

**On-Time Public Comment List  
Arctic / Yukon / Kuskokwim Finfish  
January 12–16, 2016**

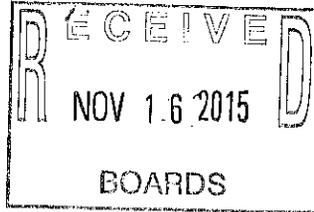
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Tuntutuliak Traditional Council  
PO Box 8086  
Tuntutuliak, Alaska 99680  
Ph: (907)256-2128, Fax (907)256-2080



November 12, 2015



To Whom It May Concern,

The Tuntutuliak Traditional Council fully supports the change of fishing boundaries proposal. The current boundaries in district 1A from an area just below the Johnson River to Napaskiak the river funnels down not allowing fish a fair chance to pass. If only the lower part of the Kuskokwim were opened much more escapement goals would be achieved. With many subsistence restrictions in the past years moving the boundaries for commercial fishing just makes sense and might allow for more commercial openings and a higher quality product produced from the fish taken out of the river. Fish taken out of brackish water are of higher quality than a fish taken near Napaskiak. Also the transportation time of fish in the tenders would be cut in half or even more. So in conclusion, moving district 1 in the Kuskokwim River would benefit the entire Kuskokwim area eliminating choked areas allowing more fish to pass, no longer having 1a/1b districts only one commercial fishing district in the Kuskokwim River District 1.

Quyana,

Tuntutuliak Traditional Council

*Alice [Signature] for*  
\_\_\_\_\_  
Johnny Evan-President

*Johnny Evan*



ALASKA BOARD OF FISHERIES AND ALASKA BOARD OF GAME  
REGULATION PROPOSAL FORM, P.O. BOX 25526, JUNEAU, ALASKA 99802-5526

BOARD OF FISHERIES REGULATIONS

- Fishing Area Kuskokwim Bay
- Subsistence  Personal Use
- Sport  Commercial

JOINT BOARD REGULATIONS

- Advisory Committee  Regional Council  Rural

BOARD OF GAME REGULATIONS

- Game Management Unit (GMU) \_\_\_\_\_
- Hunting  Trapping
- Subsistence  Other \_\_\_\_\_
- Resident
- Nonresident

Please answer all questions to the best of your ability. All answers will be printed in the proposal packets along with the proposer's name (address and phone numbers will not be published). Use separate forms for each proposal.

1. Alaska Administrative Code Number 5 AAC \_\_\_\_\_ Regulation Book Page No. \_\_\_\_\_

2. What is the problem you would like the Board to address? To change commercial fishing boundaries on the Kuskokwim River. The new proposed boundaries for commercial fishing would be markers above Kialig River to the mouth of Sinig River on the east, Alaska and markers above Kialig River to the mouth of Ilgiving River, with current boundaries.

3. What will happen if this problem is not solved? There isn't much fish escapement. There will be less salmon reaching spawning grounds as they will be caught by commercial fishermen from mouth of Kuskokwim to Tuluksak

4. What solution do you prefer? In other words, if the Board adopted your solution, what would the new regulation say? To open commercial fishing periods only at the mouth of the Kuskokwim River. The openings would be from markers above Kialig River to the mouths of Sinig River and Ilgiving River.

5. Does your proposal address improving the quality of the resource harvested or products produced? If so, how? If the commercial fishing periods are from the markers above Kialig River to the mouths of Sinig River and Ilgiving River, more fish would escape and reach spawning grounds.

6. Solutions to difficult problems benefit some people and hurt others:  
A. Who is likely to benefit if your solution is adopted? Commercial and subsistence fishermen, also fish companies as they would only get quality fish  
B. Who is likely to suffer if your solution is adopted? NO ONE

7. List any other solutions you considered and why you rejected them. We believe this proposed change on the Kuskokwim River commercial fishing boundaries is the best solution to solve the problem of salmon reaching spawning grounds. Subsistence fishing would be open up and down the Kuskokwim River

DO NOT WRITE HERE

Submitted By: Name

Patriak m. Pavla and other commercial permit holders  
Individual or Group

Address Box 8131, Tuntutuliak, Alaska

8/15/15

Zip Code 99680 Phone

256-6102



IN REPLY REFER TO:

# United States Department of the Interior

U.S. FISH AND WILDLIFE SERVICE  
1011 East Tudor Road MS 121  
Anchorage, Alaska 99503-6199



FWS/OSM 15066.GP

**DEC 22 2015**

Mr. Tom Kluberton, Chair  
Alaska Board of Fisheries  
Alaska Department of Fish and Game  
P.O. Box 115526  
Juneau, Alaska 99811-5526

Dear Chairman Kluberton:

The Alaska Board of Fisheries will deliberate 55 proposals, among other issues, at its Arctic/Yukon/ Kuskokwim Finfish meeting beginning January 12-17, 2016.

The U.S. Fish and Wildlife Service, Office of Subsistence Management, working with other Federal agencies, has developed the enclosed preliminary recommendations on proposals that have potential impacts on Federal subsistence users and fishery resources in this area.

We appreciate the opportunity to comment on these important regulatory matters and look forward to working with your Board and the Alaska Department of Fish and Game on these issues. Please contact George Pappas, State Subsistence Liaison, 907-786-3822, with any questions you may have concerning this material.

Sincerely,

Eugene R. Peltola Jr.  
Assistant Regional Director, OSM

Enclosure

cc: Sam Cotten, ADF&G  
Tim Towarak, Chair FSB  
Lisa Olson, ADF&G, Anchorage  
Hazel Nelson, ADF&G, Anchorage  
Scott Kelly, ADF&G, Juneau  
Tom Brookover, ADF&G, Anchorage  
Glenn Haight, ADF&G, Juneau  
Drew Crawford, ADF&G, Anchorage  
Jill Klein, ADF&G, Anchorage  
Chuck Ardizzone, OSM, Anchorage  
Interagency Staff Committee  
Administrative Record



**FEDERAL STAFF COMMENTS ON  
ALASKA BOARD OF FISHERIES PROPOSALS  
ARCTIC-YUKON-KUSKOKWIM**

**State of Alaska  
Board of Fisheries Meeting  
January 12-17, 2016  
Anchorage, Alaska**



## **Federal Comments**

The following comments address these proposals only as they affect Federally qualified subsistence users and resource conservation. This document contains comments responding to Yukon River Drainage fisheries proposals, Norton Sound/Yukon Area Boundary proposals, and Arctic/Yukon/Kuskokwim resident species and methods and means proposals.

**Proposal 107** requests total closure of Yukon River commercial summer Chum Salmon commercial fishery to protect Chinook Salmon.

### **Current Federal Regulations**

Commercial fishing regulations do not exist in ANILCA.

### **Federal subsistence fishery regulations for the Yukon River Drainage**

#### *§\_\_100.27 Subsistence Taking of Fish*

*(e)(3)(ii) For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action.*

### **Current State Regulations**

*5 AAC 05.362. Yukon River Summer Chum Salmon Management Plan.*

**Is a similar issue being addressed by the Federal Subsistence Board?** No. The Federal Subsistence Board does not establish commercial fishery regulations.

**Impacts to Federal subsistence users/fisheries:** Yes. Adoption of this proposal would likely result in significant increases of summer Chum Salmon escapement into the Yukon River watershed during years of high abundance. Chinook Salmon escapements may also increase by some unknown amount by reducing the number of Chinook Salmon incidentally taken in the commercial fishery or mortally injured during handling or interactions with commercial fishing gear. The harvest rates and efficiency of Federal subsistence users may potentially increase due to presence of additional salmon in the watershed. Conversely, total elimination of the commercial fishery may lead to escapement levels above goals which typically result in production rates below maximum sustained yield in subsequent returns.

**Federal Position/Recommended Action:** The Office of Subsistence Management is **neutral** on this proposal. Adoption of this proposal would certainly increase the amount of summer Chum Salmon available to subsistence fishermen, but could also lead to yield or possibly biological concerns following years of high summer Chum Salmon abundance. This proposal as written might be an excessive disruption to an important local fishery and specific conservation concerns are not addressed. Conversely, adoption of this proposal may allow additional Chinook Salmon escapement into the watershed increasing some combination of fish spawning and or subsistence harvest.

**Proposals 108 and 109** request modifying management triggers in the Yukon River Summer Chum Salmon Management Plan based on abundance. Proposal 108 requests allowing some subsistence harvest



below the potential new Biological Escapement Goal range (BEG) and lowering the threshold to initiate a commercial fishery targeting summer Chum Salmon. Proposal 109 recommends modification of the management triggers and incorporates a new BEG for summer Chum Salmon which would allow subsistence fishing during years of low abundance potentially below the lower BEG range.

### Current Federal Regulations

*(ii) For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action.*

### Current State Regulations

*Yukon River Summer Chum Salmon Management Plan 5 AAC 05.362(a)–(f)*

**Is a similar issue being addressed by the Federal Subsistence Board?** No. If this proposal is adopted, a proposal may be submitted to the Federal Subsistence Board which will be accepting fisheries proposals in the spring of 2016 for deliberations during the winter of 2016-2017.

**Impacts to Federal subsistence users/fisheries.** Yes. Adoption of either proposal would allow some subsistence harvest below the potential new BEG range and lower the threshold necessary to initiate a commercial fishery. It appears both proposals would hedge management of the Yukon River summer Chum Salmon fisheries towards achieving the lower end of the BEG during years of lower abundance. It is unknown how management towards the lower end of the proposed escapement goal during years of low abundance will impact future production and subsistence harvests opportunities in the future.

**Federal Position/Recommended Action:** The Office of Subsistence Management is **neutral** on this proposal. The Office of Subsistence Management does have some concerns regarding outlying scenarios such as the Anvik River's escapement point estimate is now equal to the lower proposed drainage wide goal of range of 500,000 summer Chum Salmon. Additionally, questions have surfaced regarding potential allocative undertones regarding selection of the lower BEG escapement goal of 500,000 fish which has been estimated to have a 70% chance of 80% or greater maximum sustained yield. The Office of Subsistence Management would prefer the Alaska Board of Fisheries establish allocative modifications to the management plan instead of having allocative considerations be incorporated into a BEG. The Office of Subsistence Management seeks examples of other established BEGs with the same approach.

Both proposals indicate escapements below the proposed BEG can result in high production and large returns. However, precautionary management is recommended in light of uncertainty in predicting salmon production in recent years.

**Proposal 110** seeks to increase the commercial fisheries threshold trigger in the Yukon River Drainage Fall Chum Salmon Management Plan from 500,000 to 600,000 fish.

### Current Federal Regulations

Commercial fishery management regulations are addressed in regulation through the State's salmon management plans.



## Current State Regulations

*5 AAC 01.249. Yukon River Drainage Fall Chum Salmon Management Plan (5)*

**Is a similar issue being addressed by the Federal Subsistence Board?** No.

**Impact to Federal subsistence users/fisheries:** Yes. If this proposal is adopted, additional fall Chum Salmon may become available to subsistence users for harvest in the short term. Additionally, if this proposal is adopted, management toward or exceeding the upper bound of the escapement goal range will be more likely over time though aggressive commercial fisheries management practices could alleviate this concern. Over time, this may result in impacting continuance of subsistence uses through eventual impacts on overall production if harvestable surplus is forgone by commercial users. Conversely, as the proponent indicates, subsistence users' salmon harvest composition likely has transferred towards more Chum Salmon during recent years of Chinook Salmon conservation concerns and resulting restrictions. Adoption of this proposal may assist with meeting the salmon harvest needs of subsistence fishermen during times of Chinook Salmon low abundance and potentially install a safeguard against earlier season over harvest by the commercial fisheries due to occasional inaccurate inseason run assessments.

**Federal Position/ Recommended Action:** The Office of Subsistence Management **supports** this proposal. Adoption of this proposal would reduce the potential for overharvest by the commercial fisheries earlier in the season during times when assessment uncertainty is more prevalent and subsistence opportunity may be enhanced by increasing the amount of fall Chum Salmon available for harvest. However, adoption of this proposal could delay commercial exploitation to later portions of the returns which may have unknown impacts on escapement distribution.

The Office of Subsistence Management is **neutral** on allocative aspects of increasing the commercial fishery threshold by 100,000 fish in the management plan. In consideration of providing a typical priority subsistence harvest of 100,000 fall Chum Salmon first, the increase of the commercial trigger point to 600,000 fish effectively directs fisheries managers to manage for or exceed the upper end of the escapement goal range (300,000 to 600,000) rather than the midpoint of the escapement goal (450,000 fall Chum Salmon). Management to the upper end of the drainage-wide escapement goal range may lead to exceeding tributary escapement goals and Canadian border passage commitments.

The Office of Subsistence Management supports and recommends retaining the elements of the management plan which require ADF&G to use the best available data including the following: preseason projections, mainstem river sonar passage estimates, test fisheries indices, subsistence and commercial fishing reports, and fish passage estimates from monitoring projects to assess the run size. We also support triggers in the plans based on projected fall Chum Salmon run size to implement restrictions and/or closures when necessary to achieve escapement goals and to provide for continuance of subsistence uses.

**Proposal 112** requests authorization of all gear types used in the Yukon Area commercial fisheries to be used in the in Yukon Area subsistence fisheries.

## Current Federal Regulations

**§ 100.27 Subsistence Taking of Fish**

*(3) Yukon-Northern Area*



*(i) Unless otherwise restricted in this section, you may take fish in the Yukon-Northern Area at any time. In those locations where subsistence fishing permits are required, only one subsistence fishing permit will be issued to each household per year. You may subsistence fish for salmon with rod and reel in the Yukon River drainage 24 hours per day, 7 days per week, unless rod and reel are specifically otherwise restricted in paragraph (e)(3) of this section.*

*(ii) For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action.*

*(viii) In Subdistrict 4A after the opening of the State commercial salmon fishing season, you may not take salmon for subsistence for 12 hours immediately before, during, and for 12 hours after each State commercial salmon fishing period; however, you may take Chinook salmon during the State commercial fishing season, with drift gillnet gear only, from 6:00 p.m. Sunday until 6:00 p.m. Tuesday and from 6:00 p.m. Wednesday until 6:00 p.m. Friday.*

*(xi) In Beaver Creek downstream from the confluence of Moose Creek, a gillnet with mesh size not to exceed 3-inches stretch-measure may be used from June 15 through September 15. You may subsistence fish for all non-salmon species but may not target salmon during this time period (retention of salmon taken incidentally to non-salmon directed fisheries is allowed). From the mouth of Nome Creek downstream to the confluence of Moose Creek, only rod and reel may be used. From the mouth of Nome Creek downstream to the confluence of O'Brien Creek, the daily harvest and possession limit is 5 grayling; from the mouth of O'Brien Creek downstream to the confluence of Moose Creek, the daily harvest and possession limit is 10 grayling. The Nome Creek drainage of Beaver Creek is closed to subsistence fishing for grayling.*

*(xiii) You may take salmon only by gillnet, beach seine, fish wheel, or rod and reel, subject to the restrictions set forth in this section.*

*(A) In the Yukon River drainage, you may not take salmon for subsistence fishing using gillnets with stretched mesh larger than 7.5 inches.*

*(xiv) In District 4, if you are a commercial fisherman, you may not take salmon for subsistence purposes during the State commercial salmon fishing season using gillnets with stretched-mesh larger than 6 inches after a date specified by ADF&G emergency order issued between July 10 and July 31.*

*(xv) In Districts 4, 5, and 6, you may not take salmon for subsistence purposes by drift gillnets, except as follows:*

*(A) In Subdistrict 4A upstream from the mouth of Stink Creek, you may take Chinook salmon by drift gillnets less than 150 feet in length from June 10 through July 14, and chum salmon by drift gillnets after August 2;*

*(B) In Subdistrict 4A downstream from the mouth of Stink Creek, you may take Chinook salmon by drift gillnets less than 150 feet in length from June 10 through July 14;*

*(C) In the Yukon River mainstem, Subdistricts 4B and 4C you may take Chinook salmon during the weekly subsistence fishing opening(s) by drift gillnets no more than 150 feet long and no more than 35 meshes deep, from June 10 through July 14.*



*(xvi) Unless otherwise specified in this section, you may take fish other than salmon by set gillnet, drift gillnet, beach seine, fish wheel, long line, fyke net, dip net, jigging gear, spear, lead, or rod and reel, subject to the following restrictions, which also apply to subsistence salmon fishing:*

*(A) During the open weekly fishing periods of the State commercial salmon fishing season, if you are a commercial fisherman, you may not operate more than one type of gear at a time, for commercial, personal use, and subsistence purposes.*

*(B) You may not use an aggregate length of set gillnet in excess of 150 fathoms and each drift gillnet may not exceed 50 fathoms in length.*

*(C) In Districts 4, 5, and 6, you may not set subsistence fishing gear within 200 feet of other operating commercial use, personal use, or subsistence fishing gear except that, at the site approximately 1 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," you may set subsistence fishing gear within 200 feet of other operating commercial or subsistence fishing gear, and in District 4, from Old Paradise Village upstream to a point 4 miles upstream from Anvik, there is no minimum distance requirement between fish wheels.*

*(D) During the State commercial salmon fishing season, within the Yukon River and the Tanana River below the confluence of the Wood River, you may use drift gillnets and fish wheels only during open subsistence salmon fishing periods.*

*(E) In Birch Creek, gillnet mesh size may not exceed 3-inches stretch-measure from June 15 through September 15.*

## **Current State Regulations**

*5 AAC 01.220. Lawful gear and gear specifications*

*(a), (d), (e)(1)(A-C), (e)(2-3), (f)(1-9), (m)(1-3), (n) 1-3, (o), (p) .*

**Is a similar issue being addressed by the Federal Subsistence Board?** No. The Federal Subsistence Board will be accepting fisheries proposals in the spring of 2016 for deliberations during the winter of 2016-2017.

**Impact to Federal subsistence users/fisheries:** Yes. If this proposal is adopted, Federal subsistence users would be authorized to use the same methods and means (§ 127(e)(3)(ii)) gear types authorized in State fishery regulations in Federal public waters unless superseded by either Federal regulation or established by a Federal Fisheries Special Action.

Additionally, some unknown amount of increased incidental handling mortality of Chinook Salmon released from the Federal subsistence fishery will happen if Federal subsistence users choose to use dip nets or beach seines. This amount may result in increasing conservation concerns during years of Chinook Salmon low abundance potentially impacting continuance of subsistence uses for Federally qualified users.

**Federal Position/Recommended Action:** The Office of Subsistence Management **opposes** this proposal. The Office of Subsistence Management supports conservation efforts for Yukon River Chinook Salmon through authorization of gear types which may increase survival of incidentally captured and released salmon where mixed species migrate together. Though some handling mortality of captured and released Chinook Salmon would be expected when using these specialized gears, the total number of Chinook Salmon mortally wounded by Federal subsistence users fishing in waters under Federal subsistence fisheries jurisdiction is expected to be minimal.



However, the addition of drift gillnets, where not currently allowed, could significantly shift subsistence harvest among users and make management more difficult. Although drift gillnets may be restricted to target Chum Salmon, some areas that have few Chum Salmon potentially could encounter a high percentage of Chinook Salmon. Use of higher risk fishing gear would need to be offset with further reduction in fishing opportunity. Fishing gear should not only be employed by time and area, but also dependent upon the species composition that is expected to be encountered.

Adoption of this proposal for the State subsistence fisheries will, by default, allow the Federal subsistence fisheries to follow identical fishing schedules, openings, closing, and fishing methods of fish taken under Alaska Statutes, unless superseded by a Federal Special Action. The exception to this regulation is if the Alaska Board of Fisheries adopts a method and means not identified in Federal subsistence regulation or outside the scope of the delegated authority of the Federal manager, a proposal or Federal Special Action could be submitted to the Federal Subsistence Board for authorizing the additional methods and means.

Conservation-based Federal subsistence fisheries regulations requiring the release of non-target fish species have been established for fish wheels, rod and reel, and dip nets, and beach seines in other Federal subsistence fisheries in Alaska.

The Office of Subsistence Management is **neutral** on the allocative implications possibly incurred if the proposal is adopted. Harvestable surplus of Yukon River Chinook Salmon are fully allocated among user groups and authorizing additional gear types for subsistence users may shift mortality sources among users. Additionally, not all species and stocks are available to all users where gear options are intended to target and or avoid species in the area it is being used. For example, dipnets to target summer Chum Salmon during Chinook Salmon closures in Subdistrict 5-D makes little sense because very few Chum Salmon may be present and could result in unnecessary handling of already weakened Chinook Salmon stocks.

**Proposal 113** seeks to prohibit the use of drift gill nets in the Yukon Area subsistence and commercial Chinook Salmon fisheries. The following comments will focus on the Federal and State subsistence fisheries aspects of the proposal only.

### **Current State Regulations**

*5 AAC 01.220. Lawful gear and gear specifications  
(a)*

*5 AAC 01.220. Lawful gear and gear specifications  
(a), (e)(1)(A-C)(2)(3),*

*5 AAC 05.330. Gear  
(a)*

### **Current Federal Regulations**

*§ 100.27 Subsistence Taking of Fish*

*(c)(1) Unless otherwise specified in this section or under terms of a required subsistence fishing permit (as may be modified by this section), you may use the following legal types of gear for subsistence fishing:*



*(ii) A drift gillnet,'*

*(e)(3) Yukon-Northern Area*

*(ii) For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action.*

*(xiii) You may take salmon only by gillnet, beach seine, fish wheel, or rod and reel, subject to the restrictions set forth in this section.*

*(A) In the Yukon River drainage, you may not take salmon for subsistence fishing using gillnets with stretched mesh larger than 7.5 inches.*

*(xv) In Districts 4, 5, and 6, you may not take salmon for subsistence purposes by drift gillnets, except as follows:*

*(A) In Subdistrict 4A upstream from the mouth of Stink Creek, you may take Chinook salmon by drift gillnets less than 150 feet in length from June 10 through July 14, and chum salmon by drift gillnets after August 2;*

*(B) In Subdistrict 4A downstream from the mouth of Stink Creek, you may take Chinook salmon by drift gillnets less than 150 feet in length from June 10 through July 14;*

*(C) In the Yukon River mainstem, Subdistricts 4B and 4C you may take Chinook salmon during the weekly subsistence fishing opening(s) by drift gillnets no more than 150 feet long and no more than 35 meshes deep, from June 10 through July 14.*

**Is a similar issue being addressed by the Federal Subsistence Board?** No. The Federal Subsistence Board will be accepting fisheries proposals in the spring of 2016 for deliberations during the winter of 2016-2017.

**Impact to Federal subsistence users/fisheries:** Yes. If this proposal is adopted, by default of State regulations, Federal subsistence users who previously chose to use drift gillnet in Federal public waters outside of the above referenced portions of District 4 (§100.27(e)(3)(xv)) would no longer be authorized to do so. This action would obviously have a major impact on subsistence fishermen who rely on this method of fishing to efficiently harvest Chinook Salmon when harvest is allowed. Adoption of this proposal may have the greatest impact on subsistence fishermen who fish in portions of the Yukon River drainage which offer the least amount of shoreline suitable to operation of a set gill net or fish wheel.

**Federal Position/ Recommended Action:** The Office of Subsistence Management is **neutral** on the allocative implications of this proposal, but supports appropriate measures for conservation of the resource and continuation of subsistence uses, using the best available data. Adoption of this proposal may either reduce the harvest of Chinook Salmon migrating mid-channel which, according to traditional and ecological knowledge are bound for spawning far up river and potentially towards the Canadian border, or reallocate that foregone harvest to subsistence users up river, including those fishing in Federal public waters. A Fisheries Special Action may be issued by the Federal manager to temporarily reauthorize the use of drift gill nets as adjusting methods and means, including gill nets, is within the scope of authority delegated to the Federal manager by the Federal Subsistence Board.



**Proposal 114** seeks to require subsistence salmon fishing permits in Yukon Area District 5 and establish permit harvest limits for Chinook Salmon during times of conservation.

