

Submitted by the Alaska Department of Fish and Game  
January 15, 2013

## **SELECTED ARCTIC-YUKON-KUSKOKWIM (AYK) REGION FINFISH MANAGEMENT PLANS AND ASSOCIATED REGULATIONS**

### **Norton Sound–Port Clarence Area Subsistence and Commercial Finfish Fisheries**

#### **Norton Sound–Port Clarence Area Subsistence Fisheries**

**5 AAC 01.188. Customary trade of subsistence-taken finfish.** (a) In the Norton Sound-Port Clarence Area, the customary trade of subsistence-taken finfish is permitted as specified in this section. A person who conducts a customary trade in subsistence-taken finfish under this section must

(1) obtain a customary trade record keeping form from the department before the person conducts the customary trade, and accurately record the cash sale on the form within the 24 hours after the sale occurs; the form requires the reporting of

- (A) the date of each sale;
- (B) the buyer's name and address;
- (C) the species and amount of finfish sold;
- (D) the location where the finfish were harvested;
- (E) the dollar amount of each sale;
- (F) the form of processing used; and

(G) any other information the department requires for management or enforcement purposes;

(2) return the customary trade record keeping form to the department as prescribed by the department on the form;

(3) display the customary trade record keeping form upon request by a local representative of the department or a peace officer of the state.

(b) A person may not sell subsistence-taken finfish under this section for more than \$200 total per household in a calendar year.

(c) A person who receives subsistence-taken finfish in exchange for cash in a customary trade may not resell the fish.

(d) A sale or purchase of finfish authorized under this section, including the delivery of fish to a purchaser, may occur only in the Norton Sound-Port Clarence Area. (Eff. 7/1/2007, Register 182)

**Authority:** AS 16.05.251 AS 16.05.258 AS 16.05.940

**5 AAC 01.190. Subdistrict 1 of the Norton Sound District Chum Salmon Management Plan.** The purpose of this management plan is to provide the department with conservative management guidelines for the sustained yield of chum salmon stocks in Subdistrict 1 of the Norton Sound District. The department shall manage Subdistrict 1 to achieve optimal escapement goals for chum salmon spawning streams and to restore chum salmon abundance so that a Tier II subsistence fishery will not be necessary. The department shall manage chum salmon as follows:

(1) commercial fishing for chum salmon is closed and will be reopened only after,

(A) the harvestable surplus of chum salmon has met Tier I subsistence needs for four consecutive years; and

(B) the department has proposed to the Board of Fisheries and the board has adopted an abundance-based management plan supported by inseason enumerator counts of abundance;

(2) in the subsistence fishery,

(A) subsistence chum salmon fishing will be opened and closed by emergency order on a stream-by-stream basis, to be determined by the department, when chum salmon stocks are abundant enough to provide for optimal escapement goals and a harvestable surplus;

(B) a subsistence fishing permit under 5 AAC 01.180 is required and will be issued to a household; the permit will identify the body of water to be fished, the annual limit for each salmon species, and the allowable gear;

(C) repealed 5/19/2004. (Eff. 6/17/2001, Register 158; am 5/19/2004, Register 170)

**Authority:** AS 16.05.060 AS 16.05.251 AS 16.05.258

## **Norton Sound–Port Clarence Area Commercial Fisheries**

**5 AAC 04.358. Chum salmon optimal escapement goal ranges for river systems in Subdistrict 1 of the Norton Sound District.** (a) The department shall manage, to the extent practicable, the chum salmon stocks in Subdistrict 1 of the Norton Sound District to achieve the following optimal escapement goal ranges:

- (1) Snake River: 1,600 - 2,500 chum salmon;
- (2) Nome River: 2,900 - 4,300 chum salmon;
- (3) Eldorado River: 6,000 - 9,200 chum salmon.

(b) The optimal escapement goals specified in (a)(1) - (3) of this section will be used as primary indices for other river systems in the area for which the department has no inseason enumeration. (Eff. 9/25/99, Register 151; am 6/17/2001, Register 158)

**Authority:** AS 16.05.251

**5 AAC 04.390. Subdistricts 2 and 3 of the Norton Sound District Salmon Management Plan.** (a) The purpose of this management plan is to provide the department with management guidelines for the sustained yield of salmon stocks in Subdistricts 2 and 3 in the Norton Sound District. The department shall manage, to the extent practicable, the commercial, sport, subsistence, and personal use fisheries in Subdistricts 2 and 3 to achieve escapement goals.

(b) The department shall manage salmon fisheries in the Subdistricts 2 and 3 as follows:

(1) in the commercial chum salmon fishery,

(A) the department shall manage the fisheries to achieve the following optimal escapement goals ranges:

(i) Kwiniuk River: 11,500 - 23,000 chum salmon; and

(ii) Tubutulik River: 9,200 - 18,400 chum salmon;

(B) the chum salmon harvest may not exceed 15,000 fish before the department's mid-July run assessment in Subdistrict 2;

(C) the fishery may occur only if the department projects that chum salmon escapement goals will be achieved and the harvestable surplus will more than meet subsistence needs;

(2) a commercial pink salmon fishery may occur only if subsistence needs are expected to be met and chum salmon escapement goals achieved, or the department determines that, after July 6 in Subdistrict 3 and after July 14 in Subdistrict 2, there is a harvestable surplus

of pink salmon and that a directed pink salmon commercial fishery will not have a significant impact on escapement goals or subsistence use of chum salmon;

(3) in the commercial coho salmon fishery, the fishery may occur only when the chum salmon escapement goals for the Norton Sound District index rivers specified in 5 AAC 04.358 are achieved or when the department determines that further restrictions would have no impact on achieving chum salmon escapement goals;

(4) the commissioner may not place restrictions on subsistence fishing for chum salmon by emergency order, unless all directed chum salmon commercial fishing has been closed and sport fishing has been appropriately restricted in the subdistrict as provided in 5 AAC 01.180 – 5 AAC 01.184. (Eff. 6/17/2001, Register 158; am 5/19/2010, Register 194)

**Authority:** AS 16.05.251 AS 16.05.258

**5 AAC 04.395. Subdistricts 5 and 6 of the Norton Sound District and the Unalakleet River King Salmon Management Plan.** (a) The purpose of this management plan is to provide the department management direction for the subsistence, sport, and commercial king salmon fisheries in the marine waters of Subdistricts 5 and 6 and in the Unalakleet River drainage from June 15 through July 15.

(b) From June 15 through June 20,

(1) the commissioner will close, by emergency order, subsistence fishing and immediately reopen subsistence fishing with two 48-hour fishing periods per week in the marine waters of Subdistricts 5 and 6 and two 36-hour fishing periods per week in the in river fishery;

(2) in the sport fishery,

(A) the bag and possession limit for king salmon is two fish, of which only one fish may be 20 inches or greater in length;

(B) the annual limit for king salmon 20 inches or greater in length is two fish;

(3) commercial fishing is closed.

