

Submitted by the Alaska Department of Fish and Game
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SELECTED ARCTIC-YUKON-KUSKOKWIM (AYK) REGION FINFISH MANAGEMENT PLANS AND ASSOCIATED REGULATIONS

Norton Sound–Port Clarence Area Subsistence/Commercial Finfish Fisheries

Norton Sound–Port Clarence Area Subsistence Fisheries

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. (In effect before 1988; readopt 5/15/93, Register 126; am 3/11/2001, Register 157)

5 AAC 01.160. Fishing seasons and periods. (a) In the Port Clarence District, fish may be taken at any time, except as specified by emergency order.

(b) In the Norton Sound District, fish may be taken at any time except as follows:

(1) in Subdistrict 1,

(A) in fresh water, from June 15 through August 31, set gillnets may be used to take salmon only from 6:00 p.m. Monday until 6:00 p.m. Wednesday and from 6:00 p.m. Thursday until 6:00 p.m. Saturday;

(B) in marine waters, west of Cape Nome, unless modified by emergency order to ensure reasonable opportunity for subsistence uses of available surpluses of salmon,

(i) from June 15 through July 25, set gillnets may be used to take salmon up to 72 hours per week during periods established by emergency order; and

(ii) from July 26 through August 15, set gillnets may be used to take salmon only from 6:00 p.m. Monday until 6:00 p.m. Saturday;

(C) in this paragraph "fresh water" includes

(i) all rivers and streams separated from marine waters at the mouth of rivers and streams by a line drawn between the seaward extremities of the exposed tideland banks at the present stage of the tide;

(ii) the waters of Safety Sound; and

(iii) the waters of Bonanza Channel;

(2) in Subdistricts 2 - 6, commercial fishermen may not fish for subsistence purposes during the weekly closures of the commercial salmon fishing season, except that from July 15 through August 1, commercial fishermen may take salmon for subsistence purposes seven days per week in the Unalakleet and Shaktoolik River drainages with gillnets which have a mesh size that does not exceed four and one-half inches, and with beach seines;

(3) in the Unalakleet River from June 15 through July 15, salmon may be taken only during periods established by emergency order from 8:00 a.m. Monday until 8:00 p.m. Tuesday and from 8:00 a.m. Friday until 8:00 p.m. Saturday;

(4) in Subdistricts 1 - 3, salmon other than chum salmon may be taken by beach seine during periods established by emergency order;

(5) in Subdistrict 1, salmon other than pink salmon may be taken by beach seine during periods established by emergency order;

(6) notwithstanding the provisions of (2) and (3) of this subsection, in Subdistricts 5 and 6, salmon other than king salmon may be taken from July 1 through August 10 by beach seine with a mesh size no larger than four and one-half inches; all king salmon caught must be returned immediately to the water alive; if the commissioner determines that it is necessary for the conservation of king salmon, the commissioner may, by emergency order, close the season and immediately reopen the season during which the fishing time, area, and beach seine mesh size may be adjusted; and

(7) in the marine waters of Subdistricts 5 and 6, from June 15 through July 15, salmon may be taken only during fishing periods established by emergency order from 6:00 p.m. Monday until 6:00 p.m. Wednesday and from 6:00 p.m. Thursday until 6:00 p.m. Saturday. (In effect before 1985; am 5/11/85, Register 94; am 4/2/88, Register 105; am 7/16/92, Register 123; readopt 5/15/93, Register 126; am 7/3/94, Register 130; am 3/24/95, Register 133; am 6/10/98, Register 146; am 6/23/99, Register 150; am 5/19/2004, Register 170; am 6/7/2007, Register 182; am 4/13/2013, Register 206)

5 AAC 01.170. Lawful gear and gear specifications. (a) Salmon may be taken only by

(1) gillnet;

(2) beach seine;

(3) fish wheel;

(4) a hook and line attached to a rod or pole, as specified in (h) of this section;

(5) dip net, as specified in (l) of this section.

(b) Fish other than salmon may be taken only by set gillnet, drift gillnet, beach seine, fish wheel, pot, longline, fyke net, dip net, jigging gear, spear, and lead, or, as specified in (h) of this section, by a hook and line attached to a rod or a pole.

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

(d) In the Norton Sound District, kegs or buoys attached to subsistence gillnets may be any color except red.

(e) In Subdistrict 1, only set gillnets may be used, except that beach seines may also be used only during subsistence set gillnet openings from June 15 through July 25.