### **Current State Regulations**

*5 AAC 01.230. Subsistence fishing permits.*

*(b)(1) for the Yukon River drainage upstream from the westernmost tip of Garnet Island to the mouth of the Dall River;*

*(b)(3) for the Yukon River drainage from the upstream mouth of Twenty-two Mile Slough to the United States-Canada border;*

### **Current Federal Regulations**

*§\_\_100.27 Subsistence Taking of Fish*

*(e)(3)(xviii) You must possess a subsistence fishing permit for the following locations:*

*(A) For the Yukon River drainage from the mouth of Hess Creek to the mouth of the Dall River;*

*(B) For the Yukon River drainage from the upstream mouth of 22 Mile Slough to the U.S.-Canada border;*

*(ix) Only one subsistence fishing permit will be issued to each household per year.*

**Is a similar issue being addressed by the Federal Subsistence Board?** No. The Federal Subsistence Board will be accepting fisheries proposals in the spring of 2016 for deliberations during the winter of 2016-2017.

**Impact to Federal subsistence users/fisheries:** Potentially. Adoption of this proposal may increase participation and harvest of Chinook Salmon in District 5 of the Yukon River by both Federally qualified and non-Federally qualified subsistence users, thereby potentially increasing competition for Federally qualified users. As written, an allocative decision prior to having confidence in run assessment may potentially result in foregone harvest by Federal subsistence users in Districts 1-4 by allocating a to be specified amount of Chinook Salmon to permitted subsistence fishermen in District 5. Adoption of the proposal may result in conservation concerns, eventually impacting continuance of subsistence uses, if confidence in the inseason assessment is low or assessment accuracy is insufficient for sound management decisions. On average, the amount of harvestable surplus available, if any, is determined later in the season and issuance of a subsistence permit to all Alaska residents interested in participating in the only road accessible portion of the Yukon River may result in enforcement concerns if inseason changes to harvest limits are necessary due to lower than expected run abundance.

**Federal Position/ Recommended Action:** The Office of Subsistence Management is **neutral** on allocative aspects of proposal. We **oppose** establishing pre-set Chinook Salmon harvest limits for upriver fishermen during years of low abundance when an available harvestable surplus is uncertain prior to the season. Establishing pre-set limits could result in over harvest of the Chinook Salmon stocks escaping to or through Yukon River District 5 despite availability of more sound inseason assessment information. Adoption of this proposal would not result in requiring Federal subsistence users to obtain a subsistence permit for Federal public waters outside of those listed in Federal regulation above.



**Proposal 115** seeks to allow the retention of Chinook Salmon less than 25 inches in length in Yukon Area fish wheel subsistence fisheries.

### **Current State and Federal Regulations**

Both State and Federal subsistence fishery regulations do not restrict the retention size of Chinook Salmon in the Yukon River Drainage. Size restrictions for retention do exist in sport fisheries elsewhere in Alaska and bag and possession limits for smaller Chinook Salmon are more liberal than larger Chinook Salmon in many sport fisheries. Additionally, the Federal subsistence Kenai River early-run Chinook Salmon fishery does have a slot limit in place restricting the retention of Chinook Salmon by length.

**Is a similar issue being addressed by the Federal Subsistence Board?** No. The Federal Subsistence Board will be accepting fisheries proposals in the spring of 2016 for deliberations during the winter of 2016-2017.

**Impact to Federal subsistence users/fisheries:** Yes. Adoption of this proposal would allow Federal subsistence users to retain all Chinook Salmon less than 25 inches in length captured by fish wheels. Adoption of this proposal may increase exploitation on stocks which may have a higher composition of 1.1 and 1.2 aged fish potentially resulting in future conservation concerns for stocks comprised of notable percentages of the younger age classes.

**Federal Position/Recommended Action:** The Office of Subsistence Management **supports this proposal with modification.** Focusing exploitation on a few components of a mixed stock fishery may be counter to sound management practices. Age and length composition information collected from other Alaskan Chinook Salmon stocks indicates some stocks have significant percentages of fish under 25 inches in length which are largely comprised of age-1.2 male and a to a lesser degree age-1.2 female salmon.

Yukon River Chinook Salmon length (mid-eye to fork measurement) and age data collected through multiple projects by the ADF&G in 2008<sup>1</sup> indicates the average length for age-1.1 males was 423 mm (16.65 inches) and age-1.2 males 555 mm (21.85 inches). The average female length by age for all projects combined was: 535 mm for age-1.2 (21.06 inches) and 760 mm for age-1.3 (29.92 inches). Adoption of this proposal as written could focus harvest efforts on the all age-1.1 males, approximately half of the age-1.2 males, and potentially half of the age-1.2 female Chinook Salmon caught in fishwheels. Adoption of this proposal could imbalance natural age class representation in the escapement through introducing additional selectivity.

The Office of Subsistence Management would **support this proposal if modified** to allow for the retention of all Chinook Salmon less than 20 inches in total length. Reducing the proposed maximum length of retention from 25 inches down to 20 inches would provide protection for the much of the age-1.2 male and female Chinook Salmon components of the Yukon River stocks. Though all age and size classes of Chinook Salmon do contribute to stock production, allowing a modest increase of harvest limited to the potentially least contributive component of the population for one gear type might not result in a measureable effects on the overall health of the Yukon River Chinook Salmon return and is standard practice in the sport fisheries across Alaska.

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<sup>1</sup> Horne-Brine, M. H., and L. DuBois. 2010. Salmon age and sex composition and mean lengths for the Yukon River Area, 2008. Alaska Department of Fish and Game, Fishery Data Series No. 10-43, Anchorage



This proposed modification reflects the statewide Sportfish regulation 5 AAC 75.18 which establishes a differential bag limit for Jack Chinook Salmon based on Chinook Salmon length. This regulation states:

*...in all fresh waters open to king salmon fishing, the bag and possession limit for king salmon less than 20 inches in length (jack salmon) is 10 fish. This bag and possession limit is in addition to any bag and possession limit for king salmon 20 inches or greater in length. Jack king salmon will not count toward any annual or seasonal king salmon limit or any established guideline harvest level for king salmon.*

**Proposal 116** request all fish wheels be manned and require immediate release of Chinook Salmon or other species during times of salmon conservation in the Yukon River. The proposal requests holding of fish in fish wheel live boxes be prohibited during times of conservation for identified species for the purposes of increasing post release survival.

**Current State Regulations**

*5 AAC 01.220. Lawful gear and gear specifications  
(a), (m)(2)(A-D), (n)(1-2)*

*5 AAC 05.368. Anvik River Chum Salmon Fishery Management Plan  
(2)(A)(i-ii)*

**Impact to Federal subsistence users/fisheries:** Yes. Adoption of this proposal would be a burden to Federal subsistence users who currently use fish wheels with live boxes. The number of Federal subsistence users who operate fish wheels with live boxes under Federal subsistence fisheries regulations is not known but is estimated to be significantly less than historical levels. Adoption of this proposal would be a financial burden to Federal subsistence users operating a fish wheel which would require modifications, such as installing a return chute with a fisherman continuously in place during wheel operation, to satisfy the new regulation. Though modifying regulation to increase survivability of salmon caught and released by a fish wheel would be a burden to some Federal subsistence users, the Yukon River Chinook Salmon, and in recent times, the Chum Salmon populations have experienced serious conservation concerns during years of low abundance. Adoption of this proposal may assist with the cumulative efforts initiated to conserve and rebuild these salmon stocks through adding one more level of protection against handling mortality of non-target species. The efforts to conserve and rebuild stocks in recently depressed states will assist with continuance of subsistence uses in the future.

**Federal Position/ Recommended Action:** The Office of Subsistence Management **supports** this proposal and supports conservation of the resource through establishing release restrictions to reduce handling mortalities for fish stocks with conservation concerns and/or are in low abundance. If ADF&G determines adoption of the proposal would positively affect the viability and reproductive potential of the fish populations and additional regulatory changes are warranted for conservation of spawning fish populations, the Office of Subsistence Management would support submitting a parallel proposal to the Federal Subsistence Board for the upcoming fisheries cycle.

**Proposals 117, 118, and 119** all address usage of beach seines in the Yukon Area subsistence fisheries. Proposal 117 seeks prohibiting the use of beach seines in the Yukon Area subsistence and commercial salmon fisheries. Proposal 118 seeks to establish gear specifications for beach seines used for subsistence fishing in the Yukon Area. Proposal 119 seeks to require live release of Chinook Salmon during times of Chinook Salmon conservation in the Yukon Area.



## Current State Regulations

5 AAC 01.220. Lawful gear and gear specifications;  
(a), (f)

5 AAC 05.362. Yukon River Summer Chum Salmon Management Plan;  
(k)(1)(B), (k)(2).

5 AAC 05.368. Anvik River Chum Salmon Fishery Management Plan.  
(2)(C), (3)

## Current Federal Regulations

§100.14 Relationship to State procedures and regulations.

(a) State fish and game regulations apply to public lands and such laws are hereby adopted and made a part of the regulations in this part to the extent they are not inconsistent with, or superseded by, the regulations in this part.

§100.27 Subsistence Taking of Fish

(e)(3)(ii) For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action.

(xvi) Unless otherwise specified in this section, you may take fish other than salmon by set gillnet, drift gillnet, beach seine, fish wheel, long line, fyke net, dip net, jigging gear, spear, lead, or rod and reel, subject to the following restrictions, which also apply to subsistence salmon fishing:

**Is a similar issue being addressed by the Federal Subsistence Board?** No. The Federal Subsistence Board will be accepting fisheries proposals in the spring of 2016 for deliberations during the winter of 2016-2017.

**Impact to Federal subsistence users/fisheries:** Yes. Adoption of any form of these proposals could impact Federal subsistence users who choose to use beach seines in the Federal subsistence fisheries. Adoption of proposal 117 would be considered an unnecessary burden on Federal subsistence users because the use of beach seines would be prohibited even in areas and during times when Chinook Salmon are not present. Adoption of Proposal 118 would be a financial burden on Federal subsistence users who currently choose to use a beach seine which would be out of compliance with the proposed mesh size, mesh depth, and net length requiring the user to modify or purchase a new beach seine. Proposal 119 would require Federal subsistence users to forego harvest by requiring the release of incidentally caught Chinook Salmon during time of conservation.

Adoption of Proposal 117 could assist with the conservation of the Yukon Chinook Salmon stocks by eliminating handling mortality caused by beach seines. Increasing the chances for survival of Chinook Salmon during times of low abundance could lead to future continuance of subsistence uses of Chinook Salmon at some unknown level. The contribution to both conservation and continuance of subsistence uses is expected to be minor in that current usage of beach seines in the Federal subsistence fisheries is currently minimal and adoption of proposal 117 may not produce measureable results.



**Federal Position/ Recommended Action:** The Office of Subsistence Management **supports** proposals 118 and 119 and **opposes** proposal 117. The Office of Subsistence Management supports conservation of the resource through establishing gear definitions and release restrictions to reduce handling mortalities for the Yukon River Chinook Salmon stocks. If ADF&G determines adoption of proposals 118 and 119 would positively affect the viability and reproductive potential of the fish populations and additional regulatory changes are warranted for conservation of spawning fish populations, the Federal Subsistence Management Program would support submitting a parallel proposal to the Federal Subsistence Board for the upcoming fisheries cycle.

Though proposal 117 may assist with cumulative Yukon River Chinook Salmon conservation efforts, adoption of the proposal would eliminate Federal subsistence users' opportunity and resulting harvest of other more abundant salmon species. Proposal 119 could be considered housekeeping in nature because the suite of both State and Federal fisheries regulations have been recently designed to conserve Chinook Salmon and requiring the non-retention of Chinook Salmon during a times of conservation has not been recognized as a sound management practice. Conservation-based Federal subsistence fisheries regulations requiring the release of non-target fish species have been established for other Federal subsistence fisheries in Alaska.

**Proposal 120** requests liberalizing the subsistence fishery for fall Chum Salmon to seven days per week in all of District 5 of the Yukon Area once a fall Chum Salmon commercial fishery is opened anywhere in the Yukon Management Area.

### **Current State Regulations**

*5 AAC 01.210. Fishing seasons and periods.*

*(b)(1, 3), (c)(2), (d)(2), (g)*

### **Current Federal Regulations**

*§100.27 Subsistence Taking of Fish*

*(e)(3)(ii) For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action.*

*(iv) During any State commercial salmon fishing season closure of greater than 5 days in duration, you may not take salmon during the following periods in the following districts*

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

*(xvi) Unless otherwise specified in this section, you may take fish other than salmon by set gillnet, drift gillnet, beach seine, fish wheel, long line, fyke net, dip net, jigging gear, spear, lead, or rod and reel, subject to the following restrictions, which also apply to subsistence salmon fishing:*

**Is a similar issue being addressed by the Federal Subsistence Board?** No. The Federal Subsistence Board will be accepting fisheries proposals in the spring of 2016 for deliberations during the winter of 2016-2017.

**Impact to Federal subsistence users/fisheries:** Yes. Adoption of this proposal would allow Federal subsistence users to fish for fall Chum Salmon seven days per week potentially increasing opportunities to harvest and process fish during more suitable conditions. Eliminating the weekly subsistence fisheries



restrictions in District 5 would allow Federally qualified users to harvest fish during preferred weather, vocational schedules, and other beneficial conditions in areas not already open seven days per week. Allowing subsistence users to harvest fish during times they select will allow users to subsistence fish during less inclement weather, preferred conditions for processing fish, potentially spread out subsistence user effort, and reduce competition with other users.

**Federal Position/ Recommended Action:** The Office of Subsistence Management **supports** this proposal. We have supported similar proposals to increase opportunity for Federally qualified users to harvest fish when users choose to harvest. Conversely, the Office of Subsistence Management has opposed similar proposals to open subsistence fisheries seven days per week unless the fishery is managed based upon abundance, conservation, and will not impact the continuation of subsistence uses. The Federal Subsistence Board has agreed to the existing subsistence fishing schedules contained in the Alaska Board of Fisheries approved management plan by reference, thus adoption of this proposal will affect Federal subsistence fishing schedule. In recent years, all of District 5 has essentially been opened by emergency order to 7 days a week during the fall season, partially due to very limited commercial fishery, but also as a way to offset subsistence hardship during Chinook Salmon conservation efforts.

Adoption of this proposal will likely not increase overall harvest by subsistence users but could potentially increase efficiency and of harvesters as well as reduce loss of harvest during processing due to spoilage and insects. The Office of Subsistence Management is **neutral** on the allocative aspects of this proposal. The Office of Subsistence Management did not oppose this proposal to open District 5 for seven days per week because the proponent identifies the current Chinook Salmon “crisis” will likely require modifications to management of the fisheries to ensure conservation. Adoption of this proposal should assist Federal subsistence users to meet their fall Chum Salmon harvest needs when possible and only during times when other species are not negatively impacted. Though Subdistrict 5D is normally open seven days per week, has highway access at two points, and migration of both rural and non-rural subsistence fishermen from other areas could lead to conservation concerns for salmon stocks if efforts were unchecked, both State and Federal managers have the inseason management authority to restrict this fishery when conservation actions are necessary.

**Proposal 121** requests expanding the area of Subdistrict 4-A in the Yukon Area where fishing with a drift gillnet for Chum Salmon is currently allowed.

#### **Current State Regulations**

*5AAC 01.220(e)(1) in Subdistrict 4-A upstream from the mouth of Stink Creek,*

- (A) king salmon may be taken by drift gillnets from June 10 through July 14, unless closed by emergency order;*
- (B) from June 10 through August 2, the commissioner may open, by emergency order, fishing periods during which chum salmon may be taken by drift gillnets; and*

*(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;*

#### **Current Federal Regulations**

*§100.27 Subsistence Taking of Fish*

*(e)(3)(xv) In Districts 4, 5, and 6, you may not take salmon for subsistence purposes by drift gillnets, except as follows:*



*(A) In Subdistrict 4A upstream from the mouth of Stink Creek, you may take Chinook salmon by drift gillnets less than 150 feet in length from June 10 through July 14, and chum salmon by drift gillnets after August 2;*

*(B) In Subdistrict 4A downstream from the mouth of Stink Creek, you may take Chinook salmon by drift gillnets less than 150 feet in length from June 10 through July 14;*

**Is a similar issue being addressed by the Federal Subsistence Board?** No. The Federal Subsistence Board will be accepting fisheries proposals in the spring of 2016 for deliberations during the winter of 2016-2017.

**Impact to Federal subsistence users/fisheries:** Yes. If this proposal is adopted, Federal subsistence users using drift nets in this area may experience reduced cost due to traveling shorter distances to productive fishing locations. Setnet and fishwheel users may experience increased competition by drift net fishers who may fish near their established fishing sites.

**Federal Position/Recommended Action:** The Office of Subsistence Management **supports** this proposal. We support providing opportunity and efficient gear types to harvest salmon when a harvestable surplus is available. This proposal will provide the regulatory opportunity to fish for Chum Salmon when Chinook Salmon are not present but also maintains the authority to restrict the fishery by Emergency Order if necessary for the conservation of Chinook Salmon as they pass through Subdistrict 4A.

Adoption of this proposal will add a subsistence fishery gear option to target otherwise inaccessible stocks of Chum Salmon as a means to mitigate loss of Chinook Salmon harvest during times of low abundance. Adoption of this proposal may potentially result in some unknown increased level of incidental Chinook Salmon harvest.

**Proposal 126** requests adding purse seine gear as an allowable commercial salmon fishing gear to target summer Chum Salmon in Districts 1-3 of the Yukon River during times of Chinook Salmon conservation. The proposal also requests establishing the regulatory requirement to release unharmed all Chinook Salmon caught in purse seines and also requests defining specifications of a purse seine.

### **Current State Regulations**

Current State Regulation do not authorize or define the use of purse seines but do authorize beach seines.

*5AAC 05.362 Yukon River Summer Chum Salmon Management Plan*

*(k)(1)(B)*

### **Current Federal Regulations**

Commercial fishing regulations do not exist in ANILCA.

**Impacts to Federal subsistence users/fisheries:** Yes. Adoption of this proposal will result in some unknown amount of incidental handling and/or delayed mortality of Chinook Salmon caught and released from a purse seine in the commercial fishery. This amount may result in increasing conservation concerns during years of Chinook Salmon low abundance potentially impacting continuance of subsistence uses for Federally qualified users.



**Federal Position/Recommended Action:** The Office of Subsistence Management **opposes** this proposal during time of conservation concerns for Yukon River Chinook Salmon. Currently the Yukon River Chinook Salmon stocks are in a period of low abundance and adding one more source of potential mortality is not supported at this time. Adoption of this proposal may result in adding to the existing unknown levels of mortality caused by other commercial fishery gear types. If adopted, the cumulative mortality of the commercial fishery on Yukon River Chinook Salmon stocks may raise to a level which counters the purpose of the extreme restrictions placed on subsistence users placed watershed wide. If Alaska Department of Fish and Game determines adoption of this would positively affect the viability and reproductive potential of the fish populations and additional regulatory changes are warranted for conservation of spawning fish populations, the Office of Subsistence Management could submit a parallel proposal to the Federal Subsistence Board for the upcoming fisheries cycle to authorize the use of purse seines in the Federal subsistence fisheries.

**Proposal 134** seeks to change the definition of the boundary line separating Norton Sound-Port Clarence Area and Yukon Area at Point Romanof to remove a portion of the Yukon River Delta from the Norton Sound-Port Clarence Area and place it within the Yukon Area.

### **Current State Regulations**

*5 AAC 01.150. Description of the Norton Sound-Port Clarence Area. The Norton Sound-Port Clarence Area includes all waters of Alaska between the latitude of the westernmost tip of Cape Prince of Wales and the latitude of Point Romanof, including the waters of Alaska surrounding St. Lawrence Island and those waters draining into the Bering Sea.*

*5 AAC 01.200. Description of Yukon Area. The Yukon Area includes all waters of Alaska 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.*

*5 AAC 04.100. Description of Norton Sound-Port Clarence Area. The Norton Sound-Port Clarence Area includes all waters of Alaska between the latitude of the westernmost tip of Cape Prince of Wales and the latitude of Point Romanof including the waters of Alaska surrounding St. Lawrence Island and those waters draining into the Bering Sea.*

*5 AAC 04.200. Fishing districts and subdistricts. (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*

*5 AAC 05.100. Description of Yukon Area. The Yukon Area includes all waters of Alaska 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.*

*5 AAC 05.200. Fishing districts and subdistricts. (h) Coastal District: all waters between the latitude of the westernmost point of the Naskonat Peninsula and the latitude of Point Romanof not included in (a) – (f) of this section.*

### **Current Federal Regulations**

*§100.27 Subsistence Taking of Fish*



*(2) Norton Sound-Port Clarence Area. The Norton Sound-Port Clarence Area includes all waters of Alaska between the latitude of the westernmost tip of Cape Prince of Wales and the latitude of Point Romanof, including those waters of Alaska surrounding St. Lawrence Island and those waters draining into the Bering Sea.*

*(3) Yukon-Northern Area. The Yukon-Northern Area includes all waters of Alaska 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 all waters of Alaska north of the latitude of the westernmost tip of Point Hope and west of 141° West longitude, including those waters draining into the Arctic Ocean and the Chukchi Sea.*

**Is a similar issue being addressed by the Federal Subsistence Board?** No. If this proposal is adopted, a proposal may be submitted to the Federal Subsistence Board, which will be accepting fisheries proposals in the spring of 2016 for deliberations during the winter of 2016-2017.

**Impacts to Federal subsistence users/fisheries:** Unknown. It is currently unknown how much if any Federal subsistence fisheries participation currently takes place in the “bisected” portion of the Yukon River Delta which, as described by the proponent, is estimated to be within the boundaries of the Yukon Delta National Wildlife Refuge.

**Federal Position/Recommended Action:** The Office of Subsistence Management is **neutral** on this proposal. Impacts from redefining inter-area fisheries management boundary lines may be difficult to determine. If this proposal is adopted, a proposal to the Federal Subsistence Board to change Federal regulation boundaries would be necessary because boundary changes are not within the scope of authority of Federal inseason managers. This position may change once maps are provided illustrating the proposed change.

**Proposal 135** requests adding Grizzly Lake and Jack Lake to the list of lakes in the Tanana River drainage State sport fish regulations in which “Burbot set lines may not be used.”

### **Current State Regulations**

*5 AAC 74.010. Seasons, bag, possession, and size limits, and methods and means for the Tanana River Area.*

*(b)(10), (c)(1)(B), (d)(1)(A-E)*

*5 AAC 01.220. Lawful gear and gear specifications*

*(k)(2)*

*5 AAC 01.221. Identification of gear*

*(1-2)*

*AAC 01.230. Subsistence fishing permits*

*(a), (b)(5)*



## Current Federal Regulations

### § 100.24 Customary and traditional use determinations

#### (a)(2) Fish determinations

*Tanana River Drainage within Tetlin National Wildlife Refuge and Wrangell-Saint Elias National Park and Preserve for freshwater fish other than salmon: residents of the Yukon-Northern Area and residents of Mentasta Lake, Chistochina, Slana, and all residents living between Mentasta Lake and Chistochina*

### § 100.27 Subsistence taking of fish:

#### (b) Methods, means, and general restrictions.

*(1) Unless otherwise specified in this section or under terms of a required subsistence fishing permit (as may be modified by regulations in this section), you may use the following legal types of gear for subsistence fishing:*

- (i) A set gillnet;*
- (x) A long line;*

### § 100.27 (e)(3) Yukon-Northern Area

*(ii) For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action.*

*(v) Except as provided in this section and except as may be provided by the terms of a subsistence fishing permit, you may take fish other than salmon at any time.*

*(xvi) Unless otherwise specified in this section, you may take fish other than salmon by set gillnet, drift gillnet, beach seine, fish wheel, long line, fyke net, dip net, jigging gear, spear, lead, or rod and reel, subject to the following restrictions, which also apply to subsistence salmon fishing:*

### 36 CFR §2.3 Fishing (In National Park System areas).

*(a) Except in designated areas or as provided in this section, fishing shall be in accordance with the laws and regulations of the State within whose exterior boundaries a park area or portion thereof is located. Nonconflicting State laws are adopted as a part of these regulations.*

*(d) The following are prohibited:*

- (1) Fishing in fresh waters in any manner other than by hook and line, with the rod or line being closely attended.*

### §13.40 Taking of fish (In Alaska national park areas).

*(b) Fishing. Fishing is permitted in all park areas in accordance with applicable State and Federal law, and such laws are hereby adopted and made a part of these regulations to the extent they are not inconsistent with §2.3 of this chapter.*

### §13.470 Subsistence fishing.



*Fish may be taken by local rural residents for subsistence uses in park areas where subsistence uses are allowed in compliance with applicable Federal law and regulation, including the provisions of §§2.3 and 13.40 of this chapter. Local rural residents in park areas where subsistence uses are allowed may fish with a net, seine, trap, or spear; or use native species as bait, where permitted by applicable Federal law and regulation.*

**Is a similar issue being addressed by the Federal Subsistence Board?** No. If this proposal is adopted, a proposal may be submitted to the Federal Subsistence Board, which will be accepting fisheries proposals in the spring of 2016 for deliberations during the winter of 2016-2017.