(c) If the projected escapement is below the lower end of the escapement goal range, all fishing will be closed.

(d) Notwithstanding any provision of 5 AAC 39.222 and 5 AAC 39.223, if the projected king salmon count at the North River counting tower exceeds the midpoint of the escapement goal,

(1) the commissioner may open, by emergency order, a subsistence king salmon fishery in the

(A) marine waters of Subdistricts 5 and 6 for two 48-hour fishing periods per week; and

(B) in river fishery for two 36-hour fishing periods per week;

(2) the commissioner may increase, by emergency order, the sport fish annual limit for king salmon, 20 inches or greater in length, to four fish;

(3) the commissioner may open, by emergency order, a commercial king salmon fishery with two 24-hour fishing periods per week.

(e) If subsistence fishing periods in the Unalakleet River drainage are restricted to less than two 36-hour openings, the sport fish harvest annual limit for king salmon will be reduced to one fish with no size limit.

(f) In Subdistricts 5 and 6, if the marine waters subsistence fishery is restricted to less than two 48-hour fishing periods, the sport fishery will be reduced, by emergency order, to catch-and-release fishing only.

(g) In the Unalakleet River drainage or in the marine waters of Subdistricts 5 and 6, if the subsistence fishery is closed to the retention of king salmon, sport fishing for king salmon will be closed.

(h) In Subdistricts 5 and 6, the commercial pink or chum fisheries may occur only if the department determines there is a harvestable surplus of pink or chum salmon and that a directed pink or chum salmon commercial fishery will not have a significant impact on escapement goals or subsistence uses of king salmon. A commercial pink or chum salmon fishery may not begin before July 1 if either the gillnet mesh size or subsistence fishing periods are restricted in the king salmon subsistence fishery. (Eff. 6/7/2007, Register 182; am 5/19/2010, Register 194)

**Authority:** AS 16.05.060 AS 16.05.251 AS 16.05.258

## **Yukon Area Subsistence and Commercial Finfish Fisheries**

### **Yukon Area Subsistence Fisheries**

**5 AAC 01.210. Fishing seasons and periods.** (a) Unless restricted in this section, or in 5 AAC 01.220 – 5 AAC 01.249, salmon may be taken in the Yukon Area at any time.

(b) When there are no commercial salmon fishing periods, the subsistence fishery in the Yukon River drainage will be based on a schedule implemented chronologically, consistent with migratory timing as the salmon run progresses upstream. The commissioner may alter fishing periods by emergency order, if the commissioner determines that preseason or inseason run indicators indicate it is necessary for conservation purposes. The fishing periods for subsistence salmon fishing in the Yukon River drainage will be established by emergency order as follows:

(1) Coastal District, Koyukuk River, Kantishna River, and Subdistrict 5-D: seven days per week;

(2) Districts 1 - 3: two 36-hour fishing periods per week;

(3) District 4, and Subdistricts 5-A, 5-B, and 5-C: two 48-hour fishing periods per week;

(4) District 6: two 42-hour fishing periods per week; and

(5) Old Minto Area: five days per week.

(c) When there are commercial salmon fishing periods, in the following locations, in addition to subsistence fishing periods opened by emergency order, salmon may be taken for subsistence during commercial salmon fishing periods, except that salmon may not be taken for subsistence during the 24 hours immediately before the opening of the commercial salmon fishing season:

(1) District 4, excluding the Koyukuk River drainage: from June 15 through September 30, salmon may be taken for two 48-hour fishing periods per week, established by emergency order;

(2) District 5, excluding the Tozitna River drainage and Subdistrict 5-D;

(3) District 6, except

(A) the Kantishna River drainage and that portion of the Tanana River drainage upstream of the mouth of the Salcha River;

(B) in Old Minto Area, salmon may be taken from 6:00 p.m. Friday until 6:00 p.m. Wednesday.

(d) During the commercial salmon fishing season when the department announces a commercial fishing closure that will last longer than five days, salmon may not be taken for subsistence during the following periods in the following districts:

(1) in District 4, excluding the Koyukuk River drainage, salmon may not be taken

(A) in Subdistrict 4-A, from 6:00 p.m. Sunday until 6:00 p.m. Tuesday;

(B) in Subdistricts 4-B and 4-C, from 6:00 p.m. Friday until 6:00 p.m. Sunday;

(2) in District 5, excluding the Tozitna River drainage and Subdistrict 5-D, salmon may not be taken from 6:00 p.m. Sunday until 6:00 p.m. Tuesday.

(e) In Districts 1, 2, and 3, excluding the Innoko River drainage, salmon may not be taken for subsistence during the 24 hours immediately before the opening of the commercial salmon fishing season, and

(1) in Districts 1, 2, and 3,

(A) after the opening of the commercial salmon fishing season through July 15, salmon may not be taken for subsistence for 18 hours immediately before, during, and for 12 hours after each commercial salmon fishing period;

(B) after July 15, salmon may not be taken for subsistence for 12 hours immediately before, during, and for 12 hours after each commercial salmon fishing period;

(2) repealed 5/19/2010.

(f) Repealed 5/19/2010.

(g) The commissioner may establish, by emergency order, additional subsistence salmon fishing periods in Subdistricts 4-B and 4-C and Districts 5 and 6 to compensate for any lost fishing opportunities due to reductions in commercial salmon fishing time.

(h) Except as provided in 5 AAC 01.225, and except as may be provided by the terms of a subsistence fishing permit, there is no closed season on fish other than salmon. (In effect before 1982; am 4/14/82, Register 82; am 4/16/83, Register 86; am 6/30/83, Register 86; am 5/11/85, Register 94; am 4/2/88, Register 105; am 7/16/92, Register 123; am/readopt 5/15/93, Register 126; am 7/3/94, Register 130; am 3/24/95, Register 133; am 6/21/97, Register 142; am 6/10/98, Register 146; am 6/17/98, Register 146; am 6/22/2001, Register 158; am 9/29/2001, Register 159; am 5/19/2004, Register 170; am 5/19/2010, Register 194; am 7/13/2012, Register 203)

**Authority:** AS 16.05.060 AS 16.05.251 AS 16.05.258

**5 AAC 01.220. Lawful gear and gear specifications.** (a) Salmon may be taken only by gillnet, beach seine, a hook and line attached to a rod or pole, handline, or fish wheel, subject to the restrictions set out in this section, 5 AAC 01.210, and 5 AAC 01.225 – 5 AAC 01.249.

(b) Repealed 5/15/93.

(c) Repealed 5/11/85.