(f) In Subdistrict 1, no person may operate in the aggregate more than

(1) 50 feet of gillnet in fresh water as described in 5 AAC 01.160(b)(1)(C); and

(2) 300 feet of gillnet in marine waters.

(g) In the Unalakleet River from June 1 through July 15, no person may operate more than 25 fathoms of gillnet in the aggregate and no person may operate an unanchored fishing net.

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

(1) in the state waters of, and all flowing waters that drain into, the Bering Sea or Norton Sound from Cape Prince of Wales to Bald Point (between Elim and Koyuk); or

(2) through the ice.

(i) Notwithstanding (a) - (h) of this section, during times when the commissioner determines it to be necessary for the conservation of chum salmon, the commissioner, by emergency order, may close

(1) the pink salmon fishing season in Subdistricts 1 - 6 and immediately reopen the season in those subdistricts, during which gillnets must have a mesh size of four and one-half inches or less;

(2) the fishing season in Subdistricts 2 - 6 and immediately reopen the season in those subdistricts to subsistence fishing with any gear that is lawful under this section, except gillnets.

(j) Notwithstanding (a) - (h) of this section, during times when the commissioner determines it is necessary for the conservation of king salmon, the commissioner may, by

emergency order, close the fishing season in Subdistricts 5 and 6 and immediately reopen the season in those subdistricts during which gillnets

(1) must have a mesh size of

(A) six inches or less; or

(B) seven inches or less; and

(2) may not exceed the length specified by the commissioner.

(k) In Subdistricts 5 and 6, the commissioner may, by emergency order, open and close fishing periods during which a gillnet may have a mesh size no greater than

(1) four and one-half inches;

(2) six inches; or

(3) seven inches.

(l) In the Pilgrim River drainage, dip nets may be used to take salmon, except that during times when the commissioner determines that it is necessary for the conservation of specific salmon species, the commissioner may, by emergency order, close the season and immediately reopen the season during which specific salmon species must be returned immediately to the water alive. (In effect before 1988; am 4/2/88, Register 105; am 7/16/92, Register 123; am/readopt 5/15/93, Register 126; am 7/3/94, Register 130; am 3/24/95, Register 133; am 6/17/2001, Register 158; am 5/19/2004, Register 170; am 6/7/2007, Register 182; am 8/23/2009, Register 191; am 5/19/2010, Register 194; am 4/13/2013, Register 206)

Norton Sound–Port Clarence Area Commercial Fisheries

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. (In effect before 1988; am 2/8/97, Register 141; am 3/11/2001, Register 157)

5 AAC 04.200. Fishing districts and subdistricts. (a) The Port Clarence District consists of all waters between the latitude of the westernmost tip of Cape Prince of Wales and the latitude of the westernmost tip of Cape Douglas. The following are the regulatory subdistricts of the Port Clarence District:

(1) Grantley Harbor Subdistrict consists of all waters inside ADF&G regulatory markers located at the western tip of Cape RILEY to the entrance of Brevig Lagoon and from Four Mile Point across Grantley Harbor to the mouth of Sunset Creek;

(2) Outer Subdistrict consists of all waters of the Port Clarence District not included in the Grantley Harbor Subdistrict.

(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. The following are the regulatory subdistricts of the Norton Sound District:

(1) Subdistrict 1 consists of waters from the tip of Cape Rodney to the tip of Topkok Head;

(2) Subdistrict 2 consists of waters from the tip of Rocky Point to the southernmost tip of Cape Darby;

(3) Subdistrict 3 consists of waters from an ADF&G regulatory marker located at Carson Creek to the tip of Bald Head;

(4) Subdistrict 4 consists of the waters from the tip of Bald Head to the tip of Point Dexter;

(5) Subdistrict 5 consists of waters from the westernmost tip of Cape Denbigh to the terminus of Junction Creek located seven miles north of Egavik;

(6) Subdistrict 6 consists of waters from the terminus of Junction Creek located seven miles north of Egavik to the tip of Black Point. (In effect before 1988; am 3/30/95, Register 133; am 2/8/97, Register 141; am 6/10/98, Register 146; am 6/23/99, Register 150; am 3/11/2001, Register 157; am 6/7/2007, Register 182; am 5/19/2010, Register 194)

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

(b) From June 15 through June 20,

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

(2) in the sport fishery,

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

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

(3) commercial fishing is closed.

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

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

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

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

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

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

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

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

(f) In Subdistricts 5 and 6, if the marine waters subsistence fishery is restricted to

(1) a gillnet mesh size of six inches or less under (h)(1) of this section, the sport fish bag and possession limit and annual limit for king salmon will be reduced, by emergency order, to one king salmon;

(2) less than two 48-hour fishing periods, the sport fishery will be reduced, by emergency order, to catch-and-release fishing only.