**Impacts to Federal subsistence users/fisheries:** Yes. Adoption of this proposal may assist with conservation of the finite burbot resource in Grizzly and Jack Lakes resulting in continuance of subsistence uses. Failure to adopt this proposal may have an adverse effect on future Federal subsistence harvest because sport harvest of burbot in Grizzly Lake has increased dramatically since 2012 resulting in a significant and documented decline of population and size distribution of burbot. Adoption of this proposal would not impact State or Federal subsistence fishery regulations which currently allow fishing 12 months per year without a harvest limit.

**Federal Position/Recommended Action:** The Office of Subsistence Management **supports** this proposal. We support this proposal because burbot are possibly being harvested with set lines by sport fishermen at a rate which may lead to conservation concerns for this species in these lakes. Burbot are relatively long-lived and slow-growing in these lakes, making them vulnerable to overexploitation. Recent National Park Service studies conducted in these lakes indicate a significant decline in the population and size distribution of sampled fish over in an alarmingly short time period. Prohibiting the use of set lines in these lakes may reduce the effectiveness and overall harvest in this sport fishery.

The subject lakes are located near the divide between the upper Copper River drainage and the upper Tanana River drainage. State sport fishing regulations banned the use of set lines in all lakes in the Upper Copper/Upper Susitna Management Area since 1992. The use of set lines is prohibited in the Copper/Upper Susitna Area, including adjacent area lakes Copper, Tanada, and Sheep lakes. Adoption of this proposal would provide consistent regulations for all lakes in this one localized area near a divide. Adoption of this proposal may reduce user confusion for sport fishermen travelling between these five lakes near the divide during winter on snowmachines.

**Proposal 141** seeks to recognize rod and reel fishing as a legal means for subsistence fishing in all of the Kotzebue District from Point Hope to Cape Prince of Wales instead of only Cape Espenberg to Cape Prince of Wales.

**Current State Regulations**

*5 AAC 01.120. Lawful gear and gear specifications.*

*(b), (f)(1).*

**Current Federal Regulations**

*50 CFR §100.25(e)(i)(ii) You may take salmon only by gillnets, beach seines, or a rod and reel.*

**Is a similar issue being addressed by the Federal Subsistence Board?** No. Use of a rod and reel is allowed in waters under Federal subsistence fisheries jurisdiction in this area in the Federal subsistence fisheries.



**Impact to Federal subsistence users/fisheries:** No. Adoption of this proposal would have no effect on Federal subsistence users fishing on Federal public lands under the Federal subsistence regulations.

**Federal Position/Recommended Action:** The Office of Subsistence Management is **neutral** on this proposal. Current Federal subsistence fisheries regulations allow the use of rod and reel for subsistence fishing on Federal public lands in the area of concern. Adoption of this proposal could reduce user confusion and resulting enforcement concerns by aligning State and Federal subsistence fisheries regulations.

**Proposal 142** seeks to change the allowable dates for use of gillnet gear for fishing in the South Fork and Middle Fork of the Koyukuk River from November 1 through June 30 to August 20 through June 30.

#### **Current State Regulations**

*5 AAC 01.220. Lawful gear and gear specifications.*

*(f)(8)*

#### **Current Federal Regulations**

*50 CFR§ 100.27 Subsistence taking of fish:*

*(e)(3)(ii) For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action.*

*50 CFR §100.14 Relationship to State procedures and regulations.*

*(a) State fish and game regulations apply to public lands and such laws are hereby adopted and made a part of the regulations in this part to the extent they are not inconsistent with, or superseded by, the regulations in this part.*

#### **Proposed State Regulation**

**Is a similar issue being addressed by the Federal Subsistence Board?** No. If this proposal is adopted, a proposal may be submitted to the Federal Subsistence Board which will be accepting fisheries proposals in the spring of 2016 for deliberations during the winter of 2016-2017.

**Impact to Federal subsistence users/fisheries:** Yes. Adoption of this proposal would increase the period of time State subsistence users, and by default Federal subsistence users, would have to gillnet for fish in the upper Koyukuk drainages. The proposed fisheries season dates would continue to protect salmon, when present, but add fall harvest of whitefish, grayling, suckers, and pike to the already allowed spring harvest.

**Federal Position/Recommended Action:** The Office of Subsistence Management **supports** this proposal. Extending the seasons for subsistence gillnet fishing in the South Fork and Middle Fork of the Koyukuk River are not expected to create conservation concerns for the fish in these systems.

**Proposal 144** seeks to allow the use of five and one-half inch mesh gillnets across an entire channel in portions of the Koyukuk River for the purpose of targeting northern pike. The proponent indicates interest in also using the proposed nets in Racetrack Slough of the Koyukuk River as well as sloughs attached to the Huslia River.



### Current State Regulations

5 AAC 01.220. Lawful gear and gear specifications.

(f)(2), (f)(3)(C)(4, 8)

### Current Federal Regulations

50 CFR§ 100.27 Subsistence taking of fish:

(e)(3)(ii) For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action.

**Is a similar issue being addressed by the Federal Subsistence Board?** No. The Federal Subsistence Board which will be accepting fisheries proposals in the spring of 2016 for deliberations during the winter of 2016-2017.

**Impacts to Federal subsistence users/fisheries:** Unknown. Adoption of this proposal would result in allowing both State and Federal subsistence users to fish with five and one-half inch mesh gillnets across an entire channel in portions of the Koyukuk River potentially impacts salmon stocks if present. Excessive removal of larger northern pike may impact the numbers and size of fish available in future Federal subsistence fisheries. Adoption of this proposal as written could result in navigation hazards to others transiting the areas fished with gill nets extending across entire channels.

**Federal Position/Recommended Action:** The Office of Subsistence Management's position is **support with modification**. We support the intent of the proponent to increase harvest efficiency of subsistence users. We recommend a cautious and measured incremental approach if the Board of Fisheries approves the concept of this fishery liberalization. If this proposal is adopted, the level of participation and harvest in this fishery will be difficult to discern unless some form of permitting and reporting mechanism is installed. If the proposal is adopted, some level of increased concerns regarding the safety and navigation of the Koyukuk and Huslia rivers as well as accompanying tributaries and sloughs is likely if a gillnet is stretched across the entire width of a river, tributary, branch or slough.

The Office of Subsistence Management supports the content of the proposal but recommend modification of this proposal to not authorizing stretching a net across the entirety of a waterway. Additionally, we recommend authorizing this proposed fishery only during times and areas when salmon are not present.

Although the proponent indicates the intent of this proposal is to increase harvest of larger northern pike, the amount of incidental harvest of and impacts to other species is unknown. The impacts on the northern pike population of targeting and removing the larger northern pike, normally spawning females, are unknown at this time. Permitting and reporting may assist managers with determining the impacts of this fishery.

## **RESOLUTION 15-20**

### **PROVIDING WRITTEN TESTIMONY TO THE STATE OF ALASKA BOARD OF FISHERIES ON PROPOSED CHANGES IN THE SUBSISTENCE AND COMMERCIAL FISHING REGULATIONS THAT WOULD AFFECT THE TRIBAL MEMBERS OF THE NATIVE VILLAGE OF ANDREAFSKI AND THE LOWER YUKON REGION.**

*Whereas*, the Yup'it of Andreafski is the governing body of the Native Village of Andreafski, a federally recognized tribe consisting of approximately 300 members of the Yup'ik culture, a majority of whom live in the fishing community of St. Mary's, Alaska located on the Lower Yukon, and

*Whereas*, the survival of our culture and economy has, for generations, depended on the subsistence and commercial harvest of the migrating salmon, and

*Whereas*, the poor return of the King Salmon (Chinook) has resulted in stringent, conservative measures to protect the king salmon runs causing economic hardships and burdens in an already economically disadvantaged region, and

*Whereas*, the Board of Fisheries has received proposals to change subsistence and commercial fishing regulations that affect the Lower Yukon Region, including some proposals that can cause even further undue hardships and burdens, so

*Therefore be it resolved*, that the Tribal Council for the Yup'it of Andreafski, by this resolution, do hereby provide our written testimony on behalf of our tribal members regarding the following Yukon River proposals submitted to the Board of Fisheries for consideration at their meeting to be held January 12 – 17, 2016:

- **Proposal 107 – OPPOSITION TO.** Current management strategies and modified gear or introduction of new gear have proven effective in protecting king salmon runs without destroying the subsistence/commercial fishing economy of our region.
- **Proposal 108 – SUPPORT FOR.** Increases salmon returns and subsistence opportunity.
- **Proposal 109 – SUPPORT FOR.** Prefer Proposal 108.
- **Proposal 110 – OPPOSITION TO.** Rationale is inconsistent with actual data observed and highlighted in Proposal 108.
- **Proposal 111 – SUPPORT FOR.** An update to an antiquated regulation.
- **Proposal 112 – OPPOSITION TO.** Rationale is vague. Appears to target Lower Yukon commercial fishing.
- **Proposal 113 – OPPOSITION TO.**
- **Proposal 114 – OPPOSITION TO.** All user groups must share the burden of conserving the king salmon runs.
- **Proposal 115 – OPPOSITION TO.** King salmon conservation is a priority to rebuild stock. Shouldn't start making exceptions during the main run.

- **Proposal 116** – **SUPPORT FOR.** Reasons stated in proposal.
- **Proposal 117** – **OPPOSITION TO.** Current data contradicts reasons to prohibit beach seining. Managing openings and use of seining and dipnets resulted in increased escapement of kings.
- **Proposal 118** – **SUPPORT FOR.** Reasons stated in proposal.
- **Proposal 119** – **SUPPORT FOR.** Reasons stated in proposal.
- **Proposal 120** – **OPPOSITION TO.** Equity concerns. Also, high potential for abuse using subsistence fishing that coincides with commercial fishing for commercial purposes.
- **Proposal 121** – **OPPOSITION TO.** Concerned that it would provide special treatment for certain districts. Conservation concerns.
- **Proposal 122** – **SUPPORT FOR.** Reasons stated in proposal.
- **Proposal 123** – **SUPPORT FOR.** Reasons stated in proposal. Aligns it with Proposal 118.
- **Proposal 124** – **SUPPORT FOR.** Reasons stated in proposal. Also an in-state terminal fishery that can be managed.
- **Proposal 125** – **SUPPORT FOR.** Reasons stated in proposal.
- **Proposal 126** – **OPPOSITION TO.** Concern purse seines may harm king salmon.
- **Proposal 127** – **OPPOSITION TO.** Support current boundaries; majority of harvest will occur outside of the river system if passed and incidental catches of king salmon will increase raising conservation concerns.
- **Proposal 128** – **OPPOSITION TO.** Reasons same as Proposal 127.

*Passed and Approved by unanimous vote of the Tribal Council for the Yupit of Andreafski this 23<sup>rd</sup> day of December, 2015.*

  
Gail Alstrom-Beans, Council President

Attested by:

  
Max Sipary, Council Secretary



## **Comments for the Board of Fisheries for the January, 2016 meeting in Fairbanks from Kwethluk, Incorporated and shareholders**

### **Proposals 93 and 95 – against**

Proposal 95 and the alternative solution in Proposal 93 make it possible to establish a Tier II fishery for Chinook salmon in the Kuskokwim River. A majority of people living in the River qualify in having a “customary dependence” of the Chinook, “proximity to the stock or population” and “availability of alternative resources.” What would be difficult is to determine who would get a Tier II permit, especially if it is given in limited numbers, when all those applying are eligible to get one. This means that it is possible for a family or extended families who work together, that have gathered the Chinook for many years, NOT to get a Tier II permit. And this will not be fair and equal. It is more likely to bring about resentment and division among the people and ADF&G, “illegal” fishing out of desperation and general discontent to the Kuskokwim River, similar to what happened in 2013.

Kwethluk, Incorporated and its shareholders are against these two proposals.

### **Proposal 94 - against**

The number of the inriver goal in this proposal is unreasonably high because of the recent lower returns of the Chinook to the Kuskokwim. We would probably get close to that number when there is absolutely no drift net and set net fishing for any kind of fish from the latter part of May to the first half of July for the lower half of the Kuskokwim River, and the whole months of the June and July for the middle and upper half of the River. This would effectively wipe out all subsistence activities on any type of fish for the entire River in this time period.

The Bethel Test Fishery does not and never has had the means to accurately count all the Chinook going upriver. At best, they attempt to make a good guess using test fishing. Historically, over 1/2 to over 3/4 of the Chinook are already upriver from Bethel by the 25<sup>th</sup> of June on any given year. The residents and experienced subsistence fishers of the Lower Kuskokwim would say the same thing.

Kwethluk, Incorporated and its shareholders are against this proposal.

### **Proposal 96 - against**

Because of the difference in population in the lower and upper Kuskokwim areas, separating the amount of subsistence caught Chinook into three areas as proposed will not be fair and equal.



According to the 2010 Census, the combined total of people representing the middle and upper Kuskokwim from Lower Kalskag to the headwaters of the Kuskokwim is 1,900. From Tuluksak to the mouth of the Kuskokwim (including the Tundra villages and three coastal villages north of the mouth of the Kuskokwim), the combined total of people representing the lower part of the Kuskokwim is 12,305. Bethel alone has a population of over 6,000. In order to be fair and equal (if what this proposal is looking for), then we must look at active fish camps along the entire River who are, and have been, practicing customary and traditional use of the salmon. Because most of the people live in the lower part of the Kuskokwim (below the 2 Kalskags), we will find more fish camps there and they will always have allocations (if there are any to be given) more in number than the middle and upper Kuskokwim. If we want a fair and equal share of our salmon as a subsistence resource, then we must count all the fish camps within the River that have a real status of being customary and traditional, and equally disburse the allocated subsistence catch of Chinook.

Dividing the amounts necessary for subsistence uses in three areas as this proposal states will not work.

Kwethluk, Incorporated and its shareholders are against this proposal.

### **Proposal 97 – against**

As it is stated, this proposal would make it possible for each and every household in the Kuskokwim River to get a Chinook subsistence permit. A household permit for each and every household in the Kuskokwim River will result in giving opportunity to individuals or families who have not customarily and traditionally harvested Chinook or other salmon stocks. In many cases in our villages, single or two member families do not have the means or equipment to harvest any salmon and have not done so. If this proposal passes, most of the 160 plus households in Kwethluk, if not all, will get a household permit because they will all qualify as State residents and subsistence resource gatherers. This will open the door for most households in Bethel to get a permit too, even if they have not customarily and traditionally harvested the Chinook and are not federally qualified users.

There is also a danger in making the permit a permanent fixture in subsistence activities even in years where there is not a concern for low Chinook numbers. This would unnecessarily put more work on State and Federal agencies that manage our resources.

Additionally, a household permit, as this proposal states, would only record the number of Chinook that have been taken and none of the other species of fish recorded. The present system of surveys the Alaska Department of Fish and Game does after the summer season is still a viable and near-to-accurate means of recording subsistence catch of all fish species from May to September in the Kuskokwim River.



If we have to use a permit system for Chinook, and to be fair to those who are asking for customary and traditional use of our resources, then the only way for this to work would be to give permits to those families who have now, and have had, fish camps.

Kwethluk, Incorporated and its shareholders are against this proposal.

### **Proposal 222 – against**

This proposal brings forth the idea of having a community and a personal household permit, and is open to any resident living in the Kuskokwim River, no matter how long they have lived in the area. There is no language to indicate whether one has had customary or traditional use of the Chinook and anyone can take a household permit to attempt to freeze or make canned Chinook even in times of conservation. If the proposal passes, household permits in the thousands from 28 communities could be handed out because most household will qualify for subsistence fishing. Resentment and dissatisfaction will occur if all eligible households do not get a permit. And it doesn't make sense to try to get Chinook for canning when there are efforts to conserve them. There are other species of salmon that are caught in the Kuskokwim - chum, sockeye and silver - that can be frozen or canned in greater amounts and produce better yields.

During June of 2015, the USF&W enabled Kuskokwim communities to catch Chinook in allocated amounts. Although not all communities participated, those that did were given a taste of Chinook and relieved some of the craving for fresh salmon. Kwethluk took part in this and its residents were grateful for it.

Kwethluk Incorporated and its shareholders are against this proposal as it is written.

Contact: Martin Nicolai  
(907)757-2260



Submitted By  
JASON RIVERS  
Submitted On  
10/14/2015 9:00:00 AM  
Affiliation  
ARCTIC ANGLING EXPLORATION

Phone  
907-378-9687  
Email  
[riversalaska@gmail.com](mailto:riversalaska@gmail.com)  
Address  
6056 Salcha Pioneer  
Salcha, Alaska 99714

Proposal 143

I support Proposal 143. There needs to be an increased regulation around the Goldstream Creek Mouth. As well as increased enforcement of said regulation. I have seen wanton waste of pike all over the interior. They are not invasive they are naturally occurring in the all of interior Alaska.

This gets hammered by not only subsistence but by sport fishing too. so the regulation and enforcement need to be across the board.



Submitted By  
John Siegfried  
Submitted On  
10/6/2015 1:16:29 PM  
Affiliation

Proposal 143.

It is my personal belief that most proposals to Alaska's Hunting and Fishing regulations submitted by private citizens and based solely on their personal experience and assumptions should be viewed with some apprehension. This proposal is a perfect example of making several assumptions without any scientific proof or statistics other than harvest reports from the biologists at AF&G to back what is being stated.

First, Mr Hassebroek states that he had poor results this past summer bait and fly fishing, if I am not mistaken, bait fishing for Pike in the Minto Flats is illegal. Secondly, his decision to limit subsistence Pike fishing based on his inability to catch fish on slow day of fishing, for whatever reason (high water, temperature or using the wrong bait) is not indicative of the Pike population of the area.

Assumptions however, should never be allowed to dictate regulations, i.e. "fishermen are high grading and taking larger, female pike" "mostly female spawners" and "consider that many of these are the female spawners" I am not sure what high grading a fish is but these are all just the author's assumptions. "Removing subsistence ice fishing will solve the problem" or his "ideal solution" are assumptions and solutions that should be eyed with extreme suspicion, it clearly emphasizes the author's bias and determination to single handedly impose his will on others who enjoy fishing Minto Flats without facts or data backing any of his beliefs.

Along with friends, I have fished Minto Flats/Goldstream/Tolovana for years, maybe not fifty years and while our experiences both in the winter and summer are of no scientific value other than our subsistence harvest tags, we have never experienced the issues brought forth in this proposal. I sincerely believe that the Board of Game, who review and write the regulations that govern our hunting and fishing rights here in Alaska, base their decisions on hard scientific facts and research by Fish and Games biologists. They are out in the field, with the formal education, equipment, time and dedication to make sound scientific decisions based on data, not assumptions.



Submitted By  
Dan Moody  
Submitted On  
10/6/2015 9:13:22 AM  
Affiliation

Proposal 143. I do not support this proposal.

I fished Minto Flats in July of 2015. I caught and released about 50 pike and kept two for dinner that day.

My son and I fished for pike in Minto flats in August of 2015. While anchored up in one spot we caught and released pike as fast as we could reel them in for more than 4 hours. There are lot and lots of pike in Minto flats.



Submitted By  
Ethan birkholz  
Submitted On  
9/29/2015 5:40:35 PM  
Affiliation

Phone  
907 378-3330  
Email  
[Enblaker@gmail.com](mailto:Enblaker@gmail.com)  
Address  
Po box 84472  
Fairbanks, Alaska 99708

My proposal 137 concerning allowing a winter bait allowance for ice fishing for lake trout, is not represented correctly from what I submitted online.

The way it is shown implies I would like to allow set lines. This could not be further from what I am requesting! Which is unfortunate. I am very much against the use of set lines for ice fishing at Fielding Lake. I am only interested in modifying the regulations to allow a limited winter ice fishing opportunity for lake trout using bait. And yes, as a bonus you can catch the occasional burbot by jigging with bait.

What I actually submitted online is reflected below. This dramatically changes the intent of the language. In addition the current language in the regulation includes a closure to lake trout fishing in September to protect spawning lake trout. I fully support this regulation and in no way am I implying to remove that existing regulation.

The use of set lines is prohibited  
[April 16-October 31](#): Only one unbaited, single hook, artificial lure may be used  
[November 1-April 15](#): Only one single hook, artificial lure, bait may be used.

Thank you

Ethan Birkholz



Submitted By  
philip malenfant  
Submitted On  
9/15/2015 7:01:12 AM  
Affiliation

I am an avid pike fisherman who believes that the bag limits on the Minto Flats and Chatanika should either be reduced or closed to ice fishing for several years, whatever time it takes to bring the pike population back to where it is sustainable for sport or subsistence without depleting the current population. Too many large females are being taken, and this should not continue. Let's continue to have a healthy population of fish in our Great State..Thank You



Submitted By  
Stuart Varner  
Submitted On  
9/14/2015 2:45:27 PM  
Affiliation

Phone  
9074881884

Email  
[varner@alaskan.com](mailto:varner@alaskan.com)

Address  
3440 nevin ave  
P.O.Box 56655  
North Pole, Alaska 99705

For years I have heard horror stories of stacks of pike taken from Minto flats during the winter in the name of subsistence. If these stories are only partly true it could account for much of the decline in numbers and size I have witnessed in the Northern Pike population over the last 30 plus years. I support the season, size restrictions and bag limits imposed in the last few years as applied to sport fishing. I suggest those same restrictions be placed on the subsistence harvest. I further suggest a ban on subsistence fishing be implemented 1/2 mile in each direction from the confluence of Goldstream Creek and the Chatanika River. A similar restriction would probably be a good idea at the other pike overwintering areas such as Swaneck and the Tolovana. Let's stop removing the gravid females to be used as dog food and return Minto Flats to the "world class" pike fishery it has been in years past.



**ALASKA BOARD OF FISHERIES  
YUKON AREA FINFISH  
JANUARY 12–17, 2016**

**Public Written Comments**

**BY**

**YUKON DELTA FISHERIES DEVELOPMENT ASSOCIATION (YDFDA)**

**December 28 2015**





**Board Meeting:** Arctic/Yukon/Kuskokwim Finfish 1/28/2016

**Name:** Gene J Sandone

**Affiliation:** Yukon Delta Fisheries Development Association (YDFDA)

**Contact Phone:** 907-631-6033

**Email:** gjsandone@gci.net

**Address Line 1:** 2909 Arctic Blvd.

Address Line 2

**City:** Anchorage

**State:** Alaska

**Zip:** 99503

**Do you consent to your contact information being included on printed copies of your comment?**

**Yes**



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## ***COMMITTEE OF THE WHOLE –GROUP 1: YUKON AREA SALMON (22 PROPOSAL)***

### ***YUKON AREA MANAGEMENT (5 proposals: Proposals 107-111)***

**PROPOSAL 107. 5 AAC 05.362.** Yukon River Summer Chum Salmon Management Plan.  
**PROPOSED BY:** Tanana Rampart Manley Fish and Game Advisory Committee (TRM AC)

**YDFDA POSITION: OPPOSE**

**ADF&G POSITION: OPPOSE**

<http://www.legis.state.ak.us/basis/aac.asp#5.05.362>

**WHAT WOULD THIS PROPOSAL DO?** This proposal would close the commercial summer chum salmon fishery in the Yukon Area to protect king salmon.

