blackfish, sucker, and lamprey (5AAC 01.236(2); BOF December 1997, RC1, Tab 14).
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence use? The BOF determined the amount reasonably necessary for subsistence to be 45,500-66,704 king salmon, 83,500-142,192 summer chum salmon, 89,500-167,900 fall chum salmon, and 20,500-51,980 coho salmon in the Yukon-Northern Area (5AAC 01.236(b)(1-4)) and that 133,000 to 2,850,000 pounds of freshwater fish, including sheefish, whitefish, burbot, Arctic grayling, northern pike, char, blackfish, sucker, and lamprey (BOF December 1997, RC1, Tab 14).
5. Do the regulations provide a reasonable opportunity for subsistence use? This proposal may change the opportunity for a person to harvest king salmon for subsistence purposes due to a reduction in gear efficiency; however, the BOF will need to make this determination.

6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence use? During some recent years, it has been necessary for the department to reduce other uses of salmon from their historical average harvest.

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**PROPOSAL 164, Page 121, – 5 AAC 05.331. Gillnet specifications and operations.**

PROPOSED BY: Fairbanks Advisory Committee

WHAT WOULD THE PROPOSAL DO? This proposal would restrict commercial gillnets in the Yukon River drainage to no more than 6-inch mesh size.

WHAT ARE THE CURRENT REGULATIONS? Currently, commercial gillnet mesh size is unrestricted by regulation in the Yukon River. However, the department has the ability to direct the commercial harvest toward chum salmon, by restricting gillnet mesh size to 6-inch, or smaller, or conserve chum salmon by restricting mesh size to 8-inch, or larger, by emergency order.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would result in a substantial increase in the harvest of chum salmon during commercial fishing periods in June and July. At this time, there is little commercial interest in Districts 1-5 of the Yukon River for summer chum salmon, which may result in wastage of the resource.

BACKGROUND: Some fishers in the Yukon River drainage have reported that king salmon have decreased in size since the 1980s. There is a concern in some areas of the river that this decrease has been caused by the use of large mesh gillnets (8-inch and larger), which target larger fish. The department has documented a trend in fewer 7-year old king salmon and smaller corresponding average size fish since the 1980s. It is unknown whether this is due to selective harvest or environmental conditions.

Large mesh size gillnets have been used in the Yukon River since the early 1900s to target king salmon. Commercial fishing periods restricted to gillnets of 6-inch or less mesh size are used to target chum salmon and have resulted in chum to king salmon ratios of approximately 20:1. In January 2004, the BOF rejected a similar proposal to restrict commercial gillnet mesh size to 6-inch, or less, mesh.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal. However, the department has concerns about restricting the mesh size of commercial gillnets in the Yukon River drainage to 6 inches. The department is able to conduct orderly fisheries at this time under current regulations. Since 2000, the department has managed the commercial king salmon fishery conservatively by decreasing the exploitation rate. The average commercial harvest from 2001 to 2006 of 33,241 kings is about one-third of the 1990-1999 average harvest of 97,231 kings, and escapement goals have generally been met or exceeded since 2000.

Limiting commercial gillnets to 6-inch mesh size would increase the harvest of chum salmon, for which there is currently little commercial market and may result in wastage. Reducing the efficiency of gillnet gear used to target king salmon may reallocate harvest opportunity to other gear types and user groups. This proposal limits the department's flexibility to manage Yukon River salmon runs based on inseason run assessment for a given species of salmon. For example, in years of low chum abundance, the king salmon harvest may require restrictions to conserve chum salmon. In years of high summer chum salmon abundance, high incidental harvest of this non-targeted species will likely lead to wastage.

COST ANALYSIS: The department believes that approval of this proposal would result in additional direct cost for a private person to participate in this fishery, because some fishers would have to bear the cost of procuring new gear.

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**PROPOSAL 165, Page 122, – 5 AAC 05.331. Gillnet specifications and operations; and 5 AAC 01.220. Lawful gear and gear specifications.**

PROPOSED BY: Eastern Interior Regional Advisory Council

WHAT WOULD THE PROPOSAL DO? This proposal would restrict commercial and subsistence gillnets greater than 6-inch mesh to no more than 35 meshes in depth.

WHAT ARE THE CURRENT REGULATIONS? Currently, commercial gillnets greater than 6-inch mesh may not be more than 45 meshes in depth in Districts 1-3, and no more than 60 meshes in depth in Districts 4-6. There is no restriction on depth of gillnets used to harvest salmon for subsistence purposes.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would decrease fishing efficiency; thus, requiring increased effort by commercial and subsistence fishers to harvest king salmon.

BACKGROUND: Some fishers in the Yukon River drainage have reported that king salmon have decreased in size since the 1980s. There is a concern in some areas of the river that this decrease has been caused by the use of large mesh gillnets (8-inch and larger), which target larger fish. The department has documented a trend in fewer 7-year old king salmon and smaller corresponding average size fish since the 1980s. It is unknown whether this is due to selective harvest or environmental conditions.