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

(h) In Subdistricts 5 and 6, the commercial pink or chum fisheries may occur only if the department determines there is a harvestable surplus of pink or chum salmon and that a directed pink or chum salmon commercial fishery will not have a significant impact on escapement goals or subsistence uses of king salmon, and only under the following conditions:

(1) before July 1, a commercial pink or chum salmon fishery may not occur if, in the king salmon subsistence fishery in the marine waters,

(A) the gillnet mesh size is restricted to six inches or less; or

(B) subsistence fishing time is reduced; or

(2) a commercial pink or chum salmon fishery may not occur before July 1 if the king salmon subsistence fishery is closed before July 1.

(i) If subsistence fishing for king salmon is restricted, the commissioner may, by emergency order, close the commercial salmon fishery and immediately reopen the commercial fishery during which king salmon may be retained, but not sold. (Eff. 6/7/2007, Register 182; am 5/19/2010, Register 194; am 4/13/2013, Register 206)

Yukon Area Subsistence, Personal Use and Commercial Finfish Fisheries

Yukon Area Subsistence Fisheries

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. (In effect before 1988; am 7/16/92, Register 123; readopt 5/15/93, Register 126; am 3/11/2001, Register 157; am 7/13/2012, Register 203)

5 AAC 01.205. Description of districts and subdistricts. (a) Districts and subdistricts are as described in 5 AAC 05.200.

(b) Old Minto Area consists of that portion of Subdistrict 6-B from the downstream end of upper Tolovana Island, located approximately two miles upstream of the Tolovana River, to three miles upstream of the mouth of the Totchaket Slough. (In effect before 1988; readopt 5/15/93, Register 126; am 9/29/2001, Register 159)

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

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

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

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

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

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

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

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

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

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

(3) District 6, except

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

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

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

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

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

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

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

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

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

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

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

(C) notwithstanding the provisions of (A) and (B) of this paragraph, if the commissioner determines it is necessary to ensure that reasonable opportunity for subsistence uses is being provided, the commissioner may, by emergency order, open a subsistence fishing period that may occur during times that are before, during, and after a commercial salmon fishing period;

(2) repealed 5/19/2010.

(f) Repealed 5/19/2010.

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

(h) Except as provided in 5 AAC 01.225, and except as may be provided by the terms of a subsistence fishing permit, there is no closed season on fish other than salmon. (In effect before 1982; am 4/14/82, Register 82; am 4/16/83, Register 86; am 6/30/83, Register 86; am 5/11/85, Register 94; am 4/2/88, Register 105; am 7/16/92, Register 123; am/readopt 5/15/93, Register 126; am 7/3/94, Register 130; am 3/24/95, Register 133; am 6/21/97, Register 142; am 6/10/98, Register 146; am 6/17/98, Register 146; am 6/22/2001, Register 158; am 9/29/2001, Register 159; am 5/19/2004, Register 170; am 5/19/2010, Register 194; am 7/13/2012, Register 203; am 4/13/2013, Register 206)

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

(b) Repealed 5/15/93.

(c) Repealed 5/11/85.

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

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

(1) in Subdistrict 4-A upstream from the mouth of Stink Creek,

(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

(C) chum salmon may be taken by drift gillnets after August 2;

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

(3) a person may not operate a drift gillnet that is more than 150 feet in length during the seasons described in (1) and (2) of this subsection.

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

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

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

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

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

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

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

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

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

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

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

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

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

(g) Repealed 6/10/98.

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

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

(j) Repealed 6/17/98.

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

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

(2) through the ice.

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

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

(1) a gillnet used to take fish

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

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

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

(2) for fish wheels:

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

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

(C) repealed 6/17/2001;

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

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

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

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

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

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

(1) a gillnet used to take fish

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

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

(2) for fish wheels:

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

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

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

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

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

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

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

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

(p) In the Yukon Area, notwithstanding any other provision of this section that allows a person to take salmon with a gillnet that has a mesh size greater than seven and one-half inches, a person may not take salmon with a gillnet that has a mesh size greater than seven and one-half inches. (In effect before 1982; am 4/14/82, Register 82; am 4/16/83, Register 86; am 6/30/83, Register 86; am 9/22/84, Register 91; am 5/11/85, Register 94; am 5/31/87, Register 102; am 4/2/88, Register 105; am 7/16/92, Register 123; am/readopt 5/15/93, Register 126; am 7/3/94, Register 130; am 8/17/94, Register 131; am 3/24/95, Register 133; am 6/21/97, Register 142; am 6/10/98, Register 146; am 6/17/98, Register 146; am 7/5/2000, Register 155; am 6/17/2001, Register 158; am 5/19/2004, Register 170; am 8/23/2009, Register 191; am 5/19/2010, Register 194; am 5/12/2011, Register 198; am 7/13/2012, Register 203; am 5/24/2015, Register 214)