(d) In District 4, commercial fishermen may not take salmon for subsistence purposes during the commercial salmon fishing season by gillnets larger than six-inch mesh after a date specified by emergency order issued between July 10 and July 31.

(e) In Districts 4, 5, and 6, salmon may not be taken for subsistence purposes by drift gillnets, except as follows:

(1) in Subdistrict 4-A upstream from the mouth of Stink Creek, king salmon may be taken by drift gillnets from June 10 through July 14, and chum salmon may be taken by drift gillnets after August 2;

(2) in Subdistrict 4-A downstream from the mouth of Stink Creek, king salmon may be taken by drift gillnets from June 10 through July 14;

(3) no person may operate a drift gillnet that is more than 150 feet in length during the seasons described in (1) and (2) of this subsection.

(f) Unless otherwise specified in this section, fish other than salmon and halibut may be taken only by set gillnet, drift gillnet, beach seine, fish wheel, longline, fyke net, dip net, jigging gear, spear, a hook and line attached to a rod or pole, handline, or lead, subject to the following restrictions, which also apply to subsistence salmon fishing:

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

(2) the aggregate length of set gillnet in use by an individual may not exceed 150 fathoms and each drift gillnet in use by an individual may not exceed 50 fathoms in length;

(3) in Districts 4, 5, and 6, subsistence fishing gear may not be set within 200 feet of other operating commercial, personal use, or subsistence fishing gear, except as follows:

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

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

(C) a person may operate a dip net within 200 feet of another person operating a dip net;

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

(5) during the commercial salmon fishing season, within the Yukon River and the Tanana River below the confluence of the Wood River, drift gillnets and fish wheels may be used only during open subsistence salmon fishing periods;



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

(7) in Birch Creek, gillnet mesh size may not exceed three inches;

(8) in the South Fork of the Koyukuk River drainage upstream from the mouth of the Jim River and the Middle Fork of the Koyukuk River drainage upstream from the mouth of the North Fork, gillnet gear may be used only from November 1 through June 30 and a gillnet mesh size may not exceed three and one-half inches; a subsistence permit is required as specified in 5 AAC 01.230(b)(9);

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

(g) Repealed 6/10/98.

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

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

(j) Repealed 6/17/98.

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

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

(2) through the ice.

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

(m) Notwithstanding the provisions of (d), (e)(2), and (f)(2) of this section, during times when the commissioner determines it to be necessary for the conservation of chum salmon, the commissioner may, by emergency order, close the fishing season in the Yukon Area and immediately reopen the season in that area during which the following gear limitations apply:

(1) a gillnet used to take fish

(A) must be of four-inch or less mesh or eight-inch or greater mesh;

(B) for a gillnet of four-inch or less mesh, may not exceed the length specified by the commissioner in the emergency order;

(C) for a gillnet of eight-inch or greater mesh, may not exceed the length specified in (f) of this section;

(2) for fish wheels:

(A) a fish wheel used to take fish must be equipped with a livebox that is constructed so that it contains no less than 45 cubic feet of water volume while it is in operation;

(B) the livebox of a fish wheel must be checked at least once every six hours while the fish wheel is in operation, and all chum salmon in the livebox must be returned alive to the water;

(C) repealed 6/17/2001;

(D) instead of complying with (A) - (C) of this paragraph, a person may operate a fish wheel without a livebox if

(i) the fish wheel is equipped with a chute that returns fish captured by the fish wheel to the water alive;

(ii) the person closely attends the fish wheel while it is in operation; and

(iii) the person returns all chum salmon caught to the water alive; and

(3) dip nets may be used; however, all chum salmon caught with a dip net must be released to the water alive.

(n) Notwithstanding the provisions of (d), (e)(2), and (f)(2) of this section, during times when the commissioner determines it to be necessary for the conservation of king salmon, the commissioner may, by emergency order, close the fishing season in the Yukon Area and immediately reopen the season in that area during which the following gear limitations apply:

(1) a gillnet used to take fish

(A) must be of six-inch or less mesh;

(B) for gillnet of six-inch or less mesh, may not exceed the length and depth specified by the commissioner in the emergency order;

(2) for fish wheels:

(A) a fish wheel used to take fish must be equipped with a livebox that is constructed so that it contains no less than 45 cubic feet of water volume while it is in operation;

(B) the livebox of a fish wheel must be checked at least once every six hours while the fish wheel is in operation, and all king salmon in the livebox must be returned alive to the water;

(C) a person may operate a fish wheel without a livebox only if

(i) the fish wheel is equipped with a chute that returns fish captured by the fish wheel to the water alive;

(ii) the person closely attends the fish wheel while it is in operation; and

(iii) the person returns all king salmon caught to the water alive;

(3) dip nets may be used, however, all king salmon caught with a dip net must be released to the water alive.

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

(p) In the Yukon Area, notwithstanding any other provision of this section that allows a person to take salmon with a gillnet that has a mesh size greater than seven and one-half inches, a person may not take salmon with a gillnet that has a mesh size greater than seven and one-half inches. (In effect before 1982; am 4/14/82, Register 82; am 4/16/83, Register 86; am 6/30/83, Register 86; am 9/22/84, Register 91; am 5/11/85, Register 94; am 5/31/87, Register 102; am 4/2/88, Register 105; am 7/16/92, Register 123; am/readopt 5/15/93, Register 126; am 7/3/94, Register 130; am 8/17/94, Register 131; am 3/24/95, Register 133; am 6/21/97, Register 142; am 6/10/98, Register 146; am 6/17/98, Register 146; am 7/5/2000, Register 155; am 6/17/2001, Register 158; am 5/19/2004, Register 170; am 8/23/2009, Register 191; am 5/19/2010, Register 194; am 5/12/2011, Register 198; am 7/13/2012, Register 203)

**Authority:** AS 16.05.060      AS 16.05.251      AS 16.05.258

**5 AAC 01.225. Waters closed to subsistence fishing.**

(a) Repealed 6/17/2001.

(b) The following drainages located north of the mainstem Yukon River are closed to subsistence fishing:

(1) Kanuti River upstream from a point five miles downstream of the state highway crossing;

(2) Fish Creek upstream from the mouth of Bonanza Creek;

(3) Bonanza Creek;

(4) Jim River, including Prospect Creek and Douglas Creek;

(5) repealed 5/19/2004;

(6) repealed 5/19/2004;

(7) North Fork of the Chandalar River system upstream from the mouth of Quartz Creek.

(c) Repealed 5/15/93.

(d) Waters of the Tanana River drainage are closed to the subsistence taking of pike between the mouth of the Kantishna River and Delta River at Black Rapids on the Richardson Highway and Cathedral Rapids on the Alaska Highway, except that pike may be taken for subsistence purposes in that portion of the Tolovana River drainage not included in the nonsubsistence area described in 5 AAC 99.015(a)(4).