#### **YDFDA COMMENT:**

- It is unclear if the suggested language would be part of the Yukon Summer Chum Salmon Management Plan or would just replace the entire plan.
- **TRM AC STATES:** *Although TRMF&GAC says that they support reasonable and sustainable commercial harvests, they believe that ADF&G (and possibly USFWS) cannot be trusted to manage the Yukon king and summer chum salmon runs.*
  - In 2013, the Alaska Board of Fisheries passed the use of dipnets and beach seines as legal commercial gear in the Lower Yukon Area, in times of king salmon conservation, so that a relatively small summer chum salmon harvest could be taken with little or no harm to the king salmon.
    - ✓ The use of dipnets and beach seines are very inefficient methods to harvest chum salmon but the Lower River has accepted that they must do their fair share in allowing king salmon to pass onto the spawning grounds.
    - ✓ Since the initiation of the selective harvest methods in 2013, king salmon escapements have increased (Table 1), mainly because of severe subsistence restrictions. However, there is no evidence that the selective harvest methods have negatively affected the king salmon run. There would be no commercial fishery for summer chum salmon until around July 6 if selective harvest methods were not employed. During the 2013, 2014, and 2015 summer seasons, dipnets and beach seine gear accounted for 50%, 64% and 64%, respectively, of the total combined District 1 and 2 commercial harvest of summer chum salmon.
    - ✓ However, beach seines accounted for only 2%, 4%, and 4% of the summer chum salmon commercial harvest in Districts 1 and 2 in 2013, 2014, and 2015, respectively.



- ADF&G is managing the summer chum salmon fishery very conservatively by:
  - ✓ allowing the use of selective gear, dipnets and beach seines, for a large portion of the summer season commercial fishery. Gillnet use is not allowed until a majority of the king salmon have passed out of the district or section of the district. Gillnets have not been used to commercially harvest summer chum salmon until the first week of July.
  - ✓ Beach seines caught and released 9% (850) of the king salmon caught in the District 1 and 2 commercial fisheries in 2015.
  - ✓ Total number of kings caught and released by these gear types totaled 9,507. This catch and released fish account for probably less than 6% of the total drainage-wide escapement (Canadian escapement 82,000 \*2 to account for rest of escapement).
  - ✓ The impact to Chinook salmon was expected to be minimal as fishermen were required to immediately release all incidentally caught Chinook salmon back to the water alive from dip net and beach seine gear.
  - ✓ In an effort to further reduce the incidental catch of king salmon in the District 1 commercial gillnet fishery, gillnets with 5.5 inch stretch mesh and 30 meshes deep were used for 3 of the 8 gillnet periods, from July 2-5, 2015.
  - ✓ The sale of incidentally caught Chinook salmon was prohibited during the entire commercial fishing season (both summer and fall seasons). This action helped ensure fishermen would not target Chinook salmon during gillnet commercial fishing periods; and fishermen could either release incidentally caught Chinook salmon alive or use them for subsistence purposes
  - ✓ Total number of king salmon caught but not sold in the commercial gillnet fishery totaled 3,384. Although age sex and size data were not collected on these king salmon, past harvests during this period late in the king salmon run, and harvested with the 6-inch mesh gillnets, indicated that the majority of these fish were young, small, male king salmon mainly originating in the Lower Yukon Area.
- **TRM AC STATES: *Corruption of the pulse protection principle to not protect the last main pulses of king salmon in order to allow commercial chum fishing sooner is an example.***
  - In recent years, the use of gillnet gear was delayed until inseason assessment indicated the majority of the Chinook salmon run had migrated upriver in an effort to reduce the incidental harvest of Chinook salmon. In 2015, in District 1 only, commercial opportunity with 5.5-inch or smaller mesh size gillnets not exceeding 30 meshes in depth was provided for the first 3 fishing periods in a further attempt to reduce the incidental harvest of Chinook salmon.
  - Once managers were confident that the majority of the run had migrated out of each district, gillnet opportunity with 6-inch gillnet gear was provided for the remainder of the summer season beginning on July 7 in District 1 and July 6 in District 2
  - The third quartile (75% of the run) was estimated to have passed LYTF on June 30 (ADF&G). The third quartile passed by Pilot Station on June 29. Using the Pilot Station run timing data, the third quartile passed by the LYTF on June 26 based on a 3-day travel time from LYTF to Pilot Station sonar. Note that commercial fishing with gillnets started



- on July 2 with 5.5inch 30 mesh deep nets. Hardly any king salmon are within the zones where driftnet commercial activities occur.
- King salmon escapements have been very good for the past two years, 2014 and 2015, exceeding the upper end of the escapement goal in many spawning tributaries (Table 1)
  - **TRM AC States:** *TRM AC members also pointed out regulations passed (fish wheel live box use) and management bowing to pressure to consider things such as drift seining and Board of Fisheries passing of beach seining and live box fishing for summer chum while releasing kings caught in same gear.*
    - In 2013, beach seines and dipnets were allowed by the BOF to selectively harvest chum salmon in the Lower Yukon Area. Although both gear types were used, the vast majority of the summer chum salmon were taken with dipnets.
    - The BOF in March 2015 requested a “robust” test fishery with purse seine gear to determine effects on king salmon. This test fishery was conducted this past season. A proposal to allow purse seine fishing in the Lower Yukon Area will be heard and deliberated on at the January AYK finfish BOF meeting.
    - No comment on the use of fish wheels with live boxes.
  - **TRM AC States:** *Basically members felt that until time can be found to deal properly with these issues the best move would be to stop all commercial summer chum fishing.*
    - This is not a viable solution to this problem of attempting to selective harvest chum salmon in a commercial fishery while causing little or no negative effect on king salmon.
    - King salmon escapements have been very good in 2014 and 2015 (Table 1). Note that in these years, 6 of the 13 recorded escapements were in excess of the upper end of the SEG or IMEG. Note also that because we believe that these runs should have been managed to achieve the low end of the SEG and IMEG, there were over 20,000 excess fish passed into Canada in 2014 and approximately 39,000 excess fish passed into Canada in 2015. Considering the Canadian component comprises about 50% of the entire Yukon River Chinook salmon run, there was probably enough excess fish in the 2015 run to have a full U.S. subsistence fishery plus an incidental harvest and sale of king salmon in the commercial chum salmon fishery.
    - Summer chum salmon escapements in excess of 1.8M salmon have replaced themselves and usually have detrimental repercussions on the productivity of the stock. Recent summer chum salmon escapements have been well over the upper end of the BEG (Figure 1)

### **YDFDA POSITION: OPPOSE**

Using selective harvest methods, such as dipnets and beach seines to selectively harvest chum salmon while allowing the live-release of king salmon is working in the Lower Yukon Area. In times of King Salmon conservation, selective harvest methods allow some commercial harvest of the abundant summer chum salmon while allowing the live-release of captured king salmon. The relatively small number of King Salmon caught in this selective gear are released immediately. We believe that there is little to no impact on the King Salmon run by conducting this commercial fishery. ADF&G management of the summer chum salmon commercial fishery supports the fundamental principle of resource conservation. YDFDA will not advocate change that does not positively and fairly benefit regional fishermen and their communities. This proposal unfairly targets commercial summer chum salmon fishermen under the guise of conservation. This proposal offers no solution except to close

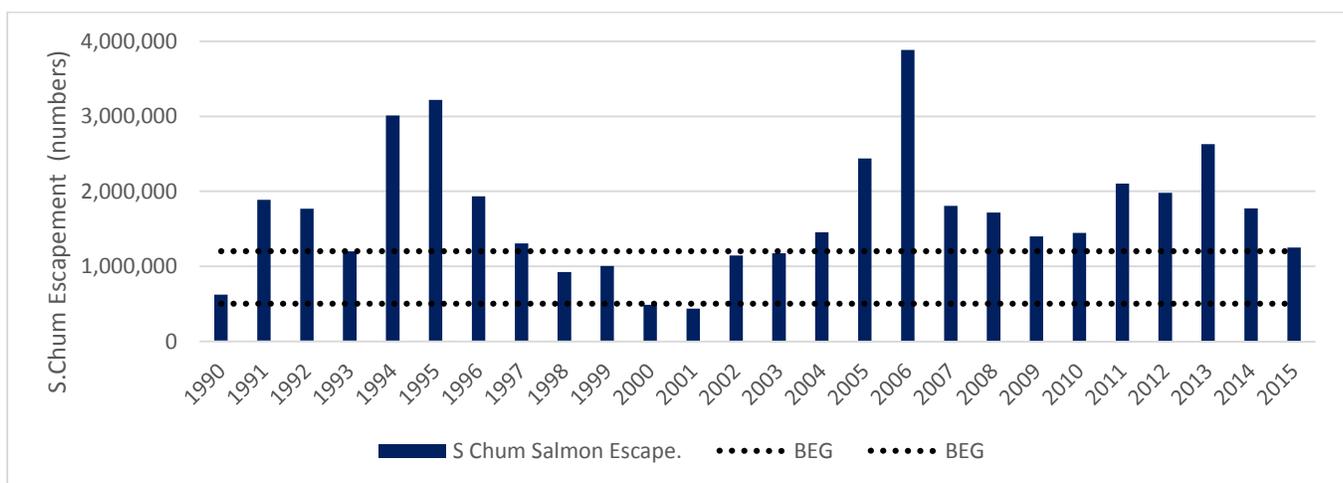


commercial fishing for summer chum salmon to protect king salmon. This proposal is unnecessary and offensive and wastes staff and BOF time.

**YDFDA AGREES WITH ADF&G’S POSITION TO OPPOSE THIS PROPOSAL AND WE ALSO AGREE WITH THEIR NARATIVE AND COMMENTS**

Table 1. Yukon Area King Salmon escapements to Alaskan spawning tributaries in relation to the associated Sustainable Escapement Goal (SEG) and the escapement into the Yukon River in Canada, in relation to the Interim Management Escapement Goal (IMEG), 2013-2015. Yellow highlighted cells represent escapements below the associated SEG or IMEG. Blue highlighted cells represent escapements in excess of the high end of the SEG or IMEG.

Year	E.F. Andreafsky	W.F. Andreafsky	Anvik	Nulato	Gisasa	Chena	Salcha		Canadian Mainstem Yukon River
2013	1,998	1,090	940	1,118	na	1,859	5,465	2013	28,669
2014	5,949	1,695	1,584	na	na	4,358	na	2014	64,422
2015	5,474	1,356	2,809	1,505	558	4,067	4,558	2015	82,000
SEG (low)	2,100	640	1,100	940	420	2,800	3,300	IMEG (low)	42,500
SEG (high)	4,900	1,600	1,700	1,900	1,100	5,700	6,500	IMEG (high)	55,000



**Figure 1. Yukon River summer chum salmon escapements compared to the current Biological Escapement Goal, 1990-2015.**



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**PROPOSAL 108. 5 AAC 05.362.** Yukon River Summer Chum Salmon Management Plan.

**PROPOSED BY: Kwik’pak Fisheries**

**YDFDA POSITION: SUPPORT THE CONCEPT**

**ADF&G POSITION: SUPPORT THE CONCEPT**

<http://www.legis.state.ak.us/basis/aac.asp#5.05.362>

**NOTE: The Department’s BEG has changed to 500,000 to 1,200,000 chum salmon for the Yukon River drainage. When these proposals were submitted the low end of the BEG was 600,000. Comments below reflect the department’s new BEG recommendation of 500,000 to 1,200,000.**

**WHAT WOULD THIS PROPOSAL DO? This proposal would change the trigger points in the Yukon River summer chum management plan.**

Reduce management triggers in the Yukon River Summer Chum Salmon Management Plan based on the currently ADF&G recommended BEG of 500,000 to 1,200,000 such that:

- a. Close all consumptive use fisheries to ensure a spawning escapement of at least 400,000 Summer chum salmon.
- b. Subsistence fisheries are not closed until the minimum escapement stipulated under this plan is in jeopardy;
- c. All other consumptive fisheries are initiated on the summer chum salmon in excess of 650,000 run size projection.

**1. Subsistence fisheries should be managed below the low end of the BEG range, 500,000 salmon, so that no less than 400,000 salmon are allowed to spawn;**

- Approximately 78% (most recent 5-year average, 2011-2014) of the Yukon Area summer chum salmon subsistence harvest is taken in the Coastal District and the Lower Yukon Area. ALL of this harvest is taken for human consumption. This harvest is very dissimilar to the fall chum salmon harvest where the vast majority of the harvest (91%; most recent 5-year average, 2011-2014) is taken in the Upper Yukon Area and nearly all of this harvest is taken to feed dogs. Although the BOF has not set priorities for subsistence uses, we believe that the summer chum salmon subsistence harvest for human consumption should be allowed to occur below the low end of the BEG.
- We are requesting that the BOF not burden the subsistence user with MSY management of the summer chum salmon run in low years. We believe that when low runs occur (<500,000 salmon), management of the subsistence fishery to the attainment of escapements within the BEG is not in the best interest of the state. We believe that closing subsistence fisheries when runs are projected to be between 400,000 and 500,000 manages the stock for an expected MSY 4 or 5 years in the future on the backs of the subsistence fishers. We suggest that because Yukon River summer chum salmon have good production at low levels of escapement, subsistence harvests should be allowed to occur when runs are projected to provide for the escapements less than the lower end of



the BEG. Note that there hasn't been an escapement below 400,000 salmon in recorded history, but escapements within the 400,000 to 500,000 range have produced well.

**2. The commercial fishery should commence on summer chum salmon in excess of a projected run size of 650,000**

- Currently, because of the concern for King Salmon, harvest rates on summer chum salmon are extremely low. Under the current management plan, only a portion of the District 1 and 2 allocation is being harvested. In the past three years, the portion of District 1 and 2 allocation that has been harvested has been 25.7% in 2013, 45.3% in 2014, and approximately 69.0% in 2015 (Table 2). The district 1 and 2 harvest rate on the summer chum salmon run was 11.8% in 2013, 17.8% in 2014 and 20.8% in 2015 (Table 2). Drainage-wide commercial harvest rates were appreciably lower because of the lack of commercial markets in upriver districts. During the period 2013-2015, drainage wide harvest rates ranged from 15.1% in 2003 to 22.1% in 2014 (Table 2). District 1 and 2 harvest rates were more affected by differences in run size than variable efficiency of the fleet.
- Based on the very low historic summer chum salmon harvest rates (Figure 2) and recent subsistence harvests (Figure 3) which have been for the most part below 100,000 fish since 1996, except for 2012 and 2013, we believe it is prudent to begin commercial fishing on a run size in excess of 650,000.
- Summer Chum Salmon total harvest rates for the entire drainage has been between 15.1% and 21.9% during the last three years. These very low harvest rates are most likely the result of inefficient selective harvest gear being used in Districts 1 and 2, coupled with the lack of viable commercial markets in the Upper Yukon Area. Even with the use of gillnets when the conservation management of King Salmon has ceased, the harvest rate will probably substantially less than 50%. The highest commercial harvest rate for Summer Chum Salmon was 40.1% in 1990 (Figure 2). The highest total harvest rate for Summer Chum salmon was also in 1990 at 50.8% (Figure 2). Since that time, however, both the commercial and total harvest rates dropped dramatically. The most recent five-year (2010-2014) average commercial and total harvest rate is 16.5% and 21.0%, respectively.

**YDFDA COMMENT: YDFDA SUPPORTS THE CONCEPT of changing the trigger points in the summer chum salmon management plan and specifically supports the trigger points of:**

- a. **allowing subsistence fisheries on the surplus summer chum salmon in excess of a minimum spawning escapement of 400,000 and**
- b. **allowing all other consumptive fisheries on the surplus summer chum salmon in excess of a run projection of 650,000 summer chum salmon.**

The adjustments to the Yukon River Summer Chum Management Plan are necessitated by the establishment of a drainage-wide Biological Escapement Goal (BEG) of 500,000 to 1,000,000 summer chum salmon. Maintaining the triggers in the current management plan would result in lost opportunity to subsistence and/or commercial fish, by local fishers, when runs are relatively low. Since 1990 Yukon River Summer Chum salmon total runs have varied between over 4,000,000, as recorded in 1995 and



2006 to as less than 500,000 in 2000 and 2001 (Figure 2). The lowest run recorded was 435,000 in 2001. Note, even though current regulations provide for a minimum spawning escapement of no less than 600,000 salmon, subsistence fishing for Summer Chum salmon was not restricted in 2000 and 2001. **This proposal codifies what ADF&G has done in the past when runs were below 600,000 fish.**

Subsistence and commercial fishing is the mainstay of these people who live along the Yukon River. Most people live a subsistence lifestyle which is dependent on money they receive from commercial fishing. However, the people of the Yukon River are in a dire financial situation. The recent use of the inefficient selective harvest methods in the commercial summer chum salmon fishery, because of the persistent poor King Salmon runs, has hampered the District 1 and 2 commercial fishers from taking their allocation and maximizing the benefits from that fishery. Additionally, poor management of the King Salmon run these past two years, 2013 and 2014, has allowed many Summer Chum, as well as King Salmon, to pass onto the spawning ground that were in excess of the spawning requirements. In 2014, approximately 1,000,000 Summer Chum salmon in excess of spawning requirements (800,000 salmon) were allowed to spawn. In 2015, approximately, 450,000 Summer Chum salmon in excess of spawning requirements (800,000 salmon) were allowed to spawn. The resulting foregone harvest in District 1 and 2 would have meant an additional \$2.0M and nearly \$600,000 in 2014 and 2015, respectively, paid to the fishers. The value of the 2014 summer chum salmon fishery was \$1.65M; in 2015 the value of the fishery was \$1.27M.

In 2014, over 30,000 King Salmon were probably available for harvest by U.S. fishers; in 2014, that surplus could have been nearly 70,000 King salmon, or more. In 2013, the Chinook run size was probably large enough to provide for a modest U.S. subsistence fishery. However, in 2014, the King Salmon run size could have provided for a full U.S. subsistence fishery plus a modest commercial sale of King Salmon incidentally caught in the Yukon River Summer Chum Salmon commercial fisheries. Additionally, the selective harvest gear restrictions on the summer chum salmon commercial fisheries could have been lifted much earlier than the first week of July, allowing the more efficient gillnet gear to be employed to harvest significantly more summer chum salmon. This management scenario would have allowed for a larger harvest of summer chum salmon and an incidental harvest of King Salmon which could have been sold.

Note that there is only one buyer of commercially-caught fish in the Lower Yukon Area. It is imperative that when run sizes are sufficiently large enough to provide a commercial opportunity, fishers should be given the opportunity to harvest as many of these surplus fish as possible, especially when run sizes are relatively small. Additionally, for the fish buyer to stay in business, markets must be maintained with a good supply of fish. This proposal would allow fishers to start fishing commercially for Summer Chum salmon on the fish in a run that was over 700,000 salmon.

We believe that there is a large surplus of summer chum salmon that should be harvested. Allowing these excess fish to spawn negatively affects the reproductive potential of the summer chum salmon stock. We believe that the cycles of large runs and followed by smaller subsequent runs are mainly caused by the number of summer chum salmon that are allowed to spawn. We also believe that the selective harvest gear, first introduced into the Yukon River commercial fisheries in 2013, have minimal impact to the King Salmon run mainly because the fish are immediately released when captured and also



because of the relatively small numbers that are captured and released. Additionally, the introduction of these selective harvest methods has allowed the fishery to continue whereas without these harvest methods, the lone buyer may have not been able to survive. Further, the fish that are harvested in the commercial gillnet commercial fishery at the tail end of the summer chum salmon run, would have provided little reproductive capacity to the King Salmon spawning biomass. Because gillnets used in the summer chum salmon fishery are restricted to a maximum of 5.5 and/or 6.0-inch stretch mesh, these nets selective for the smallest King salmon in the run. These small King salmon are mainly age-4 male king salmon. Further, very few Canadian fish are harvested during this late-in-the-season gillnet commercial fishery; a high majority of these king salmon are destined to spawn in the lower Yukon tributary streams.

**YDFDA AGREES WITH ADF&G’S POSITION TO SUPPORT THE CONCEPT OF THESE PROPOSALS. HOWEVER, WE SEEK TO SPECIFICALLY CHANGE THE TRIGGER POINTS TO PROTECT SUBSISTENCE FISHERIES AND TO ALLOW ALL OTHER CONSUMPTIVE USE FISHERIES ON THE EXCESS FISH ABOVE 650,000 SALMON. YDFDA ALSO AGREES WITH MOST OF ADF&G’S NARRATIVE AND COMMENTS**

**Table 2. Yukon River Summer Chum Salmon run size, District 1 and 2 commercial allocation, commercial harvest, and associated percentages, all other districts commercial harvest and harvest rate, and total Yukon Area commercial harvest and harvest rate, 2013-2015.**

Yukon River Summer Chum Salmon										
Year	Run Size (number)	District 1 and 2 combined				All Other Districts		Yukon Area		
		Allocation (number)	Harvest (number)	Allocation Harvested (%)	Harvest Rate (%)	Harvest (number)	Harvest Rate (%)	Harvest (number)	Harvest Rate (%)	
2013	3,220,000	1,478,000	379,143	25.7	11.8	106,436	3.3	485,587	<sup>a</sup> 15.1	
2014	2,400,000	943,500	427,347	45.3	17.8	102,282	4.3	530,644	<sup>a</sup> 22.1	
2015	<sup>b</sup> 1,700,000	513,080	354,086	69.0	20.8	4,770	0.3	358,856	21.1	

<sup>a</sup> Commercial harvest data obtained from the 2015 JTC report (Appendix B.3)

<sup>b</sup> Preliminary



**Table 3. Number and percent of commercial fishers, Chinook salmon caught and released back into the Yukon River and harvest of summer chum salmon, by gear type, in the selective harvest summer chum salmon commercial fisheries, Lower Yukon Area commercial fisheries, 2013-2015.**

Year	Chinook Salmon						Summer Chum Salmon				% Chinook
	Commercial Fishers			Gear			Gear				
	Dip Net	Beach Seine		Dip net	Beach seine		Dip net	Beach seine			
(number)	(number)	(%)	(numbers)	(numbers)	(%)	(numbers)	(numbers)	(%)			
2013	244	4	1.6	909	19	2.0	188,888	720	0.4	0.5	
2014	343	16	4.5	5,268	172	3.2	259,771	13078	4.8	2.0	
2015	361	15	4.0	8,657	850	8.9	217,654	9560	4.2	4.0	
Total	948	35	3.6	14,834	1,041	6.6	666,313	23,358	3.4	2.3	
Mean	316	12	3.4	4,945	347	4.7	222,104	7,786	3.1	2.2	



**Table 4. Summary of Lower Yukon Area commercial fisheries by species, by selective gear type (dip nets and beach seines), and by gillnets, Lower Yukon Area summer chum salmon commercial fisheries, 2013-2015.**