5 AAC 01.230. Subsistence fishing permits. (a) Except as provided in this section and 5 AAC 01.249, fish may be taken for subsistence purposes without a subsistence fishing permit.

(b) A subsistence fishing permit is required as follows:

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

(2) repealed 4/13/80;

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

(4) repealed 4/13/80;

(5) for the Tanana River drainage above the mouth of the Wood River;

(6) repealed 5/19/2010;

(7) for the taking of pike in waters of the Tolovana River drainage upstream of its confluence with the Tanana River;

(8) for the taking of salmon in Subdistricts 6-A and 6-B;

(9) for the South Fork of the Koyukuk River drainage upstream from the mouth of the Jim River and the Middle Fork of the Koyukuk River drainage upstream from the mouth of the North Fork.

(c) In addition to the subsistence fishing permit conditions set forth in 5 AAC 01.015, permits issued for fish other than salmon may also designate restrictive measures for the protection of salmon.

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

(e) In addition to the subsistence fishing permit conditions specified in 5 AAC 01.015, and except as provided in 5 AAC 01.249, permits issued for the taking of salmon in Subdistricts 6-A and 6-B must also contain the following requirements:

(1) salmon may be taken only by set gillnet or fish wheel; no household may operate more than one fish wheel;

(2) each subsistence fisherman shall keep accurate daily records of his or her catch, the number of fish taken by species, location and date of the catch, and other information that the department may require for management or conservation purposes;

(3) in that portion of Subdistrict 6-B three miles or more upstream of the mouth of Totchaket Slough, each permittee shall report the number of salmon taken to the department once each week, or as specified on the permit; in the remainder of Subdistrict 6-B and in Subdistrict 6-A, each permittee shall report the total number of salmon taken to the department no later than October 31;

(4) the annual harvest limit for the holder of a Subdistrict 6-A or 6-B subsistence salmon fishing permit is 60 king salmon and 500 chum salmon for the period through August 15

of a year, and 2,000 chum and coho salmon combined for the period after August 15; upon request, permits for additional salmon may be issued by the department;

(5) unless otherwise provided, from June 20 through September 30, open subsistence salmon fishing periods are concurrent with open commercial salmon fishing periods; during closures of the commercial salmon fishery, open subsistence salmon fishing periods are as specified in 5 AAC 05.367;

(6) in the Kantishna River drainage, the open subsistence salmon fishing periods are seven days per week, except as specified in 5 AAC 01.249;

(7) in Subdistrict 6-B from the downstream end of Crescent Island to a line three miles upstream from the mouth of Totchaket Slough, the open subsistence salmon fishing periods are from 6:00 p.m. Friday through 6:00 p.m. Wednesday. (In effect before 1988; am 4/2/88, Register 105; am 8/5/88, Register 107; readopt 5/15/93, Register 126; am 6/10/98, Register 146; am 6/17/98, Register 146; am 5/19/2004, Register 170; am 12/1/2004, Register 172; am 5/19/2010, Register 194)

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

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

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

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

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

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

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

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

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

(4) repealed 5/19/2010;

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

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

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

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

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

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

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

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

Yukon Area Personal Use Fisheries

5 AAC 77.174. Waters closed to personal use fishing. (a) Waters of the Tanana River drainage are closed to the personal use taking of pike above the mouth of the Kantishna River.

(b) The following waters are closed to personal use fishing:

(1) the Delta Clearwater River (Clearwater Creek at 64° 06' N. lat., 145° 34' W. long.), Richardson Clearwater Creek (Clear Creek at 64° 14' N. lat., 146° 16' W. long.), Goodpaster River, Chena River, Little Chena River, Little Salcha River, Blue Creek, Shaw Creek, Bear Creek, McDonald Creek, and Moose Creek, within 500 feet of their mouths;

(2) the Salcha River upstream of a line between ADF&G regulatory markers at its mouth;

(3) Bolio, Birch, Lost, Harding, Craig, Fielding, Quartz, and Little Harding lakes;

(4) Piledriver and Badger (Chena) sloughs;

(5) repealed 6/17/98;

(6) the Delta River. (Eff. 5/29/93, Register 126; am 3/24/95, Register 133; am 6/17/98, Register 146)

Yukon Area Commercial Salmon Fisheries

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. (In effect before 1988; am 7/16/92, Register 123; am 2/8/97, Register 141; am 3/11/2001, Register 157; am 7/13/2012, Register 203)

5 AAC 05.200. Fishing districts and subdistricts. (a) District 1 consists of that portion of the Yukon River drainage from its terminus at Apoon Pass extending 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.