In 1995, the department submitted a proposal to restrict all commercial and subsistence gillnets larger than 6-inch stretched mesh to no more than 45 meshes in depth. The BOF adopted this regulation only for commercial gillnets in Districts 1-3. This reduction in gillnet depth was passed in an effort to reduce increased efficiency of salmon fishers at that time.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. The department is able to conduct orderly fisheries at this time under current regulations.

Since 2000, the department has managed the commercial king salmon fishery conservatively by decreasing the exploitation rate. The average commercial harvest from 2001 to 2006 of 33,241 kings is about one-third of the 1990–1999 average harvest of 97,231 kings, and escapement goals have generally been met or exceeded since 2000.

It is unclear if this proposal's intent of reducing harvest of large female king salmon would be accomplished by placing additional limits on the depth of gillnet gear used to target king salmon. It is common TEK along the river that larger king salmon appear to travel deeper in the water column. However, the radio telemetry study showed that king salmon were randomly distributed throughout the water column (Eiler et al 2006). To date, there have been no studies documenting fish size caught by mesh depth. Hence, it is unknown to what extent the depth of gillnets will reduce the harvest of larger king salmon. However, fishers would be required to expend more effort to harvest king salmon needed for subsistence or commercial purposes. An increase in the effort required by gillnet fishers to harvest king salmon for subsistence and commercial uses may reallocate harvest opportunity to other gear types or user groups.

COST ANALYSIS: The department believes that approval of this proposal would result in additional direct cost for a private person to participate in this fishery, because some fishers may incur costs of procuring new gear, modifying existing gear, or relocating to a more suitable fishing site that fits the gear.

#### SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a non-subsistence area? Yes, a portion of the king salmon stock migrates through the Fairbanks Non-subsistence Area (primarily Subdistrict 6-C).
2. Is the stock customarily and traditionally taken or used for subsistence? Yes, the BOF made a positive customary and traditional use determination for king, summer chum, fall chum, coho, and pink salmon in the Yukon-Northern Area (5 AAC 01.236(1)) and also for freshwater species including sheefish, whitefish, burbot, Arctic grayling, northern pike, char, blackfish, sucker, and lamprey (5AAC 01.236(2); BOF December 1997, RC1, Tab 14).
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence use? The BOF determined the amount reasonably necessary for subsistence to be 45,500–66,704 king salmon, 83,500–142,192 summer chum salmon, 89,500–167,900 fall chum salmon, and 20,500–51,980 coho salmon in the Yukon-Northern Area (5AAC 01.236(b)(1–4)) and that 133,000 to 2,850,000 pounds of freshwater fish, including sheefish, whitefish, burbot, Arctic grayling, northern pike, char, blackfish, sucker, and lamprey (BOF December 1997, RC1, Tab 14).
5. Do the regulations provide a reasonable opportunity for subsistence use? This is a board determination.

6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence use? During some recent years, it has been necessary for the department to reduce other uses of salmon from their historical average harvest.

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**PROPOSAL 166, Page 124, – 5 AAC 05.331. Gillnet specifications and operations.**

PROPOSED BY: Fairbanks Advisory Council

WHAT WOULD THE PROPOSAL DO? This proposal would restrict commercial gillnets greater than 6-inch mesh to no more than 35 meshes in depth.

WHAT ARE THE CURRENT REGULATIONS? Currently, commercial gillnets greater than 6-inch mesh size may not be more than 45 meshes in depth in Districts 1–3 and no more than 60 meshes in depth in Districts 4–6.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would decrease fishing efficiency; thus, requiring increased effort by commercial fishers to harvest king salmon.

BACKGROUND: Some fishers in the Yukon River drainage have reported that king salmon have decreased in size since the 1980s. There is a concern in some areas of the river that this decrease has been caused by the use of large mesh gillnets (8-inch and larger), which target larger fish. The department has documented a trend in fewer 7-year old king salmon and smaller corresponding average size fish since the 1980s. It is unknown whether this is due to selective harvest or environmental conditions.

In 1995, the department submitted a proposal to restrict all commercial and subsistence gillnets larger than 6-inch stretched mesh to no more than 45 meshes in depth. The BOF adopted this regulation only for commercial gillnets in Districts 1–3. This reduction in gillnet depth was passed in an effort to reduce increased efficiency of salmon fishers at that time.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. Since 2000, the department has managed the commercial king salmon fishery conservatively by decreasing the exploitation rate. The average commercial harvest from 2001 to 2006 of 33,241 kings is about one-third of the 1990–1999 average harvest of 97,231 kings, and escapement goals have generally been met or exceeded since 2000.

It is unclear if this proposal's intent of reducing harvest of large female king salmon would be accomplished by placing additional limits on the depth of gillnet gear used to target king salmon. It is common TEK along the river that larger king salmon appear to travel deeper in the water column. However, the radio telemetry study showed that king salmon were randomly distributed throughout the water column (Eiler et al 2006). To date, there have been no studies documenting fish size caught by mesh depth. Hence, it is unknown to what extent the depth of gillnets will reduce the harvest of larger king

salmon. However, fishers would be required to expend more effort to harvest king salmon for commercial purposes. An increase in the effort required by commercial gillnet fishers to harvest king salmon may reallocate harvest opportunity to other gear types and user groups.