(e) The Delta River is closed to subsistence fishing

(1) between the mouth of the Delta River and an ADF&G regulatory marker placed two miles upstream from the mouth of the Delta River;

(2) for salmon;

(3) for finfish other than salmon in that portion of the Delta River not included in the nonsubsistence area described in 5 AAC 99.015(a)(4).

(f) Repealed 4/13/80.

(g) The following lakes and rivers and creeks and within 500 feet of the river and creek mouths are closed to subsistence fishing:

(1) Big Salt River;

(2) Hess Creek;

(3) Deadman Lake;

(4) Jan Lake;

(5) Fielding Lake;

(6) Two-Mile Lake;

(h) Repealed 7/13/92.

(i) Fish may not be taken under subsistence fishing regulations in the nonsubsistence area described in 5 AAC 99.015(a)(4).

(j) The Toklat River drainage is closed to subsistence fishing from August 15 through May 15, as specified in 5 AAC 01.248. (In effect before 1987; am 5/31/87, Register 102; am 7/26/90, Register 115; am 7/16/92, Register 123; am/readopt 5/15/93, Register 126; am 5/6/94, Register 130; am 3/24/95, Register 133; am 6/7/95, Register 135; am 9/29/95, Register 135; am 5/9/98, Register 146; am 6/17/98, Register 146; am 6/17/2001, Register 158; am 5/19/2004, Register 170; am 7/13/2012, Register 203)

**Authority:** AS 16.05.251 AS 16.05.258

**5 AAC 01.234. Limitations on subsistence fishing with a hook and line gear.** During times when the commissioner determines it to be necessary for the conservation of salmon, the commissioner may, by emergency order, close the fishing season for salmon, and immediately reopen the season during which restrictions apply to the waters, seasons, bag, possession, and size limits, and method and means for subsistence fishing for salmon with a hook and line attached to a rod or pole. The provisions of this section do not apply to fishing through the ice. (Eff. 12/29/2002, Register 164)

**Authority:** AS 16.05.060 AS 16.05.251 AS 16.05.258

**5 AAC 01.236. Customary and traditional subsistence uses of fish stocks and amounts necessary for subsistence uses.** (a) The Alaska Board of Fisheries (board) finds that the following fish stocks are customarily and traditionally taken or used for subsistence:

(1) king, summer chum, fall chum, coho, and pink salmon in the Yukon Area;

(2) freshwater fish species, including sheefish, whitefish, lamprey, burbot, sucker, grayling, pike, and char;

(3) herring and herring roe, within 20 miles of the coast between the terminus of the Black River and the westernmost point of the Naskonat Peninsula; and

(4) all finfish other than salmon and herring, in the salt waters of the Yukon Area.

(b) The board finds that in the Yukon Area the following amounts of fish are reasonably necessary for subsistence uses:

(1) king salmon: 45,500 - 66,704;

(2) summer chum salmon: 83,500 - 142,192;

(3) fall chum salmon: 89,500 - 167,900;

(4) coho salmon: 20,500 - 51,980. (Eff. 5/15/93, Register 126; am 6/10/98, Register 146; am 6/17/2001, Register 158; am 5/19/2004, Register 170; am 7/13/2012, Register 203)

**Authority:** AS 16.05.251 AS 16.05.258

**5 AAC 01.240. Marking and use of subsistence-taken salmon.**

(a) Repealed 8/14/87.

(b) Repealed 6/10/98.

(c) In Districts 1 - 3, from June 1 through July 15, a person may not possess king salmon taken for subsistence uses unless both tips (lobes) of the tail fin have been removed before the person conceals the salmon from plain view or transfers the salmon from the fishing site. A person may not sell or purchase salmon from which both tips (lobes) of the tail fin have been removed.

(d) In the Yukon River drainage, king salmon must be used primarily for human consumption and may not be targeted for dog food. Dried king salmon may not be used for dog food throughout the Yukon River drainage, except that whole fish that are unfit for human consumption, scraps, and fish under 16 inches in length may be fed to dogs. Whole king salmon caught incidentally during a subsistence chum salmon fishery in the following time periods and locations may also be fed to dogs:

(1) after July 10, in the Koyukuk River drainage;

(2) after July 20, in District 6 and the Tanana River drainage;

(3) after August 10, in Subdistrict 5-D, upstream of Circle City. (In effect before 1986; am 4/18/86, Register 98; am 8/14/87, Register 103; am/readopt 5/15/93, Register 126; am 6/10/98, Register 146; am 7/21/99, Register 151; am 6/17/2001, Register 158; em am 5/29/2001 - 9/25/2001, Register 158; am 8/24/2002, Register 163; am 6/7/2007, Register 182)

**Authority:** AS 16.05.251 AS 16.05.258

**5 AAC 01.249. Yukon River Drainage Fall Chum Salmon Management Plan.** The objective of this management plan is to ensure adequate escapement of fall chum salmon into the Yukon River drainage and to provide management guidelines to the department. The department shall implement this plan from July 16 through December 31 each year, as follows:

(1) the department shall use the best available data, including preseason projections, mainstem river sonar passage estimates, test fisheries indices, subsistence and commercial fishing reports, and fish passage estimates from escapement monitoring projects to assess the run size of chum salmon;

(2) when the projected run size is 300,000 chum salmon or less, the commissioner shall close, by emergency order, the

(A) commercial, sport, and personal use directed chum salmon fisheries;  
and

(B) subsistence directed chum salmon fisheries, except that if indicators suggest that an individual escapement goal in a subdistrict, district, or a portion of a subdistrict or district will be achieved, the commissioner may, by emergency order, open a subsistence directed chum salmon fishery in that subdistrict, district or portion of that subdistrict or district;

(3) when the projected run size is more than 300,000, but not more than 500,000 chum salmon, the

(A) targeted drainagewide minimum escapement goal is 300,000 chum salmon;

(B) commissioner shall, by emergency order, close the commercial, sport, and personal use directed chum salmon fisheries, except that if indicators suggest that an individual escapement goal and identified subsistence needs in a subdistrict, district, or portion of a subdistrict or district will be achieved, the commissioner may, by emergency order, open a sport or personal use fishery in that subdistrict, district, or portion of that subdistrict or district; and

(C) department shall manage the subsistence chum salmon directed fisheries to achieve the targeted drainagewide escapement goal;

(4) repealed 5/19/2010;