(b) District 2 consists of that portion of the Yukon River drainage from the northern edge of the mouth of the Anuk River upstream to an ADF&G regulatory marker located at Toklik, and includes the Anuk River drainage.

(c) District 3 consists of that portion of the Yukon River drainage from an ADF&G regulatory marker located at Toklik upstream to an ADF&G regulatory marker at the mouth of an unnamed slough three-fourths of a mile downstream from Old Paradise Village.

(d) District 4 consists of the Yukon River drainage from an ADF&G regulatory marker at the mouth of an unnamed slough three-fourths of a mile downstream from Old Paradise Village upstream to the western edge of the mouth of Illinois Creek at Kallands.

(1) Subdistrict 4-A consists of that portion of the Yukon River drainage from an ADF&G regulatory marker at the mouth of an unnamed slough three-fourths of a mile downstream from Old Paradise Village upstream to the tip of Cone Point;

(2) Subdistrict 4-B consists of the Yukon River drainage from the tip of Cone Point upstream along the north bank of the river to the westernmost edge of Illinois Creek and includes the following islands: Cook, Lark, Serpentine, Loudon, Fish, Dainty, Yuki, Melozi, Dasha, Straight, Kit, Fox, Hardluck, Mickey, Florence, Doyle, Chokoyik, Lady, Liner, Flora, and Cronin;

(3) Subdistrict 4-C consists of the Yukon River drainage from the tip of Cone Point upstream along the south bank of the river to a point opposite the westernmost edge of Illinois Creek and includes the following islands: Cat, Hen, Jimmy, Big, Ninemile, Ham, Emerald, Edith, Kathaleen, Henry, Burns, Youngs, Weir, Clay, Large, and Brant.

(e) District 5 consists of that portion of the Yukon River drainage (excluding the Tanana River drainage) from the western edge of the mouth of Illinois Creek to the United States-Canada border, and includes the Illinois Creek drainage.

(1) Subdistrict 5-A consists of the Yukon River drainage from a point opposite the westernmost edge of Illinois Creek upstream along the south bank of the river to the easternmost edge of the Tanana River mouth and includes the following islands: Second, Corbusier, Sixmile, Deet'laa', Swanson, Blind, Basco, Sword, Leonard, Still, Tanana, and Mission;

(2) Subdistrict 5-B consists of the Yukon River drainage from the westernmost edge of Illinois Creek upstream along the north bank of the river to a point opposite the easternmost edge of the Tanana River mouth upstream along both banks of the Yukon River to the westernmost tip of Garnet Island and includes the following islands: Willow I, II, and III, Steamboat, Grant, Darwin, Little Joker, Station, Tozitna, Circle, Bull, and Long;

(3) Subdistrict 5-C consists of the Yukon River drainage upstream from the westernmost tip of Garnet Island to ADF&G regulatory markers located approximately two miles downstream from Waldron Creek;

(4) Subdistrict 5-D consists of the Yukon River drainage from ADF&G regulatory markers located approximately two miles downstream from Waldron Creek upstream to the United States-Canada border.

(f) District 6 consists of the Tanana River drainage to its confluence with the Yukon River.

(1) Subdistrict 6-A consists of that portion of the Tanana River drainage from its mouth upstream to the eastern edge of the mouth of the Kantishna River and includes the Kantishna River drainage;

(2) Subdistrict 6-B consists of that portion of the Tanana River drainage from the eastern edge of the mouth of the Kantishna River upstream to the eastern edge of the mouth of the Wood River and includes the Wood River drainage;

(3) Subdistrict 6-C consists of the Tanana River drainage from the eastern edge of the mouth of the Wood River upstream to the eastern edge of the mouth of the Salcha River and includes the Salcha River drainage;

(4) Old Minto Area consists of that portion of Subdistrict 6-B from the downstream end of upper Tolovana Island, located approximately two miles upstream of the Tolovana River, to three miles upstream of the mouth of the Totchaket Slough.