COST ANALYSIS: The department believes that approval of this proposal would result in additional direct cost for a private person to participate in this fishery, because some fishers may incur costs of procuring new gear or modifying existing gear.

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**PROPOSAL 167, Page 125, – 5 AAC 05.320 Fishing periods; 5 AAC 05.331. Gillnet specifications and operations; and 5 AAC 05.360. Yukon River King Salmon Management Plan.**

PROPOSED BY: Yukon River Drainage Fisheries Association

WHAT WOULD THE PROPOSAL DO? This proposal acts as a placeholder for YRDFA to develop a consensus for addressing concerns about the trend of smaller king salmon returning to the Yukon River. No specifics are available at this time.

WHAT ARE THE CURRENT REGULATIONS? Currently, commercial fishing periods in the Yukon River are established by emergency order based on preseason projections and inseason run strength assessment. There are three legal gear types used to harvest salmon commercially in the Yukon River: drift gillnets, set gillnets, and fishwheels. Gillnet length is restricted to 150 fathoms (set gillnets) and 50 fathoms (drift gillnets). For Districts 1–3, commercial gillnets with greater than 6-inch mesh size may not be over 45 meshes in depth and gillnets with 6-inch, or smaller, mesh size may not exceed 50 meshes in depth. For Districts 4–6, commercial gillnets with greater than 6-inch mesh size may not be more than 60 meshes in depth and nets with 6-inch, or smaller, mesh size may not be more than 70 meshes in depth.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?

Unknown.

BACKGROUND: Some fishers in the Yukon River drainage have reported that king salmon have decreased in size since the 1980s. There is a concern in some areas of the river that this decrease has been caused by the use of large mesh gillnets (8-inch and larger), which target larger fish. The department has documented a trend in fewer 7-year old king salmon and smaller corresponding average size fish since the 1980s. It is unknown whether this is due to selective harvest or environmental conditions. Historically, commercial fishing periods with unrestricted mesh size gillnets target king salmon and commercial fishing periods restricted to gillnets of 6-inch or less mesh size are used to target chum salmon. In 1995, the department submitted a proposal to restrict all commercial and subsistence gillnets larger than 6-inch mesh to no more than 45 meshes in depth. The BOF adopted this regulation only for commercial gillnets in Districts 1-3. This reduction was passed in an effort to mitigate increased efficiency of salmon fishers at that time.



DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal because this proposal does not seek a specific action at this time.

COST ANALYSIS: Unknown

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**COMMERCIAL**

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**PROPOSAL 169, Page 127, – 5 AAC 05.360. Yukon River King Salmon Management Plan.**

PROPOSED BY: Yukon Delta Fisheries Development Association

WHAT WOULD THE PROPOSAL DO? This proposal seeks to place into regulations an initial commercial fishing period in the lower Yukon River Districts 1-3 to be scheduled between June 11 and June 15. This proposal leaves the exact date, time, and duration of the initial commercial fishing period at the department's discretion based on inseason run assessment. This proposal also seeks to place an initial commercial fishing period in the upper river Districts 4-6 as well; however, this proposal does not indicate what date range should apply to the upper river fishery.

WHAT ARE THE CURRENT REGULATIONS? Commercial fishing periods are established by emergency order based on preseason projections and inseason run strength assessment.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would mandate a time period when an initial commercial fishing period would be scheduled in both the lower and upper Yukon River.

BACKGROUND: During the past 20 years, the first commercial fishing period in the Yukon River has varied between the first quarter point to the midpoint of the king salmon run. This date may fluctuate from as early as June 6 to as late as June 25 due to timing differences in ice breakup and annual fluctuations in salmon run timing. At the February 2006 Yukon River Drainage Fisheries Association (YRDFA) annual meeting, it was proposed that an initial commercial fishing period in District 1 or 2 be scheduled preseason. Scheduling a set date for the initial commercial fishing period was supported by many fishers and processors to help bolster marketing efforts for Yukon River king salmon. Setting a date would allow processors and marketers to coordinate shipping and supplying markets with advertising programs, which was intended to increase the interest of niche markets and increase the value of the fishery. The department announced a short commercial opening on June 15, 2006, in response to fishers input and discussions at the February 2006 YRDFA annual meeting.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. The department is able to conduct an orderly fishery under current regulations. While mandating an initial starting date for a commercial fishing period may foster market

interest, it may limit the department's flexibility to respond to run strength assessments inseason. However, the department does recognize that maintaining a viable commercial market is important for the fishery. Additionally, by the time king salmon enter upper river Districts 4-6 run timing and relative strength of the run is well established and the department has the ability to work in conjunction with fishers and buyers to establish commercial fishing periods in the upper Yukon River.