(5) when the projected run size is more than 500,000 chum salmon, the commissioner may, by emergency order, open and close, commercial fisheries drainagewide and manage the fisheries to achieve escapements within the established drainagewide escapement goal range of 300,000 - 600,000 chum salmon; the targeted harvest of the surplus will be distributed by district or subdistrict proportional to the guideline harvest range established in 5 AAC 05.365; the department shall distribute the harvest levels below the low end of the guideline harvest range by district or subdistrict proportional to the midpoint of the guideline harvest range;

(6) for management of the Toklat River salmon stocks, the Kantishna River and Subdistricts 5-A and 6-A fisheries will be managed to achieve the established spawning escapement goals and the following provisions will apply:

(A) from August 15 through May 15, the Toklat River drainage is closed to sport and subsistence fishing;

(B) in the Kantishna River, the following subsistence permit requirements will apply:

(i) from August 15 through December 31, the subsistence salmon harvest limit in the Kantishna River is 2,000 chum salmon;

(ii) from August 15 through December 31, the annual harvest limit for the holder of a Kantishna River subsistence salmon fishing permit is 450 chum salmon; until the fishery harvest limit of 2,000 chum salmon is reached, permits for additional salmon may be issued by the department;

(iii) based on an evaluation of inseason run strength indicators, the commissioner may, by emergency order, reopen the Kantishna River fall season chum salmon subsistence fishery and allow the fishery to exceed the 2,000 fall chum salmon harvest limit if indications are that the Toklat River fall chum salmon minimum escapement goals will be achieved; the commissioner will close that fishery when the commissioner determines that it is necessary for the conservation and protection of chum salmon.

(Eff. 7/3/94, Register 130; am 3/24/95, Register 133; am 3/30/95, Register 133; am 7/12/96, Register 139; am 6/10/98, Register 146; am 6/17/2001, Register 158; am 5/19/2004, Register 170; am 5/19/2010, Register 194)

**Authority:** AS 16.05.060 AS 16.05.251 AS 16.05.258

### **Yukon Area Commercial Finfish Fisheries**

**5 AAC 05.360. Yukon River King Salmon Management Plan.** (a) The objective of this management plan is to provide the department with guidelines to manage for the sustained yield of Yukon River king salmon. The department shall use the best available data, including preseason run projections, test fishing indices, age and sex composition, subsistence and commercial harvest reports, and passage estimates from escapement monitoring projects to assess the run size for the purpose of implementing this plan.

(b) The department shall manage commercial fishing as follows:

(1) the department may open a directed commercial king salmon fishery when increases in subsistence or test fishery net catches of king salmon have occurred over a seven to ten day period;



(2) the department shall manage the Yukon River commercial king salmon fishery for a guideline harvest range of 67,350 - 129,150 king salmon, distributed as follows:

- (A) Districts 1 and 2: 60,000 - 120,000 king salmon;
- (B) District 3: 1,800 - 2,200 king salmon;
- (C) District 4: 2,250 - 2,850 king salmon;
- (D) District 5:
  - (i) Subdistrict 5-B and 5-C: 2,400 - 2,800 king salmon;
  - (ii) Subdistrict 5-D: 300 - 500 king salmon; and
- (E) District 6: 600 - 800 king salmon;

(3) when the projected king salmon harvest range for Districts 1 - 6 combined is below the low end harvest level from zero to 67,350 fish, the department shall allocate the commercial harvest available by percentage for each district as follows:

- (A) Districts 1 and 2: 89.1 percent;
- (B) District 3: 2.7 percent;
- (C) District 4: 3.3 percent;
- (D) Subdistricts 5-B and 5-C: 3.6 percent;
- (E) Subdistrict 5-D: 0.4 percent; and
- (F) District 6: 0.9 percent.

(c) A person may not sell king salmon roe taken in Subdistrict 4-A.

(d) The subsistence fishery in the Yukon River drainage will be based on a schedule to be implemented chronologically, consistent with migratory timing as the king salmon run progresses upstream. The commissioner may alter fishing periods by emergency order, if the commissioner determines that preseason or inseason run indicators indicate it is necessary for conservation purposes. The fishing periods for subsistence fishing in the Yukon River drainage will be established by emergency order as follows:

- (1) Coastal District, Koyukuk River, Innoko River, and Subdistrict 5-D: seven days per week;
- (2) Districts 1 - 3: two 36-hour fishing periods per week;

(3) District 4, and Subdistricts 5-B and 5-C: two 48-hour fishing periods per week;

(4) Subdistrict 5-A, and District 6: two 42-hour fishing periods per week; and

(5) Old Minto Area: five days per week.

(e) If inseason run strength indicates a sufficient abundance of king salmon to allow a commercial fishery, subsistence fishing shall revert to the fishing periods as specified in 5 AAC 01.210(c) – (h).

(f) The sport fishery in the Yukon River drainage will be managed to coordinate with the commercial and subsistence fisheries. Sport fishing restrictions necessary for conservation purposes will corresponded to the level of abundance of king salmon.

(g) In Subdistrict 4-A, during times when the commissioner determines that it is necessary for the conservation of chum salmon, the commissioner may, by emergency order, close the commercial fish wheel fishing season and immediately reopen the season during which set gillnet gear may be used instead of a fish wheel.

(h) If preseason or inseason run assessment information indicates insufficient abundance of king salmon to meet escapement objectives on specific components of the run, the commissioner may, by emergency order, close all salmon fishing in a district or portion of a district.

(i) If king salmon subsistence fishing is restricted in more than one district or portion of a district, the commissioner may, by emergency order, close a fishery and immediately reopen a fishery during which king salmon may be retained but not sold. (In effect before 1982; am 4/14/82, Register 82; am 8/5/88, Register 107; am 6/14/90, Register 115; am 6/10/98, Register 146; am 4/22/99, Register 150; am 6/17/2001, Register 158; am 12/29/2002, Register 164; am 7/31/2003, Register 167; am 5/19/2004, Register 170; am 8/5/2004, Register 171; am 5/19/2010, Register 194)

**Authority:** AS 16.05.060 AS 16.05.251

**5 AAC 05.362. Yukon River Summer Chum Salmon Management Plan.** (a) The objective of this management plan is to provide the department with guidelines to manage for the sustained yield of Yukon River summer chum salmon. The department shall use the best available data, including preseason run projections, test fishing indices, age and sex composition, subsistence and commercial harvest reports, and passage estimates from escapement monitoring projects to assess the run size for the purpose of implementing this plan.

(b) When the projected run size of summer chum salmon is 600,000 fish or less, the commissioner shall, by emergency order, close the

(1) commercial, sport, and personal use directed summer chum salmon fisheries;

(2) subsistence summer chum salmon fisheries, except that, if indicators show an individual escapement goal in a district, subdistrict, or portion of a district or subdistrict will be met, the commissioner may open, by emergency order, a directed subsistence summer chum fishery in that district, subdistrict, or portion of a district or subdistrict.