(g) Repealed 7/13/2012.

(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. (In effect before 1982; am 4/14/82, Register 82; am 7/16/92, Register 123; am 5/29/93, Register 126; am 7/3/94, Register 130; am 7/12/96, Register 139; am 3/11/2001, Register 157; am 6/17/2001, Register 158; am 9/29/2001, Register 159; am 5/19/2010, Register 194; am 7/13/2012, Register 203; am 4/13/2013, Register 206)

5 AAC 05.331. Gillnet specifications and operations. (a) No person may operate set gillnet gear that exceeds 150 fathoms in length; no person may operate drift gillnet gear that exceeds 50 fathoms in length.

(b) In Districts 1 and 2, salmon may be taken only with gillnets of six-inch or smaller mesh during periods established by emergency order.

(c) In District 3, salmon may be taken only with gillnets of six-inch or smaller mesh during periods established by emergency order.

(d) In District 4, salmon may be taken only with gillnets of six-inch or smaller mesh after a date specified by emergency order.

(e) No gillnet gear may be operated in a manner to obstruct more than one-half the width of any waterway. In the intertidal zone, this restriction applies at all stages of the tide.

(f) In Districts 4 - 6, gillnets with

- (1) greater than six-inch mesh may not be more than 60 meshes in depth;
- (2) six-inch or smaller mesh may not be more than 70 meshes in depth.

(g) In Districts 1 - 3, gillnets with

- (1) greater than six-inch mesh may not be more than 45 meshes in depth;
- (2) six-inch or smaller mesh may not be more than 50 meshes in depth.

(h) Notwithstanding (b) - (d) of this section, during times when the commissioner determines it to be necessary for the conservation of chum salmon, the commissioner, by emergency order, may close the fishing season in Districts 1 - 6 and immediately reopen the season during which a person may not take salmon with a gillnet that has a mesh size of less than eight inches.

(i) In the Yukon Area, notwithstanding any other provision of this section that allows a person to take salmon with a gillnet that has a mesh size greater than seven and one-half inches, a person may not take salmon with a gillnet that has a mesh size greater than seven and one-half inches.

(j) Notwithstanding the other provisions of this section, in Districts 1 - 3, during times when the commissioner determines that it is necessary for the conservation of king salmon, the commissioner may, by emergency order, close the fishing season and immediately reopen the season during which a person may take salmon only with a gillnet that has a mesh size of five and one-half inches or less and that is not more than 30 meshes in depth. (In effect before 1985; am 5/11/85, Register 94; am 4/2/88, Register 105; am 7/16/92, Register 123; am 7/3/94, Register 130; am 3/30/95, Register 133; am 6/7/2007, Register 182; am 5/19/2010, Register 194; am 7/13/2012, Register 203; am 4/13/2013, Register 206)

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

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

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

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

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

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

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

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

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

- (1) Coastal District, Koyukuk River, Innoko River, and Subdistrict 5-D: seven days per week;
- (2) Districts 1 - 3: two 36-hour fishing periods per week;
- (3) District 4, and Subdistricts 5-B and 5-C: two 48-hour fishing periods per week;

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

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

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

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

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

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

(i) If the department projects that the Yukon River king salmon escapements are below the escapement goals or king salmon subsistence fishing is restricted in more than one district or portion of a district, the commissioner shall, by emergency order, close a fishery and immediately reopen a fishery during which king salmon may be retained, but not sold.

(j) Notwithstanding the provisions of this section, the department shall manage the king salmon subsistence fishery in Districts 1 - 6 during the first pulse of the historical three distinctive pulses of king salmon that enter the Yukon River drainage, as follows:

(1) in Districts 1 and 2, to account for the uncertainty in the preseason king salmon run projection, the department shall manage the king salmon subsistence fishery conservatively and not open any subsistence fishing periods during the first pulse of king salmon entering the districts;

(2) in Districts 3 - 6,

(A) if inseason run assessment information indicates insufficient abundance of king salmon to meet escapement objectives on specific components of the run and subsistence harvest needs, the department will not open any subsistence fishing periods during the first pulse implemented chronologically in the applicable district, consistent with migratory timing as the king salmon run progresses upstream;

(B) if inseason run assessment information indicates sufficient abundance of king salmon to meet escapement objectives on specific components of the run and subsistence

harvests needs, subsistence fishing will revert to the fishing periods as specified in (d) of this section. (In effect before 1982; am 4/14/82, Register 82; am 8/5/88, Register 107; am 6/14/90, Register 115; am 6/10/98, Register 146; am 4/22/99, Register 150; am 6/17/2001, Register 158; am 12/29/2002, Register 164; am 7/31/2003, Register 167; am 5/19/2004, Register 170; am 8/5/2004, Register 171; am 5/19/2010, Register 194; am 4/13/2013, Register 206)

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

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

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

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

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

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

(2) the department shall manage the subsistence directed summer chum salmon fishery to achieve 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.