COST ANALYSIS: The department does not believe that approval of this proposal would result in additional direct cost for a private person to participate in this fishery.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a non-subsistence area? A portion of the king salmon stock migrates through the Fairbanks Non-subsistence Area (primarily Subdistrict 6-C).

2. Is the stock customarily and traditionally taken or used for subsistence? Yes, the BOF made a positive customary and traditional use finding for king, summer chum, fall chum, coho, and pink salmon in the Yukon-Northern Area (5 AAC 01.236.(1)).

3. Can a portion of the stock be harvested consistent with sustained yield? Yes.

4. What amount is reasonably necessary for subsistence use? The BOF determined the amount reasonably necessary for subsistence to be 45,500–66,704 king salmon, 83,500–142,192 summer chum salmon, 89,500–167,900 fall chum salmon, and 20,500–51,980 coho salmon in the Yukon-Northern Area (5 AAC 01.236(b)(1–4)).

5. Do the regulations provide a reasonable opportunity for subsistence use? This is a board determination.

6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence use? During some recent years, it has been necessary for the department to reduce other uses of salmon from their historical average harvest.

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**PROPOSAL 168, Page 125, – 5 AAC 05.360. Yukon River King Salmon Management Plan.**

PROPOSED BY: Yukon River Drainage Fisheries Association

WHAT WOULD THE PROPOSAL DO? This proposal would set an initial commercial fishing period between June 11 and 15 in the lower river and between June 28 and July 2 in the upper river.

WHAT ARE THE CURRENT REGULATIONS? Commercial fishing periods are established by emergency order based on preseason projections and inseason run strength assessment.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would mandate a time period when an initial commercial fishing period would be scheduled in both the lower and upper Yukon River.

BACKGROUND: During the past 20 years, the first commercial fishing period in the Yukon River has varied between the first quarter point to the midpoint of the king salmon run. This date may fluctuate from as early as June 6 to as late as June 25 due to timing differences in ice breakup and annual fluctuations in salmon run timing. At the February 2006 YRDFA annual meeting, it was proposed that an initial commercial fishing period in District 1 or 2 be scheduled preseason. Scheduling a set date for the initial commercial fishing period was supported by many fishers and processors to help bolster marketing efforts for Yukon River king salmon. The department announced a short commercial opening on June 15, 2006, in response to fishers input and discussions at the February 2006 YRDFA annual meeting.

DEPARTMENT COMMENTS: The department is **NEUTRAL** to this proposal. The authors of this proposal are requesting the BOF to take no action on this proposal, because it was not supported by the entire YRDFA Board. The department is able to conduct an orderly fishery under current regulations. While mandating an initial starting date for a commercial fishing period may foster market interest, it may limit the department's flexibility to respond to run strength assessments inseason. However, the department does recognize that maintaining a viable commercial market is important for the fishery. Additionally, by the time king salmon enter upper river Districts 4-6 run timing and relative strength of the run is well established and the department has the ability to work in conjunction with fishers and buyers to establish commercial fishing periods in the upper Yukon River.

COST ANALYSIS: The department does not believe that approval of this proposal would result in additional direct cost for a private person to participate in this fishery.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a non-subsistence area? A portion of the king salmon stock migrates through the Fairbanks Non-subsistence Area (primarily Subdistrict 6-C).
2. Is the stock customarily and traditionally taken or used for subsistence? Yes, the BOF made a positive customary and traditional use finding for king, summer chum, fall chum, coho, and pink salmon in the Yukon-Northern Area (5 AAC 01.236.(1)).
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence use? The BOF determined the amount reasonably necessary for subsistence to be 45,500–66,704 king salmon, 83,500–142,192 summer chum salmon, 89,500–167,900 fall chum salmon, and 20,500–51,980 coho salmon in the Yukon-Northern Area (5 AAC 01.236(b)(1–4)).

5. Do the regulations provide a reasonable opportunity for subsistence use? This is a board determination.

6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence use? During some recent years, it has been necessary for the department to reduce other uses of salmon from their historical average harvest.

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**PROPOSAL 170, Page 128, – 5 AAC 05.360. Yukon River King Salmon Management Plan.**

PROPOSED BY: Tanana-Rampart-Manly Advisory Council

WHAT WOULD THE PROPOSAL DO? This proposal would add the CDQ trawl bycatch of king salmon to the commercial harvest allocation for District 1.

WHAT ARE THE CURRENT REGULATIONS? Currently, the GHR and harvest allocation percentages (when total commercial harvest is 67,350 king salmon, or less) are established in regulation as follows:

<u>District/Subdistrict</u>	<u>GHR</u>	<u>Percent of Harvest</u>
1-2	60,000-120,000	89.1
3	1,800-2,200	2.7
4	2,250-2,850	3.3
5B-C	2,400-2,800	3.6
5 D	300-500	0.4
6	600-800	0.9

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? It is unclear what this proposal would do. The proposal is nebulous on what “bycatch” from which “CDQ group” is to be used and included to the harvest allocation for District 1.