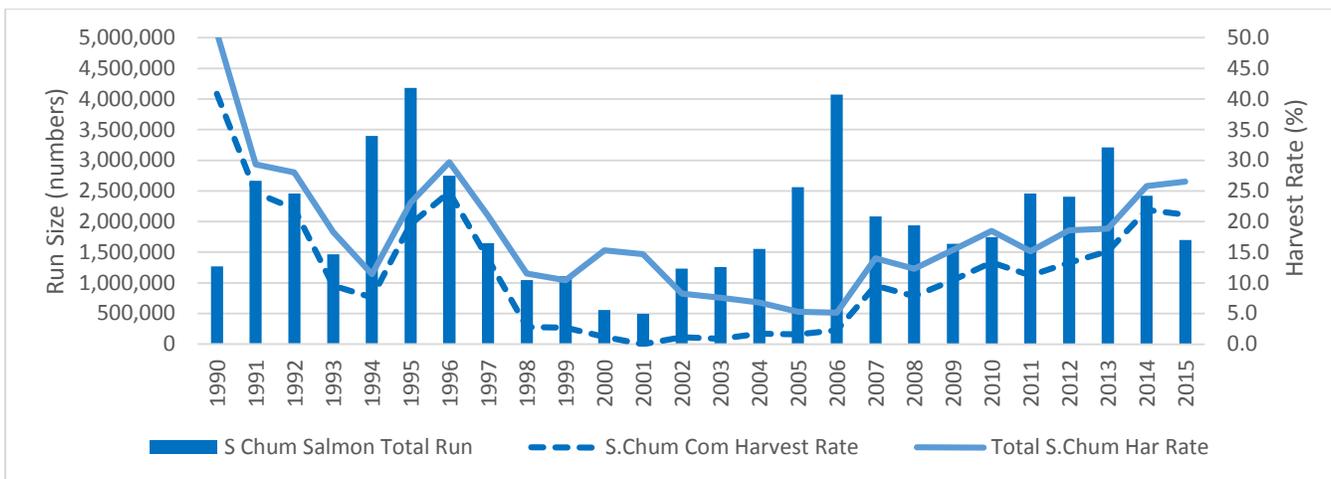
Year	Chinook Salmon							Summer Chum Salmon <sup>d</sup>							% Chinook
	Selective Gear <sup>a</sup>				Gillnet <sup>b</sup>	Total <sup>c</sup>	Selective Gear				Gillnet	Total			
	Dip net <sup>a</sup>		Beach Seine <sup>a</sup>				Dip net <sup>a</sup>		Beach Seine <sup>a</sup>						
(numbers)	(%)	(numbers)	(%)	(numbers)	(%)	(numbers)	(numbers)	(%)	(numbers)	(%)	(numbers)	(%)	(numbers)		
2013	909	64.4	19	1.3	483	34.2	1,411	188,888	49.8	720	0.2	189,535	50.0	379,143	0.4
2014	5,268	89.1	172	2.9	470	8.0	5,910	259,771	60.8	13,078	3.1	154,498	36.2	427,347	1.4
2015	8,657	67.2	850	6.6	3,384	26.3	12,891	217,654	61.5	9,560	2.7	126,872	35.8	354,086	3.5
Total	14,834	73.4	1,041	5.2	4,337	21.5	20,212	666,313	57.4	23,358	2.0	470,905	40.6	1,160,576	1.7
Mean	4,945	73.6	347	3.6	1,446	22.8	6,737	222,104	57.4	7,786	2.0	156,968	40.7	386,859	1.7

<sup>a</sup> Chinook salmon were captured in selective gear, dip nets and beach seines, and immediately released to the river. No retention allowed

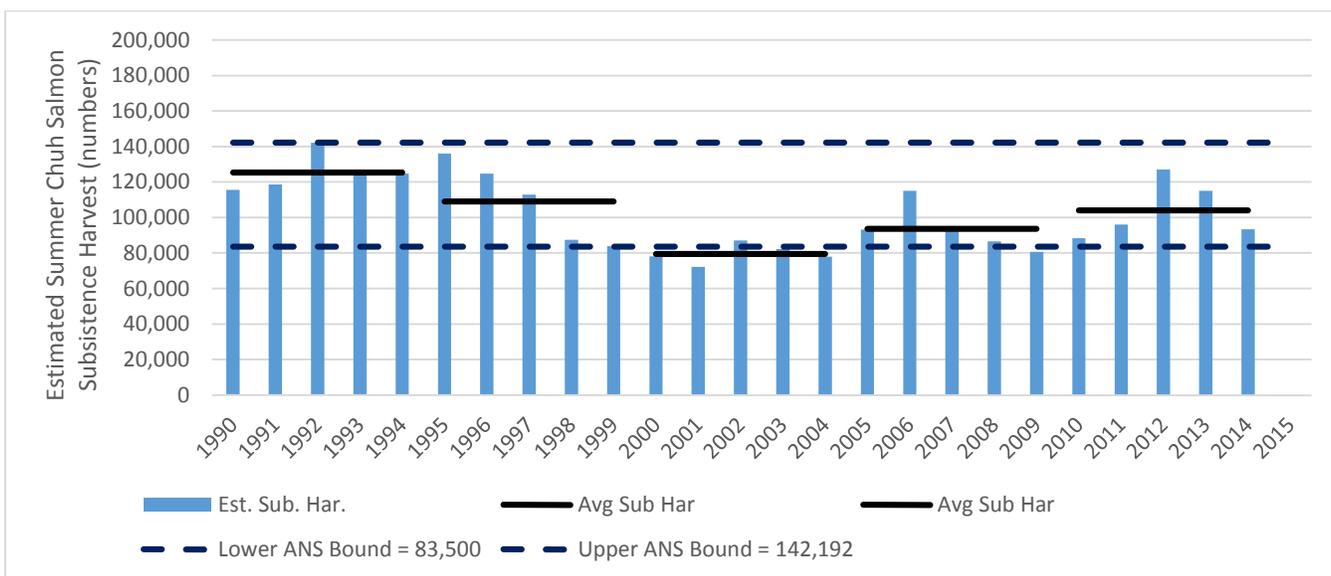
<sup>b</sup> Chinook salmon were captured in gillnets. Fishers could retain captured Chinook salmon. Most, if not all, were retained for subsistence purposes

<sup>c</sup> Includes Chinook salmon captured in selective gear and released and Chinook salmon captured in gillnets and retained or released.

<sup>d</sup> Summer Chum salmon were harvested and sold from all gear types.



**Figure 2. Yukon River summer chum salmon total run and commercial and total harvest rate, 1998-2014.**



**Figure 3. Yukon River summer chum salmon subsistence harvest estimates compared to the current Amounts Necessary for Subsistence (ANS) for Yukon River summer chum salmon, 1980-2014**

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**PROPOSAL 109 – 5 AAC 05.362.** Yukon River Summer Chum Salmon Management Plan

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

**YDFDA POSITION: SUPPORT AS AMENDED**

**ADF&G POSITION: SUPPORT THE CONCEPT**

<http://www.legis.state.ak.us/basis/aac.asp#5.05.362>

WHAT WOULD THIS PROPOSAL DO? This proposal seeks to modify Yukon River Summer Chum Salmon Management Plan triggers

Streamlines the management plan by reducing the number of management scenarios to 3: <600,000, 600,000 to 750,000, and >750,000.

Provides flexibility to the department to manage the subsistence fishery for escapements less than the low end of the BEG

Since ADF&G submitted this proposal, they changed the recommended BEG from 600,000 to 1,000,000 to 500,000 to 1,200,000.

**ALL COMMENTS PROVIDED IN PROPOSAL 108 ALSO APPLY FOR THIS PROPOSAL.**

We would like to see the 600,000 replaced with 500,000 and the 750,000 replaced with 650,000 in their proposal as indicated below.

Provides direction as to when to allow commercial, sport, and personal use fisheries, as follows:

5 AAC 05.362(a)–

(f)

are amended as follows:

(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. **Management of the summer chum salmon fisheries may be affected during times of king salmon conservation.**

(b) When the projected run size of summer chum salmon is **400,000** fish or less, [THE COMMISSIONER SHALL, BY EMERGENCY ORDER CLOSE THE]

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

(2) **the department may close the** 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 **400,000** fish, but not more than **650,000** [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 **may restrict** [SHALL MANAGE] the subsistence [DIRECTED] summer chum salmon fishery [TO ACHIEVE DRAINAGEWIDE 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;

**(3) 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.**

(d) **Repealed** \_\_\_ / \_\_\_ / \_\_\_

[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) **Repealed** \_\_\_ / \_\_\_ / \_\_\_

[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 **650,000** [1,000,000] fish, the commissioner may open, by emergency order, a drainagewide commercial fishery **managed to achieve escapements within the established drainagewide escapement goal range of 500,000 – 1,200,000 summer chum salmon. The targeted harvest of the surplus will be** [WITH THE HARVESTABLE SURPLUS] distributed by district or subdistrict in proportion to the guideline harvest levels established in (g) of this section.

**What is the issue you would like the board to address and why?**

- The Yukon River summer chum salmon management plan originated in 1990 with abundance and escapement triggers based upon historical estimates of abundance and potential escapement needs.
- The department is developing a Yukon River drainagewide escapement goal of 500,000 – 1,200,000 summer chum salmon.
- escapements as low as 400,000 summer chum salmon have yielded a sustainable population.



- The amount necessary for subsistence (ANS) for summer chum salmon on the Yukon River is 83,500 – 142,192 fish.
- Recent subsistence harvests from 2010–2014 have ranged from 88,000 – 127,000 summer chum salmon and have averaged 104,000 salmon (Figure 3)
- there could be some flexibility for allowing subsistence opportunity at a run size at below 500,000.
- There is increasing demand for summer chum salmon to supplement declining king salmon subsistence harvests on the Yukon River.
- This proposal seeks to provide the department flexibility to provide a subsistence harvest when the summer chum salmon run size is below or near 500,000 fish. Other uses, primarily the commercial fishery, would be allowed commensurate with the new escapement goal and providing for the subsistence priority.

## YDFDA COMMENTS

Reference all comments made in Proposal 108

This proposal stream lines the Summer Chum Salmon Management Plan, allows subsistence fisheries to be closed or restricted at run sizes less than 600,000 salmon, eliminates a number of triggers that are unnecessary, and suggests triggers that are more in line with the new BEG and the ANS.

However, ADF&G is going to recommend that the BEG be 500,000 to 1,200,000 chum salmon.

Therefore

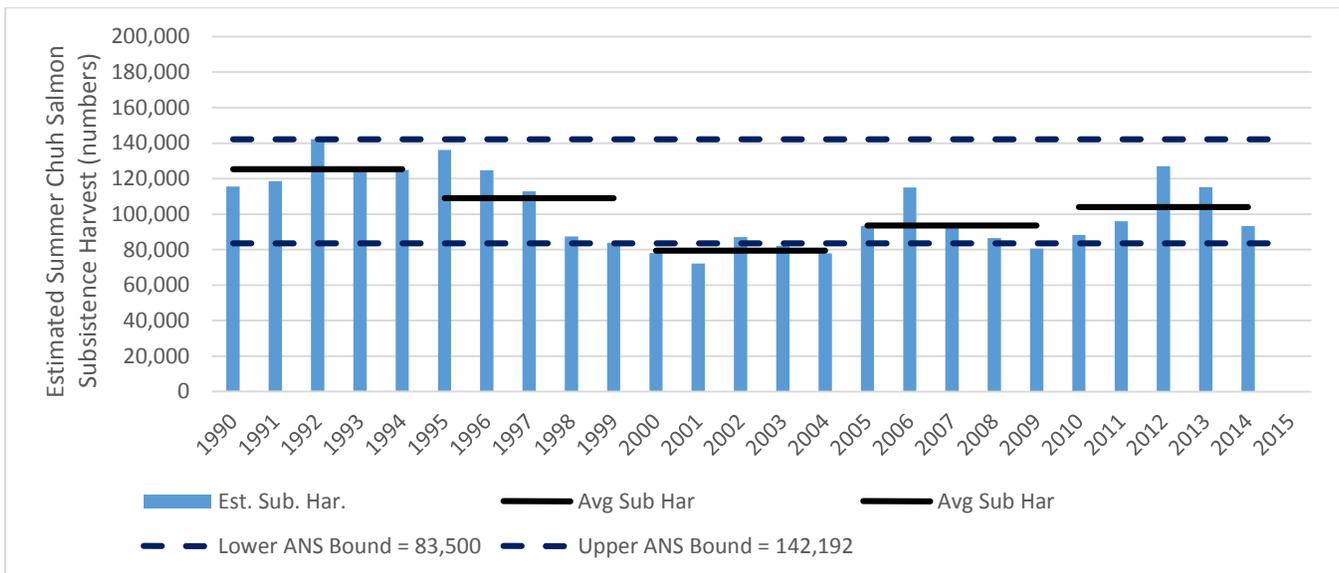
- (a) the 600,000 in the proposal should be changed to 500,000;
- (b) the 750,000 should be changed to 650,000; and
- (c) the 1,000,000 should be changed to 1,200,000

- 5 AAC 05.362
- (a) **support** added language: “**Management of the summer chum salmon fisheries may be affected during times of king salmon conservation.**” This is necessary when King Salmon runs are in need of conservation measures, as currently occurring.
- (b) (1) **support** deleted language and **support** added language. The new language applies to sport, personal use and commercial fisheries. It does not include subsistence fisheries
- (b)(2) **support** added language. “**the department may restrict or close the**”. This new language only applies to the subsistence fishery when runs are less than or equal to **500,000** [600,000] fish. Gives ADF&G flexibility to continue the subsistence fisheries below run sizes that are less than the minimum BEG range.
- (c) **support** added language. “**650,000**” [“750,000”]. **Support** deleted language. The purpose of this section (c) is to allow only subsistence fisheries to be prosecuted between run sizes of **400,000 to 650,000** [600,000 to 750,000] salmon. Since the top end of the ANS is 142,192 and recent Summer Chum Salmon subsistence harvests have been as much as 127,000 salmon, it makes sense to have the trigger for conducting all other fisheries at **650,000** [750,000]. Later language eliminates the 50% exploitation rate between run size levels that are just barely large enough to support non-subsistence uses.
- ( c ) (2) **support** deleted language; **support** added language. The substitution of “**may restrict**” for [SHALL MANAGE] and [TO ACHIEVE DRAINAGEWIDE ESCAPEMENT OF NO LESS THAN 600,000 SUMMER CHUM SALMON], provides flexibility to the department to allow for subsistence fisheries at or below run sizes within this range without concern for going



below the low end of the escapement goal. This has occurred in 2000 and 2001 when subsistence fisheries should have been closed, according to the management plan, but were allowed to continue by ADF&G.

- ( c )(3) **support** new language. The new language contained in this section pertains to non-subsistence fisheries within the run size range of **500,000 to 650,000** [600,000 to 750,000] in selected areas where escapements are projected to be met. Areas include the Anvik River Special Management Area and the Tanana River. It would not apply to the Lower River, except if there was a special management area created within the Andreafsky River. The only two tributary escapement goals are E.F. Andreafsky River weir and the Anvik River Sonar. The summer chum salmon escapement into the Tanana River would have to be based on average escapement to the Chena and Salcha River if ADF&G were to consider opening the Tanana River to non-subsistence uses.
- (d) and (e) support repeal of the entire section. New language added in (c) and (f) for a projected run size greater than **650,000** [750,000], this management plan directs the department to manage the commercial (but not sport and personal use) fisheries to achieve escapements within the established BEG, **500,000 to 1,200,000** [600,000 to 1,000,000] Summer Chum salmon.



**Figure 3. Yukon River summer chum salmon subsistence harvest estimates compared to the current Amounts Necessary for Subsistence (ANS) for Yukon River summer chum salmon, 1980-2014**

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**PROPOSAL 110 – 5 AAC 01.249.** Yukon River Drainage Fall Chum Salmon Management Plan.

**PROPOSED BY: Eastern Interior Alaska Subsistence Regional Advisory Council (EIRAC)**

**YDFDA POSITION: OPPOSE**

**ADF&G POSITION: NEUTRAL ON ALLOCATIVE ASPECTS; OPPOSE BASED ON BIOLOGICAL AND MANAGEMENT CONCERNS**

<http://www.legis.state.ak.us/basis/aac.asp#5.01.249>

**WHAT WOULD THIS PROPOSAL DO?** This proposal would increase the commercial fishery threshold trigger in the Yukon River Drainage Fall Chum from 500,000 to 600,000 fall chum salmon.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** This would increase the number of fall chum salmon contributing to the drainagewide escapement. Increasing the threshold would likely result in an increase of foregone commercial harvest of fall chum salmon with the potential for loss of future markets while surpluses go into the drainagewide escapement.

**YDFDA COMMENTS:**

- The Yukon River Fall Chum salmon management plan was altered in 2009 by the BOF substituting the trigger point mentioned above from 600,000 to 500,000.
- Even with the nearly complete suspension of the King Salmon subsistence fishery, recent maximum subsistence harvests have totaled a little more than 113,000 salmon (Figure 4), which is within the lower half of the ANS range (Figure 4).
- The vast majority, 90%, of the drainagewide escapements since 1987 have either fallen within the SEG range, 44.5%, or have exceeded the high end of the SEG range, 44.5% (Figure 5). Nearly all the drainage fall chum salmon escapements since 1987 have either been within the escapement goal range or have been above the high end of the drainagewide SEG of 600,000 (Figure 5). Only 3 drainagewide escapements, 11%, have fallen below the low end of the SEG, 1998, 1999, and 2000. Note that, the last four escapements on record, 2011 – 2014 have exceeded the high end of the SEG range (Figure 5).
- ADF&G management is aware that because of the poor King salmon runs, there most likely be an increase in the fall chum salmon subsistence harvest. However, the increase in the recent subsistence harvest is accommodated through the buffer contained within the Fall chum salmon management plan.
- Recent subsistence harvests are well within the lower half of the ANS range (Figure 4)
- Escapements are exceeding the high end of the SEG (Figure 5)
- There is no reason to change the fall chum management plan to accommodate for an increased buffer for subsistence users or escapement needs.
- We believe that ADF&G will be able to manage the fall chum runs to achieve escapement goals, and if sufficient in size, achieve subsistence needs. It is obvious that the commercial exploitation of fall chum salmon does not negatively affect the subsistence harvests and escapement requirements (Figures 4 and 5).
- The inseason fall chum salmon run, based on Pilot Station sonar counts, is consistently below the reconstructed run size calculated from the escapement and removals (Figure 6). This



consistent underestimate of the run size when using the inseason assessment based on Pilot Station sonar counts add an additional buffer to ensure that subsistence and escapement needs are met before allowing commercial harvests. However, ADF&G manages the fall chum salmon fisheries based on the inseason assessment.

- The additional reliance on fall chum salmon is noted. However, the maximum number of fall chum salmon taken for subsistence in the Yukon Area has been recently been in the lower half of the ANS range and just barely above the quarter point of the range. The current management plan provides for the upper bound of the ANS to be taken plus an additional buffer of over 33,000 salmon. Moving the commercial trigger to 600,000, as this proposal seeks, would provide an additional 100,000 salmon buffer. This added to the recent maximum subsistence harvest would provide an approximate 187,000 salmon buffer.
- This additional buffer is not necessary considering the conservative management of ADF&G and the fact that inseason assessment of the run size is less than the post season reconstructed analysis. Subsistence harvests have been just barely above the quarter point of the ANS range and escapements have been regularly in excess of the upper end of the spawning escapement goals.
- A very good relationship between the size of the summer chum and fall chum salmon run sizes (Figure 7) has been used to update the preseason projection at the start of the fall season. The projection is constantly being updated throughout the season based on observed run size. Consumptive fisheries are only allowed if a harvestable surplus is identified. The size of this harvestable surplus dictates the management of the subsistence and commercial fisheries. The size of the surplus dictates the intensity of the commercial fishery. It is commensurate with the size of the surplus.

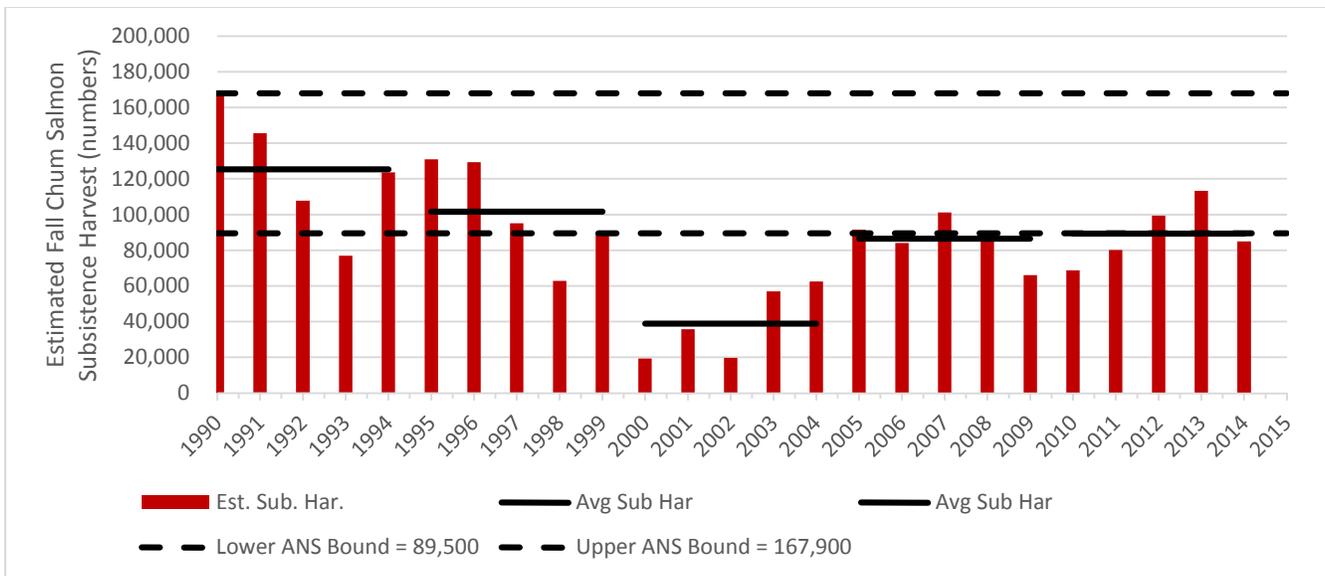
A proposal to alter this same trigger point from 600,000 to 500,000 was submitted and passed by the BOF in 2009. We oppose this proposal

1. The escapement and/or subsistence buffer of approximately 200,000 fall chum salmon unnecessarily restricts the commercial fishery when the commercial trigger point is 600,000. The current trigger point of 500,000 provides a salmon buffer of approximately 87,000 (based on the highest subsistence harvest since 1996) to 110,000 (based on the most recent 5-year average subsistence harvest) to ensure that subsistence harvests as well as escapement requirements are met.
2. 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)).
3. The most recent 5-year (2010-2014) average subsistence harvest of 89,296 salmon falls slightly below the low end of the ANS.
4. The drainage wide fall chum salmon escapement goal is 300,000 – 600,000 salmon. ADF&G manages the fall chum salmon fishery to achieve escapements within the BEG range, commensurate with the run size. That is, when runs are low, ADF&G manages to the lower end of the escapement goal; when runs are large, ADF&G manages towards the upper end of the escapement goal. However, in recent years, the escapement has been in excess of the upper end of the BEG.