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

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

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

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

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

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

- (1) Districts 1 and 2: 251,000 - 755,000 fish;
- (2) District 3: 6,000 - 19,000 fish;
- (3) Subdistrict 4-A: 113,000 - 338,000 fish, the equivalent roe poundage of 61,000 - 183,000 pounds, or a combination of pounds of roe and numbers of fish;
- (4) Subdistricts 4-B and 4-C: 16,000 - 47,000 fish;
- (5) Subdistricts 5-B, 5-C, and 5-D: 1,000 - 3,000 fish;
- (6) District 6: 13,000 - 38,000 fish.

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

- (1) Districts 1 and 2: 62.9 percent;
- (2) District 3: 1.6 percent;
- (3) Subdistrict 4-A: 28.2 percent;
- (4) Subdistrict 4-B and 4-C: 3.9 percent;
- (5) District 5: 0.3 percent;
- (6) District 6: 3.2 percent.

(i) All salmon caught by CFEC permit holders during a commercial fishing period when salmon roe is sold, shall be reported in numbers of fish on ADF&G fish tickets. Notwithstanding 5 AAC 05.368, no more than 183,000 pounds of summer chum salmon roe from Subdistrict 4-A

may be sold separately each year. If this roe cap is reached, fishing may continue, but all salmon must be sold in the round.

(j) In Subdistrict 4-A and District 6, during times when the commissioner determines that it is necessary for the conservation of king salmon, the commissioner may, by emergency order, close the commercial set gillnet fishing season and immediately reopen the fishing season during which

(1) a fish wheel may be used; a fish wheel operated under this subsection must be constructed in a manner that includes

(A) basket sides and bottoms consisting of soft mesh material similar to or made of seine web; and

(B) an adjustable or fixed slide or chute that

(i) consists of a smooth bottom and closed cell foam lined sides; and

(ii) returns king salmon immediately to the water;

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

(3) all king salmon caught in the fish wheel must be returned immediately to the water alive.

(k) In Districts 1 - 3, during times when the commissioner determines that it is necessary for the conservation of king salmon, the commissioner may, by emergency order, close the commercial gillnet fishing season and immediately reopen a fishing season during which

(1) a permit holder may fish with

(A) up to four dip nets, notwithstanding 5 AAC 39.105(d)(24), for the purposes of this subparagraph, a dip net is a bag-shaped net supported on all sides by a rigid frame in which no portion of the bag is constructed of webbing that exceeds a stretched measurement of four and one-half inches and the frame is attached to a single rigid handle and operated by hand; the depth of the bag must be at least one-half of the greatest straight-line distance, as measured through the net opening; for a dip net with

(i) a circular net frame, the maximum straight-line distance between any two points on the net frame, as measured through the net opening, may not exceed five feet;

(ii) a net frame that is not a circular net frame, the width-height dimensions may not exceed six feet by three feet;

(B) beach seine gear, with mesh size that does not exceed four inches stretched measure; and

(2) all king salmon caught in dip net and beach seine gear must be released immediately and returned to the water unharmed. (Eff. 6/14/90, Register 115; am 7/12/96, Register 139; am 4/22/99, Register 150; am 6/17/2001, Register 158; em am 7/1/2009 - 10/28/2009, Register 191; am 5/9/2010, Register 194; am 7/13/2012, Register 203; am 4/13/2013, Register 206; am 5/18/2014, Register 210)

5 AAC 05.368. Anvik River Chum Salmon Fishery Management Plan. The department may not manage the Yukon River summer chum salmon run to specifically allow an allocation of catch to the Anvik River. It is the intent of the Board of Fisheries that Yukon River summer chum salmon be harvested in the fisheries that have historically harvested them, including the methods, means, times, locations, and guideline harvest levels for the respective districts and subdistricts within the Yukon Area; the following provisions apply to the Anvik River chum salmon fishery:

(1) only after the department projects that an escapement objective of 500,000 or more chum salmon will be achieved may the commissioner open, by emergency order, any portion of the Anvik River, upstream of ADF&G regulatory markers placed on each side of the river at its mouth to the taking of chum salmon;