BACKGROUND: In recent years, bycatch of salmon in the BSAI trawl fishery has increased. A portion of this bycatch is caught by vessels harvesting fish under the Community Development Quota (CDQ) program. Communities located adjacent to the Bering Sea formed groups that receive a portion/allocation of the harvest of Bering Sea fisheries to fund community development in fisheries related ventures. One of these groups, Yukon Delta Fisheries Development Association (YDFDA), is made up of several communities located in the lower Yukon River and is associated with one of the lower river processors.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal because it is allocative. The bycatch of king salmon taken by YDFDA is reported to be several hundred fish. The current stock composition of king salmon caught as bycatch in the BSAI trawl fishery is unknown. However, not explicitly stated in this proposal, it appears that only king salmon of Yukon River origin should be included in CDQ bycatch

subtracted from the District 1 GHR if this proposal was adopted. Because the GHR is combined for Districts 1 and 2, any adjustment to the GHR would include both districts.

COST ANALYSIS: The department does not believe that approval of this proposal would result in additional direct cost for a private person to participate in this fishery.

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**PROPOSAL 171, Pages 128, – 5 AAC 05.200. Fishing Districts and Subdistricts; and 05.360. Yukon River King Salmon Management Plan; 05.362. Yukon River Summer Chum Salmon Management Plan.**

PROPOSED BY: Fairbanks Advisory Council

WHAT WOULD THE PROPOSAL DO? This proposal seeks to move the Districts 1 and 2 boundary to the community of Mountain Village and divide the existing combined harvest allocation for Districts 1 and 2 into two equal allocations between the newly formed districts for all salmon species. Additionally the proposal subtracts king, chum and coho salmon harvested as CDQ bycatch from the respective GHRs for District 1.

WHAT ARE THE CURRENT REGULATIONS? Currently, GHRs and harvest allocation percentages (when total river wide commercial harvest is less than the lower end of GHRs) have been established for king, summer chum, and fall chum salmon. For example, the king salmon GHR and harvest allocation percentages (when total river wide commercial harvest is 67,350 king salmon or less) are established in regulation as follows:

<u>District/Subdistrict</u>	<u>GHR</u>	<u>Percent of Harvest</u>
1-2	60,000-120,000	89.1
3	1,800-2,200	2.7
4	2,250-2,850	3.3
5B-C	2,400-2,800	3.6
5 D	300-500	0.4
6	600-800	0.9

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The Districts 1 and 2 allocations in this proposal would greatly change the historical harvests between Districts 1 and 2. During the past 20 years (1986-2005), District 1 has averaged 65% of the combined effort for the two districts and approximately 64% of the combined harvest. It appears this proposal would also subtract the previous years' bycatch taken by the Yukon Delta CDQ group from the harvest allocations in District 1. The CDQ group reported a few hundred king salmon as bycatch in 2006.

BACKGROUND: In recent years, bycatch of salmon in the BSAI trawl fishery has increased. A portion of this bycatch is caught by vessels harvesting fish under the Community Development Quota (CDQ) program. Communities located adjacent to the Bering Sea formed groups that receive a portion/allocation of the harvest of Bering Sea

fisheries to fund community development in fisheries related ventures. One of these groups, Yukon Delta Fisheries Development Association, is made up of several communities located in the lower Yukon River and is associated with one of the lower river processors. During recent years, a large surplus of Yukon River summer chum and fall chum salmon has not been harvested because of poor commercial markets.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal because it is allocative. The bycatch of king salmon taken by YDFDA is reported to be several hundred fish. Chum salmon make up most of the other BSAI salmon bycatch. The current stock composition of king, chum, and coho salmon caught as bycatch in the BSAI trawl fishery is unknown. However, not explicitly stated in this proposal, it appears that only salmon of Yukon River origin should be included in CDQ bycatch subtracted from the District 1 GHR if this proposal was adopted.

COST ANALYSIS: The department does not believe that approval of this proposal would result in additional direct cost for a private person to participate in this fishery.

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**PROPOSAL 172, Page 129, – 5 AAC 05.200. Fishing districts and subdistricts.**

PROPOSED BY: Maserculiq Fish Processors Inc.

WHAT WOULD THE PROPOSAL DO? This proposal seeks to move the District 2 and 3 boundary downstream so that District 3 would include the community of Marshall.

WHAT ARE THE CURRENT REGULATIONS? Currently, District 3 is composed of waters of the Yukon River from Toklik upstream to the mouth of an unnamed slough three-fourths of a mile downstream from Old Paradise Village.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would increase the geographic size of District 3, while decreasing the size of District 2. This change would likely affect commercial fishing patterns near the community of Marshall because of the relatively small GHR of 1,800-2,200 king salmon for District 3 compared to the combined Districts 1 and 2 GHR of 60,000 to 120,000 king salmon.