(c) When the projected run size of summer chum salmon is more than 600,000 fish, but not more than 700,000 fish,

(1) the commissioner shall close, by emergency order, the commercial, sport, and personal use directed summer chum salmon fisheries;

(2) the department shall manage the subsistence directed summer chum salmon fishery to achieve drainage-wide escapement of no less than 600,000 summer chum salmon, except that, if indicators show that individual escapement goals within a district, subdistrict, or portion of a district or subdistrict will be met, the commissioner may open, by emergency order, a less restrictive directed subsistence summer chum fishery in that district, subdistrict, or portion of a district or subdistrict.

(d) When the projected run size of summer chum salmon is more than 700,000 fish, but not more than 1,000,000 fish,

(1) the commissioner may open, by emergency order, a subsistence fishery with fishing seasons and periods as specified in 5 AAC 05.360(d);

(2) and if indicators show that individual escapement goals within a district, subdistrict, or portion of a district or subdistrict will be met, the commissioner may open, by emergency order, a summer chum fishery for commercial, sport, or personal use fishing in that district, subdistrict or portion of a district or subdistrict.

(e) Notwithstanding (d) of this section, when the projected run size of chum salmon is more than 900,000 fish, but not more than 1,000,000 fish, the commissioner may, by emergency order, open a drainagewide commercial fishery to harvest up to 50,000 fish above the run size of 900,000 chum salmon distributed by district or subdistrict in proportion to the guideline harvest levels established in (g) of this section.

(f) When the projected run size of summer chum salmon is more than 1,000,000 fish, the commissioner may open, by emergency order, a drainagewide commercial fishery with the harvestable surplus distributed by district or subdistrict in proportion to the guideline harvest levels established in (g) of this section.

(g) The department shall manage the commercial summer chum salmon fishery for a guideline harvest level of 400,000 - 1,200,000 summer chum salmon to be distributed as follows:

(1) Districts 1 and 2: 251,000 - 755,000 fish;

(2) District 3: 6,000 - 19,000 fish;

(3) Subdistrict 4-A: 113,000 - 338,000 fish, the equivalent roe poundage of 61,000 - 183,000 pounds, or a combination of pounds of roe and numbers of fish;

(4) Subdistricts 4-B and 4-C: 16,000 - 47,000 fish;

(5) Subdistricts 5-B, 5-C, and 5-D: 1,000 - 3,000 fish;

(6) District 6: 13,000 - 38,000 fish.

(h) When the projected summer chum salmon harvest level for Districts 1 - 6 combined is 400,000 fish or less, the department shall distribute the commercial harvest available by percentage to each district or subdistrict as follows:

(1) Districts 1 and 2: 62.9 percent;

(2) District 3: 1.6 percent;

(3) Subdistrict 4-A: 28.2 percent;

(4) Subdistrict 4-B and 4-C: 3.9 percent;

(5) District 5: 0.3 percent;

(6) District 6: 3.2 percent.

(i) All salmon caught by CFEC permit holders during a commercial fishing period when salmon roe is sold, shall be reported in numbers of fish on ADF&G fish tickets. Notwithstanding 5 AAC 05.368, no more than 183,000 pounds of summer chum salmon roe from Subdistrict 4-A may be sold separately each year. If this roe cap is reached, fishing may continue, but all salmon must be sold in the round.

(j) In Subdistrict 4-A, during times when the commissioner determines that it is necessary for the conservation of king salmon, the commissioner may, by emergency order, close the commercial set gillnet fishing season and immediately reopen the fishing season during which

(1) a fish wheel may be used;

(2) the permit holder shall be present at and attend the fish wheel at all times while the fish wheel is in operation; and

(3) all king salmon caught in the fish wheel must be returned to the water alive immediately. (Eff. 6/14/90, Register 115; am 7/12/96, Register 139; am 4/22/99, Register 150; am 6/17/2001, Register 158; em am 7/1/2009 - 10/28/2009, Register 191; am 5/9/2010, Register 194; am 7/13/2012, Register 203)

**Authority:** AS 16.05.060 AS 16.05.251

**5 AAC 05.365. Yukon River fall chum salmon guideline harvest ranges.** (a) The department shall manage the Yukon River commercial fall chum salmon fishery for a guideline harvest range of 72,750 to 320,500 chum salmon, distributed as follows:

- (1) Districts 1, 2, and 3: 60,000 to 220,000 chum salmon;
- (2) District 4: 5,000 to 40,000 chum salmon;
- (3) Subdistricts 5-B and 5-C: 4,000 to 36,000 chum salmon;
- (4) Subdistrict 5-D: 1,000 to 4,000 chum salmon;
- (5) District 6: 2,750 to 20,500 chum salmon.

(b) Fall chum salmon taken as incidental catch under 5 AAC 05.369 are not considered part of the full chum salmon guideline harvest ranges set out in this section. (Eff. 4/18/86, Register 98; am 5/31/87, Register 102; am 6/14/90, Register 115; am 5/29/93, Register 126; am 6/10/98, Register 146; am 4/22/99, Register 150; am 6/17/2001, Register 158)

**Authority:** AS 16.05.251

**5 AAC 05.367. Tanana River Salmon Management Plan.** (a) The purpose of this management plan is to provide for the sustained yield of the Tanana River salmon resource. The department shall manage the salmon fisheries in the Tanana River drainage to achieve established spawning escapement goals. Except as provided in 5 AAC 01.249, the department shall manage the District 6 and Subdistrict 5-A salmon fisheries in accordance with the provisions of this section.

(b) The department shall manage the salmon fisheries in District 6 (Tanana River) as follows:

- (1) the commercial salmon fishing season shall be opened by emergency order and closes on September 30, unless closed earlier by emergency order;
- (2) the commercial salmon fishing periods shall be opened and closed by emergency order;
- (3) except as provided in 5 AAC 01.210(b)(4), in Subdistricts 6-A and 6-B, through September 30, the subsistence salmon fishing periods are from 6:00 p.m. Friday until 12:00 noon Sunday and from 6:00 p.m. Monday until 12:00 noon Wednesday, unless modified by emergency order;

(4) in Subdistrict 6-C, the personal use salmon fishing periods are from 6:00 p.m. Friday until 12:00 noon Sunday and from 6:00 p.m. Monday until 12:00 noon Wednesday, unless modified by emergency order;

(5) the guideline harvest ranges are

(A) 600 to 800 king salmon;

(B) 13,000 to 38,000 summer chum salmon; and

(C) 2,750 to 20,500 fall chum salmon.