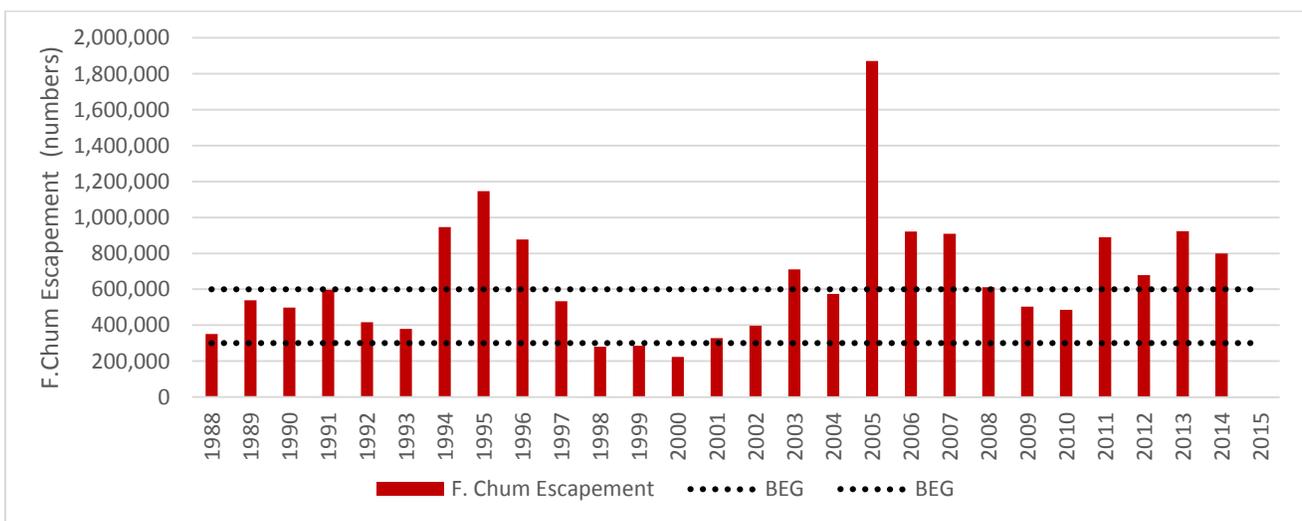


5. The commercial trigger point provides a buffer so that subsistence and escapements are not jeopardized. The current commercial trigger point of 500,000, when the run is 500,000 provides a buffer to the escapement dependent on the subsistence harvest. There would be no commercial harvest.
  - a. If the subsistence harvest is similar to the most recent 5-year average of approximately 89,000 salmon, the spawning escapement would be 111,000 salmon above the low end of the BEG of 300,000 salmon (411,000 salmon).
  - b. If the subsistence harvest is similar the maximum harvest since 1996 of 113,000, the spawning escapement would be 87,000 fish above the low end of the BEG of 300,000 (387,000 salmon)
  - c. If the subsistence harvest is similar to the midpoint of the ANS, 127,000, the spawning escapement would be 73,000 fish above the low end of the BEG of 300,000 (373,000 salmon)
  - d. If the subsistence harvest is similar to the upper end of the ANS range, 168,000, the spawning escapement would be 32,000 fish above the low end of the BEG of 300,000 (332,000 salmon)
6. If no commercial trigger was in regulations, and assuming the highest subsistence harvest scenario, the upper end of the ANS (~168,000 fall chum salmon), a commercial fishery could be prosecuted when the total fall chum salmon run projection exceeds 468,000 salmon.
7. The Department points out that recent swings in run sizes have demonstrated that adherence to strict thresholds and buffered escapement does not benefit future runs as much as production rates, which are thought to be more environmentally influenced. YDFDA agrees with this statement.
8. *Spawner-recruit analysis of fall chum salmon indicates there is a wide range of escapement that will provide similar yield. To maintain commercial markets, it is necessary to have some harvest when biologically allowable.* YDFDA agrees with this statements.

**YDFDA AGREES WITH ADF&G'S POSITION TO OPPOSE PROPOSAL 110 AND ALSO AGREES WITH ADF&G'S NARRATIVE AND COMMENTS.**



**Figure 4. Estimated Yukon River fall chum salmon subsistence harvests compared to the current Amounts Necessary for Subsistence, 1990-2014.**



**Figure 5. Yukon River fall chum escapement estimates compared to the current Biological Escapement Goal range of 300,000 to 600,000 salmon.**

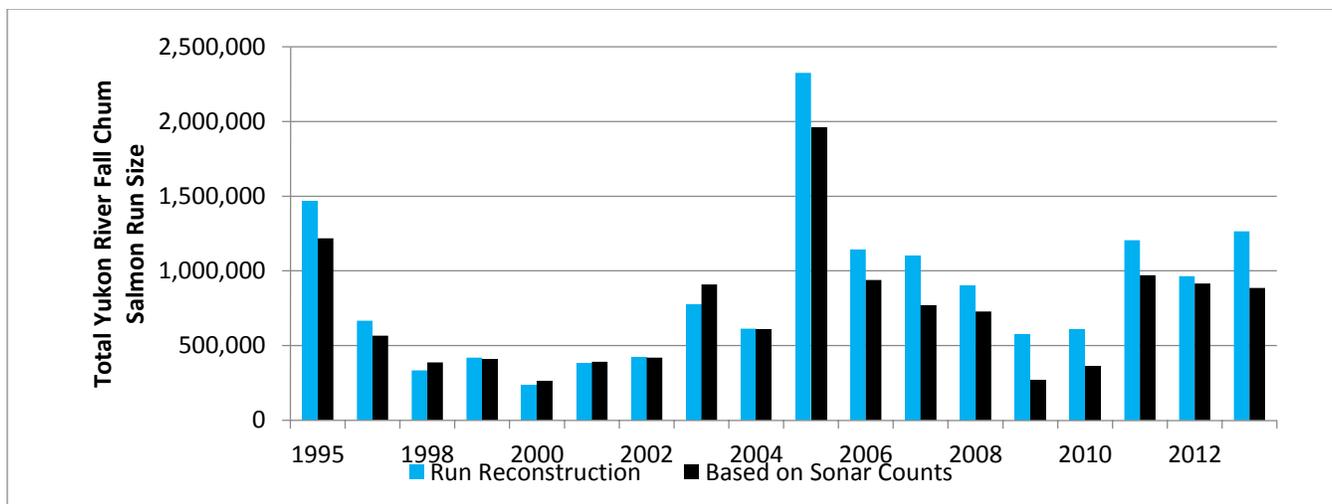


Figure 6. Total Yukon River fall chum salmon runs size comparison based on Pilot Station sonar counts and the reconstructed run size, 1995, 1997-2014.

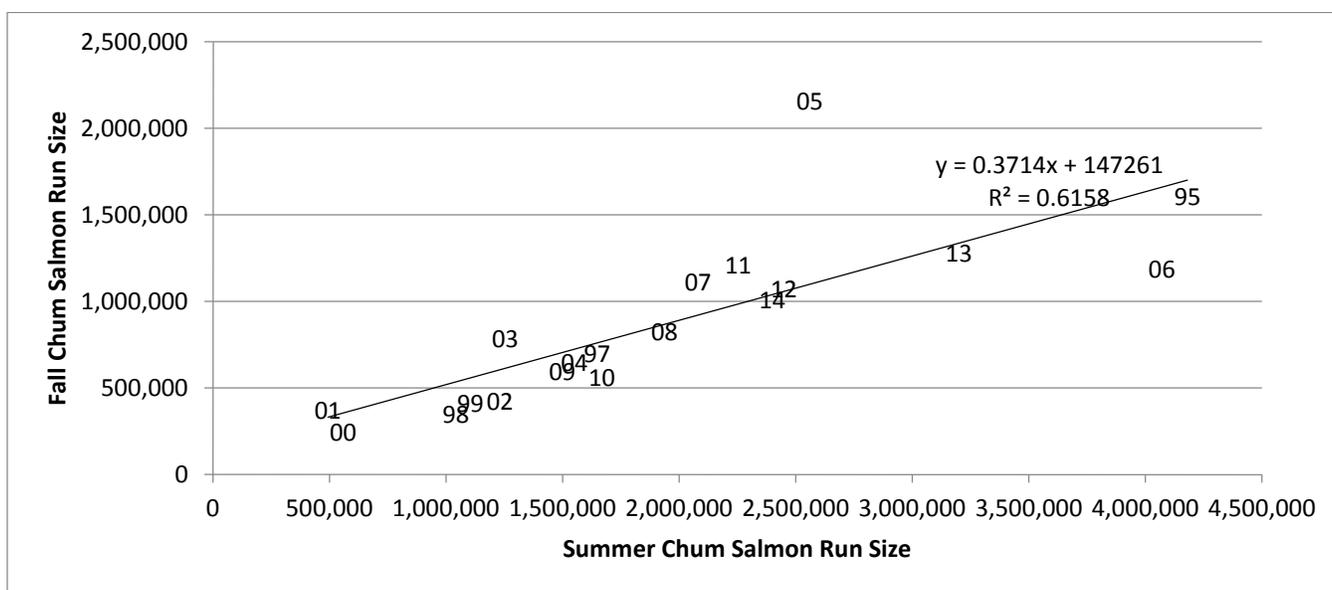


Figure 7. Relationship between the total runs of Yukon River summer and fall chum salmon, 1995, 1997-2014.

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**PROPOSAL 111 – 5 AAC 05.360.** Yukon River King Salmon Management Plan.

**PROPOSED BY: KWIK’PAK FISHERIES**

**YDFDA POSITION: SUPPORT**

**ADF&G POSITION: NEUTRAL**

**<http://www.legis.state.ak.us/basis/aac.asp#5.05.360>**



**WHAT WOULD THE PROPOSAL DO?** Eliminate the use of guideline harvest ranges for the commercial king salmon fishery, as defined by numbers of fish, in the *Yukon River King Salmon Management Plan* and instead use the associated percentages already in regulation.

5 AAC 05.360. Yukon River King Salmon Management Plan

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

(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) SUB

DISTRICT 5-D: 300 - 500 KING SALMON; AND

(E) DISTRICT 6: 600 - 800 KING SALMON ;

(3) WHEN THE PROJECTED KING SALMON HARVEST RANGE FOR DISTRICT 1 - 6 COMBINED IS BELOW THE LOW END OF THE HARVEST LEVEL FROM ZERO TO 67,350 FISH, THE DEPARTMENT SHALL ALLOCATE]

by allocating 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.

**What is the issue you would like the board to address and why?**

- Yukon River commercial king salmon Guideline Harvest Ranges (GHR), in numbers of fish, are meaningless. They should be deleted because they do not represent expected commercial harvest of Yukon king salmon. Originally, they were established so that fishers could have some expectation of the harvest within a district or subdistrict.
- Commercial harvests of king salmon have not been within the guideline harvest level since 1999.
- The last directed king salmon commercial fishery occurred in 2007.
- The state prohibited the sale of incidentally caught king salmon from the directed summer chum salmon fishery in 2009, and from 2010 through 2014.
- Sale of incidentally caught king salmon caught in the fall season fisheries was prohibited since 2012.
- Drainage-wide commercial harvests of equal to or more than 67,350 king salmon are highly unlikely for the foreseeable future.
- Therefore, it does not make any sense to have this GHR, expressed in numbers of fish, as an expectation in regulation.



**YDFDA COMMENTS:**

We suggest using the percentages in regulation to distribute any commercially-harvestable surplus by district and or subdistrict.

**YDFDA SUPPORTS PROPOSAL 111; YDFDA AGREES WITH THE NARRATIVE PROVIDED BY ADF&G IN THEIR COMMENTS.**

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**YUKON AREA SUBSISTENCE (10 proposals; Proposals 112-121)**

**PROPOSAL 112 – 5 AAC 01.220.** Lawful gear and gear specifications.

**PROPOSED BY:** Tanana Rampart Manley Fish and Game Advisory Committee

**YDFDA POSITION: SUPPORT AS AMENDED (allow selective harvest gear); OPPOSE (drift gillnets)**

**ADF&G POSITION: OPPOSE**

**<http://www.legis.state.ak.us/basis/aac.asp#5.01.220>**

**WHAT WOULD THE PROPOSAL DO?** This would allow fishing gear used in one section of the Yukon River for a commercial fishery to be allowed in any area of the Yukon River for subsistence fishing unless run sustainability is an issue

**YDFDA COMMENTS:**

YDFDA supports the use on selective harvest gear for subsistence fisheries. However, dipnets and beach seines are already legal gear for subsistence fisheries throughout the Yukon Area.

The use of drift gillnets in the Upper Yukon will alter the harvest composition by allowing more harvest of upper river stocks, particularly the Canadian component. Even when the king salmon runs were strong, they were considered fully allocated. A switch in harvests from beach-oriented gear to drift gill nets will alter the composition of the catch and negatively affect farther upriver stocks.

**RECOMMENDATION: SUPPORT AS AMENDED:**

Specifically allow the use of selective harvest gear, specifically beach seines and dip nets for subsistence fisheries throughout the Alaskan portion of the Yukon River drainage. However, dipnets and beach seines are already allowed under regulations.

**OPPOSE THE USE OF DRIFT GILLNETS IN UPPER RIVER.**

**YDFDA OPPOSES THE USE OF DRIFT GILLNETS WHERE SPECIFICALLY PROHIBITED WITHIN THE YUKON AREA. YDFDA AGREES WITH ADF&G POSITION, NARRATIVE AND COMMENTS.**



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**PROPOSAL 113 – 5 AAC 01.220.** Lawful gear and gear specifications; and 5 AAC 05.330. Gear.

**PROPOSED BY: Tanana Rampart Manley Fish and Game Advisory Committee**

**YDFDA POSITION: OPPOSE**

**ADF&G POSITON: OPPOSE**

<http://www.legis.state.ak.us/basis/aac.asp#5.01.220>

<http://www.legis.state.ak.us/basis/aac.asp#5.05.330>

**WHAT WOULD THE PROPOSAL DO?** This would prohibit the use of drift gillnets in Yukon River subsistence and commercial fisheries for king salmon.

**YDFDA COMMENTS:**

A similar proposal was submitted for the 2013 cycle, Proposal 88. It failed to pass at that time.

This proposal would affect a great number of subsistence and commercial salmon fishermen in Districts 1-3 and Subdistrict 4-A, as well as subsistence fishermen fishing for fish other than salmon and halibut in the remainder of the Yukon River drainage where drift gillnet is legal subsistence gear (5 AAC 01.220(f)).

1. We **OPPOSE** the allocative aspects of this proposal. This proposal will allocate more fish to upper river districts.
2. Many lower and middle river subsistence fishermen would be greatly affected by adoption of these proposals.
3. Subsistence and commercial fishermen would be required to expend more effort to harvest salmon.
4. A decrease in harvest by subsistence and commercial drift gillnet fishermen will reallocate harvest opportunity to other areas, gear types and user groups.
5. In 2013, ADF&G presented some strong arguments for **opposing** all aspects of these proposals although they don't come out and say so.
6. In 2013, ADF&G argues that *“there appears to be no biological basis for prohibiting use of drift gillnet gear for all fisheries year round.”*
7. Drift gillnet gear, in and of itself, does not catch larger or smaller fish of a species or stock of salmon. Gillnet mesh size is related to selectivity of fishing gear.
8. There would be chaos with over 500 fishermen competing for new set net sites in the ever-changing Yukon River.
9. Reducing the efficiency of only one gear type to target king salmon may reallocate harvest opportunity to other areas, gear types and user groups
10. Without drift gillnet gear, large surpluses of salmon, such as during the record fall chum and summer chum salmon runs in 2005 and 2006, and recent above average run sizes would go unharvested.

**YDFDA AGREES WITH ADF&G POSITION TO OPPOSE PROPOSAL 113. YDFDA ALSO AGREES WITH ADF&G NARRATIVE AND COMMENTS.**

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**PROPOSAL 114 – 5 AAC 01.230.** Subsistence fishing permits.

**PROPOSED BY: Gene J. Sandone**

**YDFDA POSITON: NEUTRAL (defer to affected subsistence fishers)**

**ADF&G POSITON: NEUTRAL**

**<http://www.legis.state.ak.us/basis/aac.asp#5.01.230>**

**WHAT WOULD THE PROPOSAL DO?** This would require subsistence salmon fishing permits in all of District 5 in the Yukon Area and allow for specifying limits for king salmon during times of king salmon conservation.

**5 AAC 01.230. Subsistence fishing permits. (b)**

(1) for the **taking of salmon in District 5** [YUKON RIVER DRAINAGE UPSTREAM FROM THE WESTERNMOST TIP OF GARNET ISLAND TO THE MOUTH OF THE DALL RIVER];

...

**(3) Repealed**

**(f) In District 5, only during times of king salmon conservation, the department may set permit limits for king salmon by household or communities based upon the estimated surplus of king salmon.**

- Allow opportunity for subsistence king salmon harvest in District 5 during low king salmon runs through use of household or community subsistence fishing permits.
- In Districts 1–4 and 6, the department may allow 6-inch mesh gillnets to direct harvest at summer chum salmon with some incidental harvest of king salmon during times of king salmon conservation. Fish wheels may also be allowed to harvest summer chum and other species with king salmon required to be released unharmed.
- In District 5 there are few summer chum salmon available and the majority of king salmon in this district are Canadian bound.
- While many Yukon River fishermen can harvest summer chum salmon for food, District 5 fishermen may have less opportunity for obtaining fish for subsistence uses.
- A permit system would allow for a controlled harvest of king salmon in District 5 to allow for a more equitable distribution of king salmon harvest in this portion of the drainage during low runs.
- A permit system could allow fishermen to fish earlier in the run rather than fishing late in the run when fish quality is not as good and female king salmon may be more prevalent.
- A community permit might allow more involvement by local fishermen in determining when they can fish and how to distribute a limited harvest while still meeting escapement needs to Canada.
- Since subsistence fishing permits are already required in portions of District 5, it might be reasonable to extend this regulation to the remainder of the district. The permit system would provide subsistence salmon harvest reporting for this portion of the river.

**YDFDA COMMENTS: YDFDA IS NEUTRAL ON PROPOSAL 114. YDFDA SUGGESTS THAT THE BOARD TAKE INTO CONSIDERATION THE COMMENTS FROM THE FISHERS AFFECTED BY THIS PROPOSAL**



**YDFDA AGREES WITH ADF&G POSITION OF NEUTRAL ON PROPOSAL 114. YDFDA ALSO AGREES WITH ADF&G NARRATIVE AND COMMENTS.**

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**PROPOSAL 115 – 5 AAC 01.220. Lawful gear and gear specifications.**

**PROPOSED BY: Fairbanks Fish and Game Advisory Committee**

**YDFDA POSITON: SUPPORT AS AMENDED**

**ADF&G POSITON: NEUTRAL**

**<http://www.legis.state.ak.us/basis/aac.asp#5.01.220>**

**WHAT WOULD THE PROPOSAL DO?** This would allow subsistence fishermen using fish-friendly fish wheels to retain king salmon that are less than 25 inches in length in Yukon Area subsistence fisheries.

Allow for the retention of king salmon less than 25 inches in length in Yukon Area fish wheel subsistence fisheries, as follows:

- Yukon River subsistence fish wheels
- Subsistence fish wheels that qualify for fish friendly operations would be allowed to retain chinook salmon less than 25 inches in length.

**What is the issue you would like the board to address and why?**

- Retention of king salmon in the Yukon River.
- There are age classifications of kings within those returning each year that are not needed for sustained yield. Studies in recent years have shown that over 90% of the four-year-old returning fish are males.
- The FAC proposal is for a gear restriction within the definition of fish friendly fish wheels that would allow subsistence fishermen to retain a select size of king salmon.

**YDFDA COMMENT:**

We agree that that vast majority of age-4 king salmon within the Yukon River drainage are composed of male fish. We also agree that these small male salmon do not add to the reproductive potential of the spawning stock. We also agree that a portion of these age-4 salmon could be harvested without any biological concern. However, king salmon escapement goals within the Yukon River drainage, including the Interim Management Escapement Goal (IMEG) for the king salmon stocks that are destined to spawn in the Mainstem Yukon River in Canada, are expressed in number of fish. Therefore, every fish has the same weight in assessing the escapement, whether the salmon is a 50 lb. female or a 3-pound jack. Accordingly, these age-4 king salmon contribute, just as any other king salmon, to the total observed king salmon escapement numbers. Therefore, while we believe that there is no biological concern regarding the selective harvest of a portion of age-4 king salmon, there may be negative implications to the observed king salmon escapement numbers. Unless the department and the Yukon Panel begin to express king salmon spawning escapement in terms of number of large fish or number of females, the removal of some age-4 king salmon may result in not meeting, or being farther below, escapement objectives, especially during times of low runs.



We also believe that unless stipulated in regulation, this proposal, if passed, should apply to all legally operated fish wheels. A definition of a fish-friendly fish wheel would be nearly impossible to define in regulation.

We recommend that the suggested 25-inch size limit defining the age-4 component be verified by ADF&G. There is a strong possibility that if the size limit is too great, then some age-5 females would be harvested if this proposal passes.

**YDFDA RECOMMENDATION: SUPPORT AS AMENDED.**

The 25-inch size limit should be verified by ADF&G as encompassing very few, if any, age-5 salmon. The regulation, if this proposal passes, should apply to all legally operated fish wheels and not be restricted to fish-friendly fish wheels.

In staff comments, ADF&G state: *While larger king salmon tend to be older females, there are no empirical data to support that a particular size, age, or sex composition of king salmon escaping to spawning grounds improves productivity.* Although this statement is true, the removal of some portion of the age-4 male component of the run does not reduce productivity. Natural sex ratio of king salmon runs and returns always provide enough males to ensure fertilization of the females' eggs. The removal of a portion of the age-4 component of the run will have no appreciable effect on the productivity of the stock.

**YDFDA SUPPORTS AS AMENDED PROPOSAL 115.**

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**PROPOSAL 116 – 5 AAC 01.220.** Lawful gear and gear specifications; and 5 AAC 05.368. Anvik River Chum Salmon Fishery Management Plan.

**PROPOSED BY: Tanana Rampart Manley Fish and Game Advisory Committee**

**YDFDA POSITION: NEUTRAL (defer to Upper Yukon fishers)**

**ADF&G POSITION: SUPPORT**

<http://www.legis.state.ak.us/basis/aac.asp#5.01.220>

**WHAT WOULD THE PROPOSAL DO?** This would eliminate holding of a salmon caught in fish wheels in live boxes prior to live release.

**YDFDA COMMENTS:** While YDFDA believes that the chances of fish surviving decreases with the length of time the fish is contained in a live box or within any limited size enclosures, we also believe that this is an Upper Yukon Area issue and should be solved with participation from all Upper Yukon Area fishers.

**YDFDA IS NEUTRAL ON PROPOSAL 116. YDFDA AGREES WITH ADF&G NARRATIVE.**

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**PROPOSAL 117 – 5 AAC 01.220.** Lawful gear and gear specifications; 5 AAC 05.362. Yukon River Summer Chum Salmon Management Plan; and 5 AAC 05.368. Anvik River Chum Salmon Fishery Management Plan.

**PROPOSED BY: Tanana Rampart Manley Fish and Game Advisory Committee**

**YDFDA POSITION: OPPOSE**

**ADF&G POSITION: NEUTRAL**

<http://www.legis.state.ak.us/basis/aac.asp#5.01.220>

<http://www.legis.state.ak.us/basis/aac.asp#5.05.362>

<http://www.legis.state.ak.us/basis/aac.asp#5.05.368>

**WHAT WOULD THE PROPOSAL DO?** This would prohibit the use of beach seines in the Yukon Area subsistence fishery and in Yukon River summer chum salmon commercial fishery.

**YDFDA COMMENTS:**

Beach seines have been and are currently recognized as a method of harvesting a target species and releasing non-target species without causing harm to non-target species. Beach seines were part of the Anvik River Chum Salmon fishery designed to harvest summer chum salmon while allowing the live-release of king salmon back into the river in the 1990s.

Selective harvest techniques in the Lower Yukon commercial and subsistence fisheries are currently employing dip nets and beach seines as methods to selectively harvest summer chum salmon while allowing the live release of king salmon, during times of king conservation. However, because of spring water conditions during the summer season, beach seine sites are rare and few fishers employ this selective harvest method.

In the three years, 2013-2015, that selective harvest methods have been allowed to harvest the abundant summer chum salmon, the number of fishers using beach seines, along with the number of king salmon caught and released, has been very small. Fishers using beach seine gear, caught and released back into the river 19, 172 and 850 Chinook salmon in 2013, 2014 and 2015, respectively (Table 3). These relatively small catches account for between 2.0% and 8.9%, averaging 4.7%, of the total number of king salmon caught and released with both selective gear types, beach seines and dip nets (Table 3). Further, the percent composition of the Chinook salmon in the total salmon catch in the selective harvest fisheries (Chinook plus summer chum salmon) is also very low. The overall mean percent composition of Chinook salmon in the selective fisheries combined Chinook salmon catch and summer chum salmon harvest is 2.2%, ranging from 0.5% in 2013 to 4.0% in 2015 (Table 3). In all the summer season fisheries, which includes the later gillnet fishery when nearly all the Chinook salmon have migrated out of the area, the percent composition of the Chinook catch and harvest is even lower, ranging from 0.4% in 2013 to 3.5% in 2015 (Table 4).