BACKGROUND: Market demand for salmon from District 3 has declined in recent years resulting in no commercial periods in the district for the last several years. However in 2006, there were two commercial openings. The District 3 GHR for king salmon was established in 1979.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal because it is allocative. It is unclear how moving the boundary of District 3 would impact fishers that usually fish in the upper reaches of District 2. The relatively small GHR of 1,800-2,200 for District 3, contrasted to District 1 and 2's GHR of 60,000-120,000, would likely change fishing patterns and possibly displace some commercial fishers.

COST ANALYSIS: The department does not believe that approval of this proposal would result in additional direct cost for a private person to participate in this fishery.

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**PROPOSAL 173, Page 130, – 5 AAC 05.369. Yukon River Coho Salmon Management Plan.**

PROPOSED BY: Yukon River Drainage Fisheries Association

WHAT WOULD THE PROPOSAL DO? This proposal seeks to modify the Yukon River Coho Salmon Management Plan by allowing a directed coho salmon commercial fishery at times when abundance of coho salmon is average to above average and fall chum salmon abundance is below the established threshold necessary to allow a directed fall chum salmon commercial fishery. The proposal would also change the allocation scheme between districts and subdistricts from set weekly fishing times to percentages of the total harvest allowed in the management area.

WHAT ARE THE CURRENT REGULATIONS? The current Yukon River Coho Salmon Management Plan allows for a directed coho salmon fishery when the coho run is above average, the fall chum run size is projected to be larger than 625,000 salmon, and no directed fall chum salmon fishery is anticipated. The plan also sets commercial fishing season closure dates and allocates fishing opportunity by establishing the amount of fishing time per week for various districts and subdistricts of the river.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would provide additional commercial fishing opportunity by allowing a commercial harvest of surplus coho salmon while maintaining established escapement and subsistence use priorities for both fall chum and coho salmon. The harvest allocation would be consistent with the guideline harvest ranges already specified in 5 AAC 05.365. Yukon River Fall Chum Salmon Guideline Harvest Ranges.

BACKGROUND: The majority of Yukon River coho salmon spawn in tributaries that flow into the Yukon River from the mouth of the river up to and including the Tanana River drainage. The management of directed coho salmon fishing during the fall season is complicated by an overlapping run of more abundant fall chum salmon stocks. The goal of the plan currently in regulation is to provide for the management of directed commercial coho salmon fishing in the Yukon River when coho salmon abundance is above average and fall chum salmon abundance is below the threshold necessary to allow a directed fall chum commercial fishery.

In 1999, the Yukon River Drainage Fisheries Association (YRDFA) developed and proposed the Yukon River Coho Salmon Management Plan that was adopted by the BOF. The BOF recognized that in most years the commercial harvest of coho salmon would be based upon the timing, frequency, and duration of periods established for the more numerous fall chum salmon. In 2004, the BOF amended the Yukon River Drainage Fall Chum Salmon Management Plan to bring it in line with the updated BEGs and simplified the plan to make it more flexible and responsive to changes in the fishery. In the process,

the coho plan became ineffectual because it was not altered similarly. The result was a minimum commercial coho salmon harvest threshold tied to an outdated fall chum salmon abundance that is greater than the fall chum salmon abundance necessary to allow a directed fall chum salmon commercial fishery.

The main element of the proposed coho plan would specify a minimum threshold below which the drainage-wide commercial fishery harvest is closed to provide for adequate escapement and subsistence use priorities of both fall chum and coho salmon. Additionally, the current coho plan allocates harvest by fishing time that is no longer appropriate when the actual objective is the amount of harvest each area may take. The character of the fishery changes each year with market interest and level of effort. YRDFA may consider alternatives that simplify the plan to make it more flexible and responsive to changes in the fishery.

DEPARTMENT COMMENTS: The department **SUPPORTS** the intent of this proposal, but is **NEUTRAL** on the allocative aspects of the proposal. This proposal was submitted as a placeholder until YRDFA had time to meet and develop new management options with department staff. The YRDFA board will provide changes to the management plan prior to the BOF meeting. The plan represents a significant drainage-wide cooperative effort to recognize new information and compromise on allocation of the shared resource. It continues to provide for conservative management of both fall chum and coho salmon while adding flexibility to allow opportunity for commercial harvest and to adapt to changing markets.

COST ANALYSIS: The department does not believe that approval of this proposal would result in additional direct cost for a private person to participate in this fishery.

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**PROPOSAL 174, Page 131, – 5 AAC 05.XXX. Closure to non-salmon fisheries.**

PROPOSED BY: Edward Abraham

WHAT WOULD THE PROPOSAL DO? This proposal seeks to eliminate all commercial fisheries that target cisco, sheefish, or whitefish. It appears that lamprey are not included in this list. Although not stated explicitly in the proposal, the proposal appears to be directed at the Yukon River drainage portion of the Yukon-Northern Area.

WHAT ARE THE CURRENT REGULATIONS? The commercial freshwater fisheries are conducted under the auspices of a commissioner's permit issued by the department for sheefish, cisco, lamprey and whitefish.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would eliminate commercial fisheries for any of the seven species of whitefish in the Yukon Management Area.