(c) The department shall manage the salmon fisheries in Subdistrict 5-A according to the stock status and timing of salmon bound for the Tanana River as follows:

(1) the commissioner may open, by emergency order, the commercial salmon fishing season only after August 10;

(2) when the District 6 fall chum salmon harvest is below the upper end of the guideline harvest range set out in 5 AAC 05.365(5), the department shall manage the fishery in Subdistrict 5-A as follows:

(A) a person may sell only salmon roe from fish commercially harvested in Subdistrict 5-A;

(B) the guideline harvest range is 0 to 4,000 pounds of fall chum salmon roe; and

(C) the department shall manage, to the extent practicable, the fishery to ensure that no more than 2,000 pounds of roe removed from coho salmon incidentally taken in the fall chum salmon directed fishery are sold;

(3) when the District 6 fall chum salmon harvest exceeds the upper end of the guideline harvest range set out in 5 AAC 05.365, in addition to the pounds of fall chum salmon roe allowed under (2) of this section, the department shall manage, to the extent practicable, the fishery in Subdistrict 5-A to ensure that

(A) no more than 2,000 female fall chum salmon, or a combination of pounds of chum salmon roe and number of females equivalent to 2,000 fish, as determined by the department, are sold;

(B) no more than 2,000 male fall chum salmon are sold; and

(C) for coho salmon incidentally taken in the fall chum salmon directed fishery, no more than 4,000 pounds of coho salmon roe, or a combination of numbers of fish and pounds of roe equivalent to 4,000 fish, as determined by the department, are

sold; for the purpose of this subparagraph, the poundage of roe shall include the poundage of coho salmon roe sold under (2)(C) of this subsection;

(4) for all salmon taken and sold under (3) of this subsection, a buyer shall report the numbers of females and males, by species, on a fish ticket at the time of the sale;

(5) beginning August 1, a person holding a CFEC permit who sells salmon or roe from salmon taken in

(A) Subdistrict 5-A may not sell salmon or roe from salmon taken in Subdistricts 5-B, 5-C, or 5-D; and

(B) Subdistrict 5-B, 5-C, or 5-D may not sell salmon or roe from salmon taken in Subdistrict 5-A;

(6) repealed 6/17/2001. (Eff. 8/5/88, Register 107; am 6/14/90, Register 115; am 6/10/98, Register 146; am 4/22/99, Register 150; am 6/17/2001, Register 158; am 5/19/2004, Register 170; am 12/1/2004, Register 172)

**Authority:** AS 16.05.060 AS 16.05.251

**5 AAC 05.369. Yukon River Coho Salmon Management Plan.** (a) The goal of this plan is to provide for the management of directed commercial coho salmon fishing in the Yukon River. The majority of Yukon River coho salmon spawn in tributaries that flow into the Yukon River from the mouth of the Yukon 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.

(b) For the purpose of (c) of this section, the department shall use the best available information to assess coho salmon abundance including mainstem river sonar passage estimates, test fisheries indices, subsistence and commercial fishing reports, and estimates from escapement monitoring projects.

(c) The department may allow a directed coho salmon fishery under this section in years when

(1) the return of coho salmon measured under (b) of this section is projected to provide for a harvestable surplus;

(2) the fall chum salmon return is assessed by the department to be more than 500,000 fish;

(3) repealed 6/21/2007.

(d) Fall chum salmon harvested during a directed commercial coho salmon fishery under this section will be considered incidental and may only occur on the harvestable surplus of fall chum salmon above 500,000 fish.

(e) In a year when a directed commercial coho salmon fishery is opened under this section in

(1) Districts 1, 2, and 3, the commissioner shall close, by emergency order, the coho salmon fall season no later than September 10;

(2) Subdistrict 5-A, and Districts 4 and 6, the commissioner shall close, by emergency order, the coho salmon fall season no later than October 5;

(3) repealed 6/7/2007.

(f) In Subdistrict 5-B, 5-C, and 5-D there will be no directed commercial coho salmon fishery unless the department determines that there will be a harvestable surplus of coho salmon.

(g) The department shall distribute, to the extent practicable, the harvest opportunity in the directed coho salmon fishery between districts and subdistricts as follows:

(1) 24 hours of combined fishing time in Districts 1, 2, and 3 will be considered equal to 32 hours of fishing time in

(A) Subdistrict 4-A;

(B) Subdistricts 4-B and 4-C combined;

(C) Subdistrict 5-A; and

(D) District 6;

(2) to ensure an orderly and conservative fishery, coho salmon fishing will be managed as follows:

(A) in Districts 1, 2, and 3 combined, fishing time shall not exceed 24 hours in a seven-day period;

(B) in District 4-A, fishing time shall not exceed 32 hours in a seven-day period;

(C) in Subdistricts 4-B and 4-C combined, fishing time shall not exceed 32 hours in a seven-day period;

(D) in Subdistrict 5-A, fishing time shall not exceed 32 hours in a seven-day period;



(E) in District 6, fishing time shall not exceed 32 hours in a seven-day period.

(h) Repealed 6/17/2001.

(i) Notwithstanding any other provision in this section, if the commissioner determines that there is a harvestable surplus of coho salmon above escapement needs and those necessary for subsistence uses, and that a directed coho salmon commercial fishery will not have a significant impact on escapement or allocation of fall chum salmon, the commissioner may, by emergency order, open a directed coho salmon commercial fishery under this section. (Eff. 4/22/99, Register 150; am 6/17/2001, Register 158; am 6/7/2007, Register 182; am 6/21/2007, Register 182; em am 9/10/2009 - 1/7/2010, Register 192; am 5/19/2010, Register 194)

**Authority:** AS 16.05.060 AS 16.05.251

## **Kuskokwim Area Subsistence and Commercial Finfish Fisheries**

### **Kuskokwim Area Subsistence Finfish Fisheries**

**5 AAC 01.286. Customary and traditional subsistence uses of fish stocks and amounts necessary for subsistence uses.** (a) The Alaska Board of Fisheries (board) finds that the following fish stocks are customarily and traditionally taken or used for subsistence:

(1) halibut, Pacific cod, and all other finfish, except as specified in (2) - (4) of this section, in the Kuskokwim Area;

(2) salmon in the Kuskokwim Area, except the Kuskokwim River drainage;

(3) king, chum, sockeye, coho, and pink salmon in the Kuskokwim River drainage;

(4) herring and herring roe, along the coast between the westernmost tip of the Naskonat Peninsula and the terminus of the Ishowik River, and along the coast of Nunivak Island.