Assuming that Canadian component of the Yukon River Chinook salmon run comprises about half the run, the total run size for 2013, 2014, and 2015 would be approximately 74,000, 130,000 and at least 170,000 Chinook salmon, respectively. Therefore, the interception rate for Chinook salmon in the Lower Yukon River selective fisheries ranges from less than 1.3% in 2013 to less than 5.6% in 2015. The interception rate for Chinook salmon caught in the beach seines ranges from 0.0% in 2013 to 0.5% in 2015. These very low interception rates for Chinook salmon in beach seines is insignificant and not detectable even if all the Chinook salmon caught and released died from the stress of being captured and released. Regardless, we believe that most, if not all, Chinook salmon released from beach seines, as



well as dip nets, are unharmed by the catch and the subsequent return of these Chinook salmon to the river. Therefore, we oppose this proposal to eliminate beach seine gear throughout the Alaskan portion of the Yukon River drainage.

**YDFDA OPPOSES PROPOSAL 117. YDFDA CITES AND AGREES WITH ADF&G NARRATIVE BUT DOES NOT AGREE WITH ADF&G POSITION.**



**Table 5. Number and percent of commercial fishers, Chinook salmon caught and released back into the Yukon River and harvest of summer chum salmon, by gear type, in the selective harvest summer chum salmon commercial fisheries, Lower Yukon Area commercial fisheries, 2013-2015.**

Year	Chinook Salmon						Summer Chum Salmon				
	Commercial Fishers			Gear			Gear				
	Dip Net	Beach Seine		Dip net	Beach seine		Dip net	Beach seine			% Chinook
	(number)	(number)	(%)	(numbers)	(numbers)	(%)	(numbers)	(numbers)	(%)		
2013	244	4	1.6	909	19	2.0	188,888	720	0.4	0.5	
2014	343	16	4.5	5,268	172	3.2	259,771	13,078	4.8	2.0	
2015	361	15	4.0	8,657	850	8.9	217,654	9,560	4.2	4.0	
Total	948	35	3.6	14,834	1,041	6.6	666,313	23,358	3.4	2.3	
Mean	316	12	3.4	4,945	347	4.7	222,104	7,786	3.1	2.2	



**Table 6. Summary of Lower Yukon Area commercial fisheries by species, by selective gear type (dip nets and beach seines), and by gillnets, Lower Yukon Area summer chum salmon commercial fisheries, 2013-2015.**

Year	Chinook Salmon							Summer Chum Salmon <sup>d</sup>							% Chinook
	Selective Gear <sup>a</sup>				Gillnet <sup>b</sup>	Total <sup>c</sup>	Selective Gear				Gillnet	Total			
	Dip net <sup>a</sup>		Beach Seine <sup>a</sup>				Dip net <sup>a</sup>		Beach Seine <sup>a</sup>						
(numbers)	(%)	(numbers)	(%)	(numbers)	(%)	(numbers)	(numbers)	(%)	(numbers)	(%)	(numbers)	(%)	(numbers)		
2013	909	64.4	19	1.3	483	34.2	1,411	188,888	49.8	720	0.2	189,535	50.0	379,143	0.4
2014	5,268	89.1	172	2.9	470	8.0	5,910	259,771	60.8	13,078	3.1	154,498	36.2	427,347	1.4
2015	8,657	67.2	850	6.6	3,384	26.3	12,891	217,654	61.5	9,560	2.7	126,872	35.8	354,086	3.5
Total	14,834	73.4	1,041	5.2	4,337	21.5	20,212	666,313	57.4	23,358	2.0	470,905	40.6	1,160,576	1.7
Mean	4,945	73.6	347	3.6	1,446	22.8	6,737	222,104	57.4	7,786	2.0	156,968	40.7	386,859	1.7

<sup>a</sup> Chinook salmon were captured in selective gear, dip nets and beach seines, and immediately released to the river. No retention allowed

<sup>b</sup> Chinook salmon were captured in gillnets. Fishers could retain captured Chinook salmon. Most, if not all, were retained for subsistence purposes

<sup>c</sup> Includes Chinook salmon captured in selective gear and released and Chinook salmon captured in gillnets and retained or released.

<sup>d</sup> Summer Chum salmon were harvested and sold from all gear types.

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**PROPOSAL 118 – 5 AAC 01.220.** Lawful gear and gear specifications.

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

**YDFDA POSITION: SUPPORT**

**ADF&G POSITION: SUPPORT**

<http://www.legis.state.ak.us/basis/aac.asp#5.01.220>

**WHAT WOULD THE PROPOSAL DO?** This would establish beach seine specifications for subsistence salmon fishing in the Yukon Area.

**YDFDA COMMENTS:** This proposal is more or less a housekeeping proposal. However, the language in the regulation should specify that the beach seine used for subsistence salmon fishing may not exceed 150 fathoms in length **and** 100 meshes in depth, instead of “or”.

**YDFDA SUPPORTS PROPOSAL 118. YDFDA AGREES WITH ADF&G POSITION, NARRATIVE AND COMMENTS.**

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**PROPOSAL 119 – 5 AAC 01.220.** Lawful gear and gear specifications.

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

**YDFDA POSITION: SUPPORT**

**ADF&G POSITION: SUPPORT**

<http://www.legis.state.ak.us/basis/aac.asp#5.01.220>

**WHAT WOULD THE PROPOSAL DO?** This would require the live release of king salmon from subsistence beach seines during times of king salmon conservation.

**YDFDA COMMENTS:** This is a housekeeping proposal.

**YDFDA SUPPORTS PROPOSAL 119. YDFDA AGREES WITH ADF&G POSITON, NARRATIVE AND COMMENTS REGARDING PROPOSAL 119.**

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**PROPOSAL 120 – 5 AAC 01.210.** Fishing seasons and periods.

**PROPOSED BY:** Tanana Rampart Manley Fish and Game Advisory Committee

**YDFDA POSITION: NEUTRAL**

**ADF&G POSITION: NEUTRAL**

<http://www.legis.state.ak.us/basis/aac.asp#5.01.210>

**WHAT WOULD THE PROPOSALS DO?** Allow subsistence fall chum salmon subsistence fishing seven days per week in all of District 5 of the Yukon Area once a fall chum salmon commercial fishery is opened.



**YDFDA COMMENTS:** The current subsistence fishing schedule in Subdistricts 5A, 5B, and 5C is for 2 48-hour periods a week. This schedule was enacted to spread the subsistence harvest out over the run. Subdistrict 5D subsistence schedule is open 7 days a week. Major villages within Subdistrict 5A through 5C include Tanana and Ramparts.

While we sympathize with the subsistence fishers within these subdistricts, we are also concerned about shifting this subsistence harvest of fall chum salmon earlier in the run. The subsistence fall chum salmon harvest attributed to the village of Tanana accounts for an average (2004-2008 and 2009-2013) of 43% of the mainstem District 5 Yukon River subsistence harvest and approximately 25% of the entire Yukon River harvest. Allowing 7-day a week fishing may shift a portion of the harvest to the earlier portion of the run. This may also shift exploitation on earlier stocks, particularly the Porcupine River Canadian component. The BOF should be cognizant of this shift in stock exploitation when considering this proposal.

Other villages within District 5 that harvest relatively large numbers of fall chum salmon for subsistence purposes are Ft. Yukon and Eagle. Both of these villages are located in Subdistrict 5D under 7-day a week fishing schedule.

**YDFDA IS NEUTRAL ON PROPOSAL 120.**

**YDFDA AGREES WITH ADF&G POSITION, NARRATIVE AND COMMENTS**

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**PROPOSAL 121 – 5 AAC 01.220. Lawful gear and gear specifications.**

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

**YDFDA POSITION: SUPPORT**

**ADF&G POSITION: SUPPORT**

<http://www.legis.state.ak.us/basis/aac.asp#5.01.220>

**YDFDA COMMENTS:** This proposal gives the department flexibility in allowing subsistence summer chum salmon fishery in an area which already has in regulation a subsistence drift gillnet fishery for king salmon. Without it subsistence needs of the local fishers may not be achieved because of king conservation measures.

**YDFDA SUPPORTS PROPOSAL 121.**

**YDFDA AGREES WITH AND CITES ADF&G POSITION, NARRATIVE, AND COMMENTS REGARDING PROPOSAL 121.**

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## **YUKON AREA COMMERCIAL (7 proposals; PROPOSALS 122-128)**

**PROPOSAL 122** – 5 AAC 05.331. Gillnet specifications and operations.

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

**YDFDA POSITION: SUPPORT**

**ADF&G POSITION: SUPPORT**

<http://www.legis.state.ak.us/basis/aac.asp#5.05.331>

**WHAT WOULD THE PROPOSALS DO?** Modify Yukon Area commercial set gillnet length specification to an aggregate length standard.

**YDFDA COMMENTS:** housekeeping proposal

**YDFDA SUPPORTS PROPOSAL 122.**

**YDFDA AGREES WITH AND CITES ADF&G POSITION, NARRATIVE, AND COMMENTS REGARDING PROPOSAL 122.**

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**PROPOSAL 123** – 5 AAC 05.362. Yukon River Summer Chum Salmon Management Plan.

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

**YDFDA POSITION: SUPPORT**

**ADF&G POSITION: NEUTRAL**

<http://www.legis.state.ak.us/basis/aac.asp#5.05.362>

**WHAT WOULD THE PROPOSAL DO?** This would amend commercial beach seine specifications for summer chum salmon in the Yukon Area.

**YDFDA COMMENTS:** This proposal is mainly a housekeeping proposal although it reduces the mesh size of the beach seine from 4.0 inches to 3.5 inches. This reduction may alleviate gilling more resident species, pink salmon and small Chinook salmon. However, the language in the regulation should specify that the beach seine used for subsistence salmon fishing may not exceed 150 fathoms in length **and/or** 100 meshes in depth, instead of “or”.

- **YDFDA SUPPORTS PROPOSAL 123.**
- **YDFDA AGREES WITH AND CITES ADF&G POSITON, NARRATIVE, AND COMMENTS REGARDING PROPOSAL 123.**



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

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

**YDFDA POSITION: SUPPORT**

**ADF&G POSITIOIN: SUPPORT**

**<http://www.legis.state.ak.us/basis/aac.asp#5.05.331>**

**WHAT WOULD THE PROPOSAL DO?** This would allow the use of 6-inch or smaller mesh size gillnets in the commercial salmon fishery in District 6 of the upper Yukon Area by emergency order.

**YDFDA COMMENTS:** This proposal is mainly a housekeeping proposal and substitutes EO authority for after a specified date.

**YDFDA SUPPORTS PROPOSAL 124.**

**YDFDA AGREES WITH AND CITES ADF&G POSITION, NARRATIVE AND COMMENTS REGARDING PROPOSAL 124.**

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**PROPOSAL 125 – 5 AAC 05.331.** Gillnet specifications and operations.

**PROPOSED BY:** Kwik’pak Fisheries

**YDFDA POSITION: SUPPORT**

**ADF&G POSITION: NEUTRAL**

**<http://www.legis.state.ak.us/basis/aac.asp#5.05.331>**

**WHAT WOULD THE PROPOSAL DO?** This seeks to establish gillnet specifications for a pink salmon directed commercial fishery in Districts 1–3 of the Yukon River.

**YDFDA COMMENTS:**

- Pink salmon runs are strong and a harvestable surplus is available, particularly in even numbered years.
- Accordingly, we seek to establish a directed pink salmon fishery within the open waters of the Yukon Area using gillnets of four inch or less mesh size and no greater than 50 meshes deep.
- We believe that favorable market conditions exist. Although small numbers of pink salmon have been sold in the past, these fish were incidentally caught in the directed summer chum salmon fishery. We now seek to establish a directed fishery for pink salmon in the Yukon River.
- Although there has not been assessment of the pink salmon stock, we believe that it is relatively strong and there are no concerns with escapement and subsistence, particularly during the large runs in even numbered years.

**YDFDA SUPPORTS PROPOSAL 125.**

**YDFDA DOES NOT AGREE WITH ADF&G POSITION OF NEUTRAL BUT DOES AGREE WITH AND CITE ADF&G NARRATIVE.**



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**PROPOSAL 126 – 5 AAC 05.362.** Yukon River Summer Chum Salmon Management Plan.

**PROPOSED BY: Kwik’pak Fisheries**

**YDFDA POSITION: SUPPORT**

**ADF&G POSITION: NEUTRAL**

<http://www.legis.state.ak.us/basis/aac.asp#5.05.362>

**WHAT WOULD THE PROPOSAL DO?** This seeks to add purse seine gear with a mesh size that does not exceed three and one-half inches stretched measure and a total length of no more than 150 fathoms as an allowable gear type to commercially target summer chum salmon in Districts 1–3 during times of king salmon conservation. It would require that all king salmon caught in purse seine gear to be released immediately and returned to the water unharmed.

**YDFDA COMMENTS:**

- A huge commercially available harvestable surplus of summer chum salmon in the Yukon River cannot be harvested with the few gill net opening allowed during the extreme end of the summer chum salmon run (non-selective gear) because of the concern for the very low king salmon runs. Note that the kings and summer chum salmon runs tend to enter the mouth of the river together and migrate upriver concurrently. Previous regulations allowing dipnet and beach seine gear (selective gear) to be used in the Yukon River has allowed only a portion of the huge surplus to be harvested.
- Declines in Yukon River king salmon runs have been noted in the Yukon River since 1998. However, the Yukon River king salmon runs have declined to a point that during 2014, ADF&G requested that subsistence fishers reduce their normal king salmon subsistence harvest dramatically and also took action to effectively eliminate the king salmon subsistence harvests within the Alaskan portion of the drainage. During the 2014 season, extremely severe subsistence restrictions were employed throughout the drainage to bolster king salmon escapements and to attempt to meet the agreed upon the minimum escapement of 42,500 king salmon in Canada plus the Canadian share of the TAC. The king salmon subsistence harvest in 2014 was approximately only 4,000 fish in the Alaskan portion of the drainage. The historic average subsistence harvest before the decline in Yukon River king salmon was approximately 45,000 fish.
- In contrast, recent Yukon River summer chum salmon runs have been above average in run size. During the past few years, millions of commercially-harvestable summer chum salmon have passed through the Lower Yukon Area with very few being harvested because of the concern for the king salmon escapement. This foregone summer chum salmon harvest has been substantial in recent years, more than 1.0M fish in both 2011 and 2012. Despite new selective commercial fishing gear allowed in the lower Yukon River in 2013 and 2014 by the BOF, which included the use of dipnets, beach seines and shallower and smaller mesh size gillnets (5.5 stretch measure, 30 meshes deep), preliminary estimates indicate that more than 1.8M and 800,000 commercially-available summer chum were passed onto the spawning grounds in 2013 and 2014, respectively. Foregone harvests have translated into a possible loss to the fishermen of over \$22M during the past four years. The actual value of the Yukon Area summer chum salmon harvest was approximately \$6M for the same 4-year period. In contrast, the value of the commercial harvests in the mid-1990s, when king salmon were commercially harvested, was approximately \$15M annually.



- The Lower Yukon Area is one of the most impoverished areas in the state of Alaska and the country. Off the road system and located in remote Alaska, fuel can often cost over \$6 a gallon. With little economic opportunity available in the region, fishermen's income has been severely reduced with the closure of the Chinook salmon commercial fishery and we are now struggling against restrictions and conservation concerns to make the commercial summer chum salmon fishery viable. There is an urgent need to find new and innovative ways to commercially harvest the surplus of summer chum salmon in the river while minimizing the impact to king salmon. We believe that the use of purse seines in the Lower Yukon Area would serve that dual purpose.
- We believe that the lower Yukon River commercial fishers will benefit because they will be able to harvest more of the available summer chum salmon without any harm to any king salmon caught and released.
- We also believe that all Yukon River summer chum salmon subsistence and commercial users will benefit because the summer chum salmon escapements will be reduced below the level that may be detrimental to the stock. Drainage-wide summer chum salmon escapements above 2.0M have reduced productivity and may result in smaller runs.
- We foresee no harm to any fishers upriver. This is not an allocative issue.

At the request of the BOF a test fishery was conducted in District 1 of the Lower Yukon Area with purse seine gear. During the 2014 and 2015 summer fishing seasons, Yukon Delta Fisheries Development Association (YDFDA), under the authority of an ADF&G Commissioner's Permit, conducted a test fishery, using purse seine- type gear within District 1 of the Yukon Area. YDFDA operated the purse seine gear under general conditions stipulated by ADF&G regarding gear type and time of operation. The major goal of the testing was to assess the condition of Chinook salmon that were capture and released. The results are summarized below:

## **2014**

- Test fishing occurred from June 23-July 1, 2014 in the South and Middle Mouths of the Yukon River delta.
- The purse seine used was 50 fa long, 100 meshes deep with 3.5-inch stretch mesh.
- A total of 16 Chinook salmon, 514 chum salmon, 50 pink salmon, 17 Bering cisco, 4 burbot, and 1 sheefish were captured in 63 sets.
- All but one Chinook salmon were successfully released alive and in good condition. One small Chinook salmon, approximately 18 inch in length, was initially identified as a pink salmon and was inadvertently retained.
- All chum salmon and 10 pink salmon were retained and sold in the name of the state.
- Most of the small Bering cisco were injured; only 1 was released alive and in good condition. All other resident fish species were released alive and in good condition.
- The poor catch of Chinook salmon was directly related to the early timing of the Chinook salmon run and the very late timing of the test fishery. The test fishery occurred during the final quarter of the Chinook salmon run, when relatively few Chinook salmon were passing through District 1.



- The majority of Chinook salmon, 62.5%, were captured on one day, June 25. Chinook salmon were held in the net from 3 to 14 minutes, with an average of 8 minutes, after the net was closed.
- Chinook salmon were primarily released without handling by lifting the web along with the fish and allowing the fish to slip over the corks.
- We concluded that:
  - 1. although we caught relatively few Chinook salmon, we believe that nearly all captured in the purse seine could be released alive into the river in good condition. Additionally, we also believe that nearly all chum salmon and larger non-target fish species captured could easily be released without harm;
  - 2. small, non-target fish species, such as Bering cisco and pink salmon, were prone to be gilled in the webbing and generally could not be released alive back into the river; and
  - 3. commercial quantities of chum salmon could probably be harvested with a larger purse seine.

## 2015

- Test fishing occurred from June 11-30, 2015 in the South and Middle Mouths of the Yukon River delta, within Black River, and in the mainstem above the branching of the Middle Mouth distributary.
- Two purse seines were used in this test fishery. One purse seine was 75 fa; the other was 100 fa. Both purse seines were constructed of 3.5 in purse seine webbing, 100 meshes deep. Purse seining methods differed by purse seine. A full purse method was used for the 75 fa seine while a half purse method was used for the 100 fa purse. The combined number of sets totaled 115; 95 sets were made using the 75 fa net; 25 sets were made with the 100 fa net.
- A total of 175 Chinook salmon, 2,307 chum salmon, 1 pink salmon, 104 Bering cisco, 62 burbot, 12 sheefish, 12 Northern pike, 20 other white fish species, and 12 starry flounder were captured in the combined 115 sets.
- Mortality rate
- **171 of the 175 captured Chinook Salmon were returned to the river alive (2.3%).**
- All Chinook salmon were assessed as to condition on a 1-6 scale with 1 being vigorous, not bleeding and 6 being dead. Percent and number in parenthesis are provided below by condition factor:
  - 1: vigorous, not bleeding: (105) 60.0%
  - 2: vigorous, bleeding: (1) 00.6%
  - 3: lethargic, not bleeding: (64) 36.6%
  - 4: lethargic, bleeding: (0) 00.0%
  - 5: bleeding excessively, retained (0) 00.0%
  - 6: dead, retained (4) 02.3%



- Three of the “dead” Chinook were bagged and tangled in the mesh of the purse seine webbing in one set on June 14; the other Chinook salmon mortality was a very small Chinook salmon that was gilled in the 3.5-inch purse seine web.
- June 14 was the first day the operation caught fish; crew was inexperienced at the operation and this inexperience was the main reason why fish were bagged in the purse seine webbing and the 3 kings were killed.
- Mortality rates of resident species fish captured in the purse seine were as follows:
  - Bering cisco: 73.1%
  - Burbot: 24.2%
  - Sheefish: 50.0%
  - Other WF 60.0%
  - Northern Pike 16.7%
  - Starry Flounder 50.0%
- All chum salmon captured and retained were sold in the name of the state. However, a few chum salmon that were caught in the net escaped over the corks as the net was being retrieved or were inadvertently released after being dipped from the net.
- We concluded that:
  - 1. Nearly all Chinook salmon captured in the purse seine could be released alive into the river in good condition. Additionally, we also believe that nearly all chum salmon and larger non-target fish species captured could easily be released without harm;
  - 2. small, non-target fish species, such as Bering cisco and other white fish species were prone to be gilled in the webbing and generally could not be released alive back into the river; and
  - 3. commercial quantities of chum salmon could probably be harvested.

**ADF&G, in their comments, base net residency time on, “...the time interval between when the net began closing to when a king salmon was removed from the net”. YDFDA disagrees with this calculation because the definition of when the net was closed is erroneous. How can ADF&G consider the net to be closed when the ends of the net approximately 50 fathoms apart? YDFDA does not believe the salmon in the net were not confined at this time and were able to leave the net much like they do in the beach seine fishery. This definition of net closure does not make sense. Note that a purse seine net is deemed to have stop fishing when both ends of the net are attached to the seine boat (5 AAC 33.332).**

**The definition used by YDFDA in their assessment of when the purse seine net was closed was done in two ways: ADF&G’s 2014 method, when the purse rings were pursed, and when the rings were at the side of the boat. Using these two methods, YDFDA calculated the residency time as 7 minutes and 4 minutes, respectively. We believe that the residency time should be calculated when the net is deemed to have stopped fishing, or when both ends of the net are in the seine boat. However, YDFDA recorded this time for only 18% of the sets with the smaller configuration purse seine operation.**



**YDFDA used all the data from all sets from the two configurations in determining mortality rates. The number of kings caught in both configuration purse seine configurations numbered 175; 4 of these kings were killed. The mortality rate was 2.3%**

**Approximate cost to participate in this fishery is \$6,500 (seine, power pack, capstan)**

**Excerpt from the Columbia River radio-telemetry study on released Chinook salmon indicating that the observed survival rates of Chinook salmon should be considered a minimum.**

Liedtke, T.L., Kock, T.J., Evans, S.D., Hansen, G.S., and Rondorf, D.W., 2014, Post-release behavior and movement patterns of Chinook salmon (*Oncorhynchus tshawytscha*) and coho salmon (*Oncorhynchus kisutch*) after capture using alternative commercial fish gear, lower Columbia River, Washington and Oregon: U.S. Geological Survey OpenFile Report 2014-1069, 36 p., <http://dx.doi.org/10.3133/ofr20141069>.

*“The assessment of probable survival in this study suggests that fall Chinook salmon and coho salmon survival rates are high after capture in a beach or purse seine. Behavioral responses by tagged fish following release suggested that 93 percent of the tule Chinook salmon, 87 percent of the bright Chinook salmon, and 84 percent of the coho salmon survived capture in a beach or purse seine. These estimates are conservative because we were unable assess survival of fish that moved quickly downstream and passed Washougal. Many of these fish likely were alive, which means that the probable survival estimates from this study underestimated the true survival rates following capture. Furthermore, detection probabilities for telemetry and PIT-tag monitoring sites were less than 1.0, which means that some fish that were undetected could have been alive and moved past monitoring sites without being detected. In the 2011 and 2012 studies, WDFW estimated that steelhead survival after capture in a beach or purse seine ranged from 96 to 98 percent (Washington Department of Fish and Wildlife, unpub. data, 2014). Our data suggest that fall Chinook salmon and coho salmon survival during 2013 could be similar to steelhead survival in 2011 and 2012, if the potential limitations of the 2013 study are considered.”*

**YDFDA SUPPORTS PROPOSAL 126. YDFDA DOES NOT AGREE WITH ADF&G POSITON BUT AGREES WITH MOST OF THE NARRATIVE, EXCEPTIONS NOTED ABOVE.**

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**PROPOSAL 127 – 5 AAC 05.200.** Fishing districts and subdistricts; and 5 AAC 05.350. Closed waters.