BACKGROUND: Whitefish have been harvested for subsistence use in the Yukon River for an extended period of time and commercial sales have occurred sporadically



throughout the past century. For example, according to Subsistence Division research, approximately 55,972 pounds of whitefish were harvested by residents of Grayling, Anvik, Shageluk, and Holy Cross for customary and traditional uses in 2002. Similarly, residents of the Koyukuk River harvested an estimated 80,923 pounds of whitefish in 2002. Notwithstanding localized traditional ecological knowledge studies (Brown et al 2005, Andersen et al 2004, Friend et al., *in prep*) and telemetry studies (Brown, R. 2006), there continues to be a dearth of information regarding whitefish populations region-wide. The department has issued commissioners' permits in 2005 and 2006 to allow the limited harvest of whitefish in the lower river, which has remained capped at 10,000 pounds based on historical documented sales. In addition, a commercial fishery for freshwater finfish has existed in the Colville River delta (Northern Area) since 1964.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspect of this proposal. Historically, minimal commercial freshwater fisheries have occurred in various districts of the Yukon River conducted under the auspices of a commissioners' permit issued by the department. Permits have been limited to historical harvest levels by geographic area. A complete closure to commercial fishing for all non-salmon species is not necessary at this time.

COST ANALYSIS: The department does not believe that approval of this proposal would result in additional direct cost for a private person to participate in this fishery.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a non-subsistence area? No, however the extent of whitefish seasonal movement is not well documented.
2. Is the stock customarily and traditionally taken or used for subsistence? Yes, the BOF made a positive customary and traditional use finding for freshwater species including sheefish, whitefish, burbot, Arctic grayling, northern pike, char, blackfish, sucker, and lamprey. (5 AAC 01.236(2); BOF December 1997, RCI, Tab 14).
3. Can a portion of the stock be harvested consistent with sustained yield? The board will need to make this determination.
4. What amount is reasonably necessary for subsistence use? The BOF determined that 133,000 to 2,850,000 pounds of freshwater finfish are reasonable and necessary for subsistence in the Yukon Area (BOF December 1997, Tab 14).
5. Do the regulations provide a reasonable opportunity for subsistence use? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence use? The board will need to make this determination.

## Sport Fisheries

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### **Proposal 175, Page 131, - 5 AAC 70.015. Seasons, bag, possession, and size limits, and methods and means in the Tanana River Management Area.**

PROPOSED BY: Fairbanks Fish and Game Advisory Committee

WHAT WOULD THE PROPOSAL DO? This proposal would allow sport fishing opportunity (catch-and-release) for king salmon in the Goodpaster River drainage which is currently closed to salmon fishing.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 70.015 (c)(12) the Goodpaster River drainage is closed to sport fishing for salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Allow the opportunity to sport fish for king salmon in the lower Goodpaster River, downstream from its confluence with the South Fork.

BACKGROUND: Until 1974, sport fishing for king salmon was allowed in the Goodpaster River under the background regulations for the Tanana Drainage with a bag and possession limit of one fish. The Goodpaster River was closed to salmon fishing in 1975 due to low abundance of king salmon. There were about 250 king salmon observed in the lower 100 miles of the Goodpaster River in late July of 1974. These counts were indices of abundance and were likely biased low. The catch, effort, and harvest during this time were undocumented.

In recent year greater numbers of king salmon have been documented in the Goodpaster River. Aerial survey indices have averaged 1,716 fish from 1998 – 2003. A counting tower has been operated on the North Fork, 42 miles above the confluence of Tanana River, since 2004 and escapement estimates have averaged 2,387 from 2004 - 2006.

The South Fork of the Goodpaster River, 33 miles above the confluence of the Tanana River, is a notable landmark and its use as the upper boundary of the salmon fishing area would ensure that spawning king salmon are not targeted by anglers. King salmon spawning has not been observed downstream from Sand Creek, which is about 47 miles from the mouth and 14 miles upstream from the proposed upstream boundary.

DEPARTMENT COMMENTS: The Department **SUPPORTS** this proposal with the modification of not allowing bait. This regulation change would likely result in some catch-and-release mortality. Associated hooking mortality would be composed of all sex, age and size classes of king salmon. This fishery would be remote in contrast with the major king salmon fisheries of the Tanana River Valley (the Chena and Salcha River fisheries). It will be accessible only by boat or airplane and would become one of several smaller fisheries for king salmon offering diversity of opportunity to anglers. There is

little likelihood of harm to the stock as fishing will not occur in spawning areas, while restricting the fishery to catch-and-release will limit angling mortality to a minimal level.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in the Goodpaster River king salmon fishery.

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**Proposal 176, Page 131 - 5 AAC 70.015. Seasons, bag, possession, and size limits, and methods and means in the Tanana River Management Area.**

PROPOSED BY: Delta Fish and Game Advisory Committee

WHAT WOULD THE PROPOSAL DO? This proposal would allow sport fishing opportunity (catch-and-release) for king salmon in the Goodpaster River drainage which is currently closed to salmon fishing.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 70.015 (c)(12) the Goodpaster River drainage is closed to sport fishing for salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Allow the opportunity to sport fish for king salmon in the lower Goodpaster River, downstream from its confluence with the South Fork.