(b) The board finds that the following amounts of fish are reasonably necessary for subsistence uses:

(1) 64,500 - 83,000 king salmon in the Kuskokwim River drainage;

(2) 39,500 - 75,500 chum salmon in the Kuskokwim River drainage;

(3) 27,500 - 39,500 sockeye salmon in the Kuskokwim River drainage;

(4) 24,500 - 35,000 coho salmon in the Kuskokwim River drainage; and

(5) 7,500 - 13,500 salmon in the remainder of the Kuskokwim Area. (Eff. 5/15/93, Register 126; am 6/10/98, Register 146; am 6/17/2001, Register 158)

**Authority:** AS 16.05.251 AS 16.05.258

**Kuskokwim Area Commercial Finfish Fisheries**

**5 AAC 07.365. Kuskokwim River Salmon Rebuilding Management Plan.** (a) The purpose of this management plan is to provide guidelines for the rebuilding and management of the Kuskokwim River salmon fishery that will result in the sustained yield of salmon stocks large enough to meet the escapement goals, amounts necessary for subsistence, and for nonsubsistence fisheries.

(b) It is the intent of the Board of Fisheries that the Kuskokwim River salmon stocks shall be managed during June and July in a conservative manner consistent with the Policy for the Management of Sustainable Salmon Fisheries (5 AAC 39.222) and the subsistence priority.

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

(1) the subsistence salmon net and fish wheel fisheries will be open for four consecutive days per week in June and July as announced by emergency order; however, the commissioner may alter fishing periods by emergency order based on run strength and to achieve escapement goals;

(2) during subsistence closures of three consecutive days per week in June and July, all salmon nets with a mesh size larger than four inches must be removed from the water, and fish wheels may not be operated; however, the commissioner may alter fishing periods by emergency order based on run strength and to achieve escapement goals;

(3) as the salmon run progresses upstream from Districts 1 - 2, and further upstream, the provisions of (1) of this section will be implemented in the mainstem of the Kuskokwim River and salmon spawning tributaries;

(4) the commissioner may alter the subsistence hook and line bag and possession limits specified in 5 AAC 01.295 by emergency order, if the commissioner determines that inseason indicators indicate it is necessary for conservation purposes.

(d) In the commercial fishery,

(1) the guideline harvest level for king salmon is 0 - 50,000 fish;

(2) only those waters of District 1 downstream of the ADF&G regulatory markers located at Bethel may be opened during the first commercial salmon fishing period;

(3) the commissioner shall open and close the Kuskokwim River commercial salmon fishery by emergency order; if inseason indicators of run strength indicate a run strength that is large enough to provide for a harvestable surplus and a reasonable opportunity for subsistence uses and for nonsubsistence fisheries, the subsistence fishing shall revert to the fishing periods as specified in 5 AAC 01.260;

(4) the department shall provide, to the extent practicable, at least 24 hours advance notice of the opening of Districts 1 and 2 to commercial fishing periods;

(5) Districts 1 and 2 commercial fishing periods are from 1:00 p.m. through 7:00 p.m.; when longer fishing periods are allowed, the extra time is to be divided before 1:00 p.m. and after 7:00 p.m.;

(6) in June, and until coho salmon relative abundance exceeds chum salmon relative abundance, the department shall manage, to the extent practicable, the commercial salmon fishery based on the chum salmon run strength;

(7) the guideline harvest level for sockeye salmon is 0 - 50,000 fish;

(8) when chum salmon abundance is sufficient to provide for escapement and subsistence needs, and when coho salmon relative abundance exceeds chum salmon relative abundance, the department shall manage, to the extent practicable, the commercial salmon fishery based on the strength of the coho salmon run;

(9) when the chum salmon run is projected to be inadequate to meet escapement and subsistence needs, the department shall manage the commercial coho salmon fishery to minimize the incidental harvest of chum salmon and to provide for coho salmon escapement and subsistence needs;

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

(e) In the sport fishery,

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

(2) in the Aniak River drainage, the king salmon fishery is open from May 1 through July 25, with a bag and possession limit of two fish, 20 inches or greater in length, with an annual limit of two fish, 20 inches or greater in length; the sockeye, pink, chum, and coho salmon fisheries are open year round, with a combined daily bag and possession limit of three fish, of which no more than two fish may be king salmon. (Eff. 6/10/87, Register 102; am 4/2/88, Register 105; am 6/14/90, Register 115; am 6/10/98, Register 146; am 6/17/2001, Register 158; am 7/8/2001, Register 159; am 5/19/2004, Register 170; am 6/7/2007, Register 182; am 5/19/2010, Register 194)

**Authority:** AS 16.05.060 AS 16.05.251

## **Tanana River Area Sport Fish Management Plan (Stocked Waters)**

**5 AAC 74.065. Tanana River Area Stocked Waters Management Plan.** (a) The department shall manage stocked waters in the Tanana River Area in order to meet public demand for diverse fishing opportunities. The department may manage fisheries to provide or maintain qualities that are desired by sport anglers. The department shall manage the stocked waters according to one of three management approaches. The management approaches are the

- (1) regional management approach;
- (2) conservative management approach; and
- (3) special management approach.

(b) The board's regulations that govern stocked waters in the Tanana River Area shall be consistent with the applicable management approach specified in (a) of this section.

(c) When a water body in the Tanana River Area is first stocked, it shall be placed under the regional management approach category. After receiving a proposal from the public, the department, or from the board to reclassify a water body, and when the proposal meets the criteria for a different classification, the board may reclassify the water body. The board will act on a proposal to reclassify a water body or to designate a water body for special management only if the proposal has been submitted according to the procedures set out in 5 AAC 96.610 and is consistent with the board's regular meeting cycle schedule.

(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.

(e) Conservative management approach. Under the conservative management approach, stocked waters will be managed so that there will be a reasonable expectation to catch a daily bag limit with a reasonable chance of catching fish 18 inches or greater in length. The bag and possession limit is five fish in combination of all stocked species, 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.

(f) Special management approach. Under the special management approach, stocked waters will be managed so that there will be a high probability of an angler catching more than one fish a day that is 18 inches or greater in length. When considering a proposal regarding this management approach, the board should consider taking the following actions:

- (1) limit fishing to
  - (A) catch-and-release fishing;

(B) fly fishing;

(C) trophy fishing, which means that a fish retained must be 18 inches or greater in length;

(2) establish seasonal periods when fishing is closed or is restricted to catch-and-release fishing; or

(3) establish a bag limit of one fish, 18 inches or greater in length, or another appropriate bag and size limit.

(g) Water bodies managed under the special management approach include

(1) Little Harding Lake;

(2) Harding Lake;

(3) Summit Lake;

(4) Monte Lake;

(5) Donnelly Lake; and

(6) Rainbow Lake.

(h) Water bodies managed under the special management approach include

(1) Dune Lake; and

(2) Koole Lake.

(i) During times of low hatchery output, the commissioner may, by emergency order, modify methods and means, reduce bag limits, or institute a catch-and-release fishing only fishery. (Eff. 3/14/2009, Register 189)

**Authority:** AS 16.05.060 AS 16.05.251