**PROPOSED BY: Kwik’pak Fisheries**

**YDFDA POSITON: SUPPORT**

**ADF&G POSITION: NEUTRAL**



<http://www.legis.state.ak.us/basis/aac.asp#5.05.200>

Expand the commercial fishing area of Yukon Area District 1, as follows:

We recommend that the area open to commercial fishing be expanded to include the area between latitudes of Point Romanof and Apoon Pass.

Draft regulatory language follows:

5 AAC 05.200. Fishing districts and subdistricts.

- (a) District 1 consists of that portion of the Yukon River drainage from **Point Romanof** [ITS TERMINUS AT APOON PASS] extending **south and west** [AND SOUTH] along the coast of the delta to the terminus of Black River upstream to the northern edge of the mouth of the Anuk River and all waters of the Black River. 5 AAC 05.350. Closed waters. Salmon may not be taken in the following waters: (2) waters farther than one nautical mile seaward from any grassland bank in District 1 from Point Romanof [APOON PASS] extending south and west [AND SOUTH] to a line extending seaward from an ADF&G regulatory marker located on the beach approximately one nautical miles south from the mouth of Black River, except that in Acharon Channel of the south mouth of the Yukon River the closed waters are those waters farther than two and one-half nautical miles from a line bearing 285\_ extending from an ADF&G regulatory marker located below Chris Point to the opposite side of the channel;

**(new number) Pastolik River.**

**What is the issue you would like the board to address and why?**

- We seek the Alaska Board of Fisheries to expand the area open to commercial fishing at the mouth of the Yukon River to include that portion from Apoon Pass to Point Romanof.
- Opening this area to fishing will alleviate crowding in the traditional set net area near the North Mouth of the Yukon River, caused by changes in the river mouth environment.
- Because of a buildup of silted in areas of the coast, set net fishermen have less opportunity than they have had in the past. This has been an ongoing problem due to shifting channels.
- Extending the area open to commercial fishery will help to alleviate this problem.
- In addition, we ask that the Pastolik River be closed to commercial salmon fishing because it is a small stock and the quality of those fish would be poor for commercial sale.

**YDFDA SUPPORTS PROPOSAL 127. YDFDA does not agree with ADF&G position but does agree with the narrative.**

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**PROPOSAL 128 – 5 AAC 05.200.** Fishing districts and subdistricts; and 5 AAC 05.350. Closed waters.

**PROPOSED BY: Kwik'pak Fisheries**

**YDFDA POSITION: SUPPORT**

**ADF&G POSTION: NEUTRAL**

<http://www.legis.state.ak.us/basis/aac.asp#5.05.200>

Extend commercial fishing three miles offshore and north to Point Romanof in District 1 of the Yukon Area, as follows:

We recommend that the area open to commercial fishing be expanded to the 3-mile limit around the delta. Draft regulatory language follows:

5 AAC 05.200(a) Fishing districts and subdistricts is amended to read: (a) District 1 consists of that portion of the Yukon River drainage from the latitude of **Point Romanof** [ITS TERMINUS AT APOON PASS] extending **south and** west [AND SOUTH] along the coast of the delta to the terminus of Black River upstream to the northern edge of the mouth of the Anuk River and all waters of the Black River. 5 AAC 05.350. Closed waters is amended to read: Salmon may not be taken in the following waters:

(1) repealed 4/13/2013;

(2) waters farther than **three** [ONE] nautical mile seaward from any grassland bank in District 1 from **Point Romanof** [APOON PASS] extending west and south to a line extending seaward from an ADF&G regulatory marker located on the beach approximately one nautical miles south from the mouth of Black River[, EXCEPT THAT IN ACHARON CHANNEL OF THE SOUTH MOUTH OF THE YUKON RIVER THE CLOSED WATERS ARE THOSE WATERS FARTHER THAN TWO AND ONE-HALF NAUTICAL MILES FROM A LINE BEARING 285\_ EXTENDING FROM AN ADF&G REGULATORY MARKER LOCATED BELOW CHRIS POINT TO THE OPPOSITE SIDE OF THE CHANNEL];

(3) all waters south and west of a line extending seaward from an ADF&G regulatory marker located on the beach approximately one nautical mile south of the mouth of Black River, in a northwestern direction to an ADF&G regulatory marker located **three** [ONE] nautical mile offshore;

**What is the issue you would like the board to address and why?**

- We seek the Alaska Board of Fisheries to expand the area open to commercial fishing at the mouth of the Yukon River to include all State of Alaska waters, extending three nautical miles seaward, around the delta.
- Opening this area to fishing will
  - provide better quality salmon for harvest,
  - it will alleviate crowding in the traditional set net area caused by changes in the river mouth environment, and
  - it will provide state managers options when/if the federal government prohibits commercial fisheries on abundant salmon species.



- Please note that Kwik’pak Fisheries is also submitting a proposal to establish a directed commercial pink salmon fishery using four-inch mesh gillnets. Because Yukon River pink salmon mature rapidly once they enter into the river, harvesting them in the ocean will ensure much better quality than harvesting in the river.
- Secondly, we would like to be able to harvest chum salmon in the ocean, also for better quality.
- Thirdly, because of a buildup of silted in areas of the coast, set net fishermen have less opportunity than they have had in the past. This has been an ongoing problem due to shifting channels. Extending the area open to commercial fishery will help to alleviate this problem.
- Other reasons for allowing commercial fishing out to the 3-mile limit surrounding the Yukon Delta are:
  - It was the traditional legal boundary in the past;
  - It would provide more room for set net fishermen, which has always been a traditional fishery;
  - It would allow drift fishermen to fish in less concentrated areas during the compressed gillnet fishery openings; and
  - It would provide more opportunity to subsistence fish.

**YDFDA SUPPORTS PROPOSAL 128. YDFDA does not agree with ADF&G position but does agree with the narrative.**

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**PROPOSAL 134 – 5 AAC 01.150.** Description of the Norton Sound-Port Clarence Area; 5 AAC 01.200. Description of Yukon Area; 5 AAC 04.100. Description of Norton Sound-Port Clarence Area; 5 AAC 04.200. Fishing districts and subdistricts; 5 AAC 05.100. Description of Yukon Area; and 5 AAC 05.200. Fishing districts and subdistricts.

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

**YDFDA POSITION: SUPPORT**

**ADF&G POSITION: SUPPORT**

<http://www.legis.state.ak.us/basis/aac.asp#5.01.150>

**WHAT WOULD THE PROPOSAL DO?** Change the boundary line separating the Norton Sound-Port Clarence Area and Yukon Area in area and district descriptions from the latitude of Point Romanof to a line extending northwest (315°) from Point Romanof.

**YDFDA SUPPORTS PROPOSAL 134 AND AGREES WITH ADF&G POSITION, COMMENTS AND NARRATIVE.**

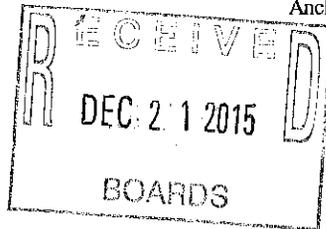


# United States Department of the Interior

## NATIONAL PARK SERVICE

Alaska Region  
240 West 5<sup>th</sup> Avenue, Room 114  
Anchorage, Alaska 99501

IN REPLY REFER TO:  
1.A.2 (AKRO-RNR)



DEC 16 2015

Mr. Tom Kluberton  
Chairman, Alaska Board of Fisheries  
Board Supports Section Alaska Department of Fish and Game  
P.O. Box 115526  
Juneau, Alaska 99811-5526

Dear Chairman Kluberton:

Please accept these comments from the National Park Service (NPS) for proposals # 135 and #142 for the January 12-17, 2016 Alaska Board of Fisheries Arctic/Yukon/Kuskokwim Finfish meeting in in Fairbanks. These proposals have the potential to affect fishing in Wrangell-St. Elias National Park and Preserve and Gates of the Arctic National Park and Preserve.

**Proposal 135** proposes to prohibit the use of set lines in Grizzly and Jack Lakes in the upper Tanana River drainage, consistent with how the burbot fishery is managed in the nearby upper Copper River drainage. Evidence indicates that burbot numbers have dropped rapidly in one of the subject lakes, and we see a conservation concern. This proposal was submitted by the National Park Service.

**NPS Position/Recommended Action: Support.** The NPS supports this proposal because burbot could easily be overharvested in these lakes with the use of set lines, which are a highly effective means of catching burbot. Burbot are relatively long-lived and slow-growing in these lakes, making them vulnerable to overexploitation. Due to conservation concerns, state regulations have banned the use of set lines in all lakes in the Upper Copper/Upper Susitna Management Area since 1992. Approving this proposal would provide consistent regulations for all lakes known to support burbot fisheries in this localized area near a divide between the two drainages. Furthermore, this proposal will eliminate a lingering inconsistency as the use of unattended set lines is not allowed in national park areas.

**Proposal 142** seeks to change the dates for use of gillnet gear in the South Fork and Middle Fork of the Koyukuk River from November 1 through June 30 to August 20 through June 30. This proposal was submitted by Jack Reakoff. The Western Interior RAC has supported this proposal, and there don't appear to be any conservation concerns.

**NPS Position/Recommended Action: Support,** extending the seasons for subsistence gillnet fishing in the South and Middle Fork of the Kuskowkim River are not expected to create conservation concerns for the fish in these systems.



Our full analysis is attached. If you have any questions about these comments, please contact Dan Young, Fishery Biologist (907-644-3629), Dave Sarafin, Fisheries Biologist at Wrangell-St. Elias National Park and Preserve (907-822-7281) or Marcy Okada, Subsistence Manager at Gates of the Arctic National Park and Preserve (907-455-0639).

Sincerely,

A handwritten signature in black ink that reads "Debora Cooper".

Debora Cooper  
Associate Regional Director for Resources

Enclosure

cc: Sam Cotten, Commissioner, ADF&G  
Michael Johnson, Special Assistant to the Secretary for Alaska  
Tim Towarak, Chair, Federal Subsistence Board  
Glen Haight, Executive Director, Boards of Fish and Game  
Tom Brookover, Director, Division of Sport Fish, ADF&G  
Hazel Nelson, Director, Division of Subsistence, ADF&G  
Drew Crawford, Federal Subsistence Liaison Team, ADF&G  
Eric Veach, Acting Superintendent, Wrangell-Saint Elias National Park and Preserve  
Greg Dudgeon, Superintendent, Gates of the Arctic National Park and Preserve  
George Pappas, State Subsistence Liaison, Office of Subsistence Management  
Herbert Frost, Regional Director, National Park Service



## DEPARTMENT OF THE INTERIOR

**National Park Service Analysis of BOF Proposals #135 and #142**  
**State of Alaska**  
**Board of Fisheries Meeting**  
**January 12-17, 2016**  
**Fairbanks, Alaska**

**Proposal 135** requests adding Grizzly Lake and Jack Lake to the list of lakes in the Tanana River drainage sport fish regulations in which "Burbot set lines may not be used." This proposal was submitted by the National Park Service.

### **Existing State Regulations:**

#### **5 AAC 74.010. Seasons, bag, possession, and size limits, and methods and means for the Tanana River Area.**

*(c) (1) in all lakes of the Tanana River drainage, except those stocked lakes listed in (29) of this subsection:*

*(B) burbot: the bag and possession limit is 5 fish, with no size limit.*

*(d) (1) from October 15 through May 15, set lines may be used to take burbot in all lakes in the Tanana River drainage, except:*

- (A) Clearwater Lake;*
- (B) Fielding Lake;*
- (C) Harding Lake;*
- (D) "T" Lake, and;*
- (E) the Tangle Lake System.*

### **Existing Federal Regulations:**

#### *50 CFR § 100.24 Customary and traditional use determinations*

*(a)(2) Fish determinations*

*Tanana River Drainage within Tetlin National Wildlife Refuge and Wrangell-Saint Elias National Park and Preserve for freshwater fish other than salmon: residents of the Yukon-Northern Area and residents of Mentasta Lake, Chistochina, Slana, and all residents living between Mentasta Lake and Chistochina.*

#### *50 CFR § 100.27 Subsistence taking of fish:*

*(b) Methods, means, and general restrictions.*

*(1) Unless otherwise specified in this section or under terms of a required subsistence fishing permit (as may be modified by regulations in this section), you may use the following legal types of gear for subsistence fishing:*



*All twenty legal types of gear including*

- (i) A set gillnet;*
- (x) A long line;*

*(i) Fishery management area restrictions:*

*(3) Yukon-Northern Area*

*(ii) For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action.*

*(v) Except as provided in this section and except as may be provided by the terms of a subsistence fishing permit, you may take fish other than salmon at any time.*

According to page 29 in the 2015 Federal Subsistence Management Regulations for the Harvest of Fish, there is no limit on the number of burbot subsistence fishermen can harvest year round.

*36 CFR §2.3 Fishing (In National Park System areas).*

*(a) Except in designated areas or as provided in this section, fishing shall be in accordance with the laws and regulations of the State within whose exterior boundaries a park area or portion thereof is located. Nonconflicting State laws are adopted as a part of these regulations.*

*(d) The following are prohibited:*

*(1) Fishing in fresh waters in any manner other than by hook and line, with the rod or line being closely attended.*

*§13.40 Taking of fish (In Alaska national park areas).*

*(b) Fishing. Fishing is permitted in all park areas in accordance with applicable State and Federal law, and such laws are hereby adopted and made a part of these regulations to the extent they are not inconsistent with §2.3 of this chapter.*

*§13.470 Subsistence fishing.*

*Fish may be taken by local rural residents for subsistence uses in park areas where subsistence uses are allowed in compliance with applicable Federal law and regulation, including the provisions of §§2.3 and 13.40 of this chapter. Local rural residents in park areas where subsistence uses are allowed may fish with a net, seine, trap, or spear; or use native species as bait, where permitted by applicable Federal law and regulation.*



**Proposed State Regulations:**

**5 AAC 74.010. Seasons, bag, possession, and size limits, and methods and means for the Tanana River Area.**

*d) (1) from October 15 through May 15, set lines may be used to take burbot in all lakes in the Tanana River drainage, except:*

*add*

*(F) Grizzly Lake; and  
(G) Jack Lake.*

**Is a similar issue being addressed by the Federal Subsistence Board (FSB)?** No.

**Impacts to Federal subsistence users/fisheries:** Adoption of this proposal would have no effect on federally qualified subsistence users fishing under Federal subsistence regulations. Failure to adopt this regulation could have an adverse effect on federal subsistence harvest because sport harvest of fish in Grizzly Lake has increased dramatically since 2011.

**Background studies and supportive information**

**2011**

- NPS park staff performed a burbot population assessment on Grizzly Lake baseline abundance estimate of 2,147 fish
- Results of study were shared with the public and other agencies
- Staff were unaware of any fishing pressure on the lake

**2012**

- Onsite inspection in March found no indications of recent ice fishing on Grizzly Lake

**2013**

- Staff received a limited number of reports of harvests of large burbot during the winter

**2014**

- Staff of WRST and ADFG received reports of substantial, high level burbot harvests from sport fishermen. Including an anecdotal report of a group of 15 people harvesting 180 burbot in 3 days of sport fishing.
- Reports of some fishermen selectively harvesting only larger fish were received, ages of some of these larger burbot were over 20 years, as interpreted from otoliths.
- Staff of WRST and ADFG jointly perform re-assessment of the burbot population
  - Abundance estimate was 1,068 burbot, Estimate was 50.3% lower than in 2011
  - Length composition of burbot captured indicate substantial declines in larger size categories

**NPS Position/Recommended Action: Support.** The NPS supports this proposal because burbot could easily be overharvested in these lakes with the use of set lines. The subject lakes are located near the divide between the upper Copper River drainage and the upper Tanana River drainage. The use of set lines is prohibited in the Copper/Upper Susitna Area, including adjacent area lakes Copper, Tanada, and



Sheep lakes. Fishermen travelling between these five lakes near the divide during winter on snowmachines could easily be confused as to which regulations apply (see attached map). Burbot are relatively long-lived and slow-growing in these lakes, making them vulnerable to overexploitation. Set lines are a highly effective means of catching burbot. Due to conservation concerns, state regulations banned the use of set lines in all lakes in the Upper Copper/Upper Susitna Management Area since 1992. Passing this proposal would provide consistent regulations for all lakes in this one localized area near a divide.

**Proposal 142** seeks to change the allowable dates for use of gillnet gear for fishing in the South Fork and Middle Fork of the Koyukuk River from November 1 through June 30 to August 20 through June 30.

### **Existing State Regulations:**

#### **5 AAC 01.220. Lawful gear and gear specifications.**

*(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 rod or pole, handline, or lead, subject or the following restrictions:*

*(8) in the South Fork of the Koyukuk River drainage system 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).*

### **Existing Federal Regulations**

#### **Federal Subsistence Regulations**

*50 CFR § 100.27 Subsistence taking of fish:*

*(i) Fishery Management Area restrictions:*

*(3) Yukon-Northern Area.*

*(ii) For the Yukon River drainage, Federal subsistence fishing schedules, openings, closings, and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action.*

*50 CFR §100.14 Relationship to State procedures and regulations.*

*(a) State fish and game regulations apply to public lands and such laws are hereby adopted and made a part of the regulations in this part to the extent they are not inconsistent with, or superseded by, the regulations in this part.*



## Proposed State Regulation

### 5 AAC 01.220. Lawful gear and gear specifications.

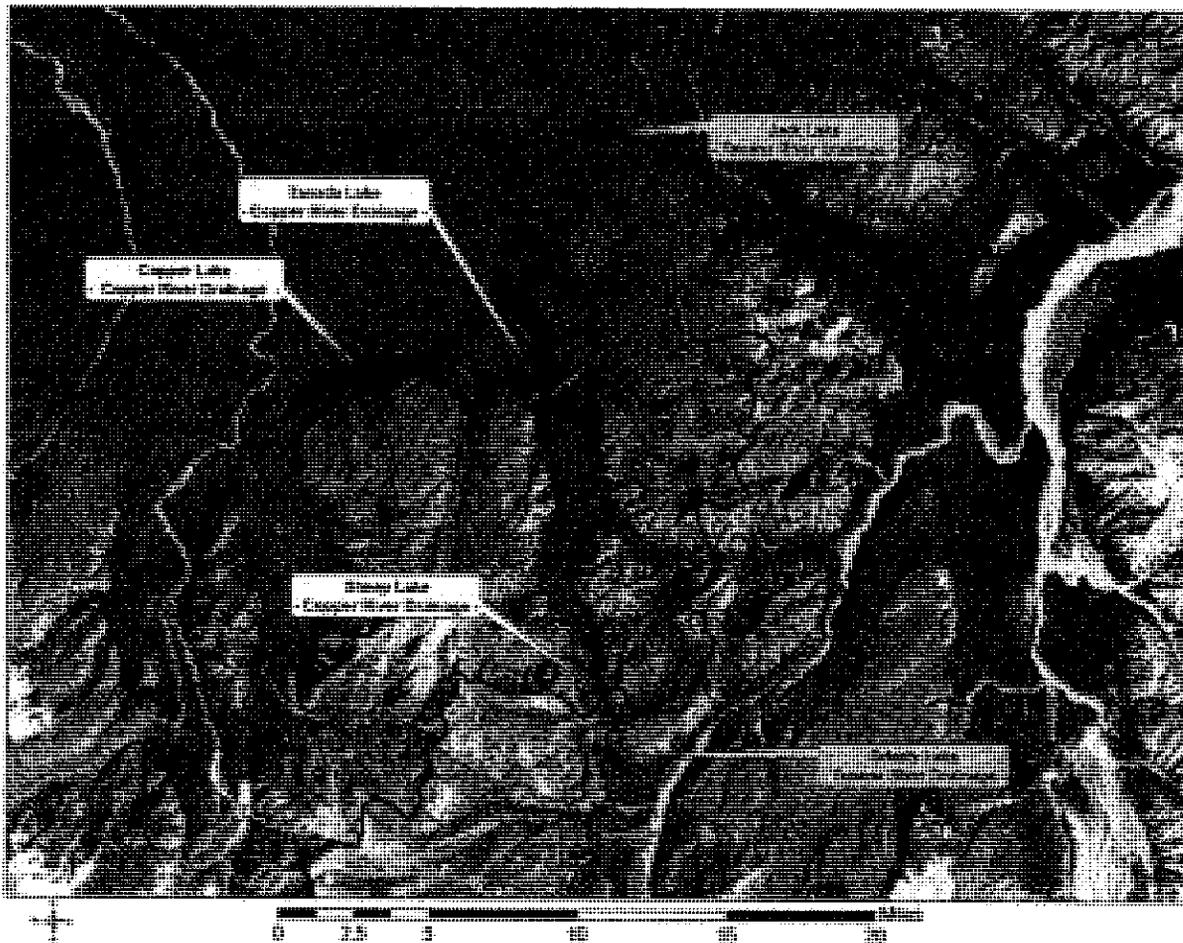
(f) (8) is amended to read:

*in the South Fork of the Koyukuk River drainage system 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 August 20 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).*

**Is a similar issue being addressed by the Federal Subsistence Board (FSB)?** No.

**Impact to Federal subsistence users/fisheries:** Adoption of this proposal would increase the period of time subsistence users would have to gillnet for fish in the upper Koyukuk drainages. The proposal would still protect salmon when present but allow fall harvest of whitefish, grayling, suckers, and pike. This proposal is supported by the Gates of the Arctic National Park Subsistence Resource Commission and the Western Interior Federal Subsistence Advisory Council.

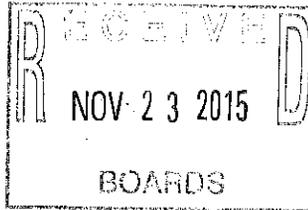
**NPS Position/Recommended Action:** **Support**, extending the seasons for subsistence gillnet fishing in the South and Middle Fork of the Kuskowkim River are not expected to create conservation concerns for the fish in these systems.





November 15, 2015

Tom Kluberton, Chairman,  
Alaska Board of Fisheries  
P.O. Box 115526  
Juneau, Alaska 99811-5526



Dear Chairman Kluberton:

We would like to express our opposition and concerns with Proposal 126 that would allow open pounding in the Sitka sac roe fishery.

**We find that Proposal 126 would significantly, adversely impact the permit owners:**

As permit owners, we have heavily invested our time, money, and resources in both the northern and southern herring roe on Kelp fisheries, in contrast the author of Proposal 126 neither owns a Sitka sac roe permit, nor a Northern Southeast roe on kelp permit.

Removing the Sitka area from the Northern Southeast roe-on-kelp area is a direct resource grab from the Sitka sac roe permit owners.

**We find Proposal 126 to be flawed:**

Proposal 126 would negatively impact the market for roe on kelp. The annual global demand for roe on kelp is about one thousand tons. Any harvest over that amount results in product carry over and a vastly reduced ex vessel price.

For example, in 2014 our market missed the estimated average ex vessel price by roughly 100 percent because of the increased productivity of Earnest Sound (123 tons) and Tenakee (82 tons) for a total of 205 tons. The average price in 2013 was \$13.53/lbs. with a total Alaska harvest of 202 tons. The average price in 2014 decreased to \$7.00/lbs. with a total Alaska harvest of 468 tons. The market for roe on kelp is a simple issue of supply and demand.

In the example above, the 2014 increase was largely lower grade product.

The author of Proposal 126 has expressed to us that he would initially like to start with 400 tons of #2 and #3 product. We believe that if there was a market for this product, 200 tons would not have sat in cold storages in Bellingham and Tokyo over the winter 2014 at great expense. Again in speaking directly with the author of Proposal 126 we are not convinced that the markets the author claims to have really exist. The author of this Proposal 126 has admitted that most likely he will need help in developing new markets and will have to rely in some ways on traditional markets to help get rid of his product. This is the unknown part of proposal 126.

The budget for the Department of Fish and Game is already stressed and cannot afford to manage this fishery at the expense of others in light of further budget cuts.

Sincerely,

Brad Scudder (F/V Andy Sea)

Andrew Scudder (F/V Gorbusha)

Lauchlin J. Leach (F/V Cape Flattery)

Matt Donovan

Amos Elias

Matt Conlloy

Logan Booker