BACKGROUND: Until 1974, sport fishing for king salmon was allowed in the Goodpaster River under the background regulations for the Tanana Drainage with a bag and possession limit of one fish. The Goodpaster River was closed to salmon fishing in 1975, due to low abundance of king salmon. There were about 250 king salmon observed in the lower 100 miles of the Goodpaster River in late July of 1974. These counts were indices of abundance and were likely biased low. The catch, effort, and harvest during this time were undocumented.

In recent year greater numbers of king salmon have been documented in the Goodpaster River. Aerial survey indices have averaged 1,716 fish from 1998 – 2003. A counting tower has been operated on the North Fork, 42 miles above the confluence of Tanana River, since 2004 and escapement estimates have averaged 2,387 from 2004 - 2006.

The South Fork of the Goodpaster River, 33 miles above the confluence of the Tanana River, is a notable landmark and its use as the upper boundary of the salmon fishing area would ensure that spawning king salmon are not targeted by anglers. King salmon spawning has not been observed downstream from Sand Creek, which is about 47 miles from the mouth and 14 miles upstream from the proposed upstream boundary.

DEPARTMENT COMMENTS: The Department **SUPPORTS** this proposal with the modification of not allowing bait. This regulation change would likely result in some catch-and-release mortality. Associated hooking mortality would be composed of all sex,

age and size classes of king salmon. This fishery would be remote in contrast with the major king salmon fisheries of the Tanana River Valley (the Chena and Salcha River fisheries). It will be accessible only by boat or airplane and would become one of several smaller fisheries for king salmon offering diversity of opportunity to anglers. There is little likelihood of harm to the stock as fishing will not occur in spawning areas, while restricting the fishery to catch-and-release will limit angling mortality to a minimal level.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in the Goodpaster River king salmon fishery.

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**PROPOSAL 177, PAGE 132, - 5AAC 70.015. Seasons, bag, possession, and size limits, and methods and means in the Tanana River Management Area.**

PROPOSED BY: Fairbanks Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would allow the use of archery equipment to harvest king salmon in the Salcha River.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 70.015(d)(15) in the Salcha River and its tributaries only unbaited, artificial lures may be used, except that bait may be used only on hooks with a gap size larger than three-quarters of an inch throughout the Salcha River drainage;

5 AAC 70.030. Methods, Means, and general provisions – Finfish. (c) A spear or bow and arrow may be used to take suckers and burbot from January 1 through December 31. Unless prohibited in 5 AAC 70.022, northern pike and whitefish, except sheefish, may be taken by spear or bow and arrow from September 1 through April 30, and, from January 1 through December 31, may be speared by a person who is completely submerged.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted, this proposal would allow the use of bow and arrow to harvest king salmon in the Salcha River. This would likely result in additional mortality and harvest of king salmon.

BACKGROUND: The Salcha River has a Biological Escapement Goal (BEG) for king salmon of 3,300 – 6,500 fish. The Salcha River BEG has been met or exceeded each year since its adoption in 2001, averaging 10,296 king salmon from 2001 – 2005. Emergency orders (EO) have been issued liberalizing the sport daily bag limit for king salmon from one fish to two or three fish in 2003, 2004, and 2006. Only 30% of king salmon caught in the Salcha River are harvested, from 2001 – 2005 harvest and catch have averaged 467 and 1,542, respectively. The majority of king salmon caught by sport anglers on the Salcha River are released, in part due to the condition of the fish after migrating nearly 1,000 miles up the Yukon and Tanana rivers.

The use of archery equipment in sport fishing regulations throughout the state has applied to species with no limits or liberal harvest limits (ie. – whitefish, suckers, burbot), or northern pike from September 1 through April 30. The effectiveness of harvesting king salmon with archery gear is unknown and it is likely there is potential for increased mortality in king salmon that are injured or wounded when not hit in an appropriate location and escape. There is also no “catch-and-release” option with archery gear as king salmon caught are unlikely to survive if released, due to the nature of gear. The use of archery equipment or “bowfishing” in other states target “rough” or “trash” fish that are generally not targeted by sport anglers, adoption of this proposal would set a precedent in sport fisheries management.

DEPARTMENT COMMENTS: The Department is **OPPOSED** to this proposal. The Department has concerns that there is a potential for increased fishing mortality associated with this gear type and wanton waste due to the condition of king salmon in the Salcha River. Associated mortality would be composed of all sex, age and size classes of king salmon, though the potential exists that archers may target larger king salmon.

COST ANALYSIS: The department believes that adoption of this proposal could result in additional direct costs for private individuals to participate in the Salcha River king salmon fishery if the angler needs to purchase a bow fishing equipment to meet the minimum requirements or to participate in the fishery.