(2) in the Anvik River, the set gillnet fishery includes fish wheels, hand beach seine gear, and hand purse seine gear; the fish wheel fishery includes set gillnets, hand beach seine gear, and hand purse seine gear; a fish wheel, set gillnet, and hand beach seine gear may be operated only as follows:

(A) only a fish wheel equipped with a livebox may be used and must be operated as follows:

(i) the livebox must be constructed so that it contains no less than 45 cubic feet of water volume while it is in operation;

(ii) for the purpose of this subparagraph a "livebox" is a submerged container attached to the fish wheel that will keep fish caught by the fish wheel alive;

(B) notwithstanding 5 AAC 05.331(a) and (d), a person may operate only a single set gillnet at any one time as follows:

(i) the set gillnet may not exceed 25 fathoms in length and may not be larger than five and one-quarter inch stretch mesh; and

(ii) notwithstanding 5 AAC 39.107(f), a CFEC permit holder or crewmember must be physically present at a set gillnet site at all times the set gillnet is in operation to continuously attend the set gillnet and release all king salmon alive to the water;

(C) for the purpose of this section, a "hand beach seine" is a beach seine that is retrieved by hand power or hand-powered crank and not by any type of electrical, hydraulic, mechanical, or other device or attachment;

(3) notwithstanding (2) of this section, during times when the commissioner determines it to be necessary for the conservation of king salmon, the commissioner, by emergency order, may close the fishing season for the set gillnet fishery and the fish wheel fishery in the Anvik River and immediately reopen the season during which only hand beach seine gear and hand purse seine gear may be used to take fish in those fisheries;

(4) no more than 100,000 pounds of summer chum salmon roe taken from the Anvik River may be sold annually; if this roe cap is reached, fishing effort may continue, but only the sale of chum salmon in-the-round is allowed;

(5) all king salmon taken in the Anvik River during commercial fishing periods must be returned to the water alive;

(6) in the Anvik River, during periods specified by the department, a CFEC permit holder may not sell more than 1,000 chum salmon in-the-round or 700 pounds of chum salmon roe per commercial fishing period. (Eff. 7/3/94, Register 130; em am 7/8/94 - 11/4/94, Register 131; am 3/30/95, Register 133; am 3/31/95, Register 133; am 7/12/96, Register 139; am 6/10/98, Register 146)

Kuskokwim Area Subsistence and Commercial Finfish Fisheries

Kuskokwim Area Subsistence Finfish Fisheries

5 AAC 01.255. Description of districts and subdistricts. Districts and subdistricts are as described in 5 AAC 07.200. (In effect before 1988; readopt 5/15/93, Register 126)

5 AAC 01.270. Lawful gear and gear specifications and operation. (a) Salmon may be taken only by gillnet, beach seine, a hook and line attached to a rod or pole, handline, or fish wheel subject to the restrictions set out in this section and 5 AAC 01.275, except that salmon may also be taken by spear in the Holitna River drainage, Kanektok River drainage, Arolik River drainage, and the drainage of Goodnews Bay.

(b) The aggregate length of set gillnets or drift gillnets in use by any individual for taking salmon may not exceed 50 fathoms.

(c) Fish other than salmon may be taken only by set gillnet, drift gillnet, beach seine, fish wheel, pot, longline, fyke net, dip net, jigging gear, spear, a hook and line attached to a rod or pole, handline, or lead.

(d) Each subsistence gillnet operated in tributaries of the Kuskokwim River must be attached to the bank, fished substantially perpendicular to the bank and in a substantially straight line.

(e) In that portion of the Kuskokwim River drainage from the north end of Eek Island upstream to the mouth of the Kolmakoff River, no part of a set gillnet located within a tributary to the Kuskokwim River may be set or operated within 150 feet of any part of another set gillnet.

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

(g) Repealed 5/19/2004.

(h) The maximum depth of gillnets is as follows:

(1) gillnets with six-inch or smaller mesh may not be more than 45 meshes in depth;

(2) gillnets with greater than six-inch mesh may not be more than 35 meshes in depth.

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

(j) Subsistence set and drift gillnets operated in Whitefish Lake in the Ophir Creek drainage may not exceed 15 fathoms in length.

(k) A person may not operate more than one subsistence set or drift gillnet at a time in Whitefish Lake in the Ophir Creek drainage. A person operating a subsistence set or drift gillnet shall check the net at least once every 24 hours.

(l) Repealed 5/29/2001.

(m) Notwithstanding (b) and (j) of this section, during times when the commissioner determines it to be necessary for the conservation of chum salmon, the commissioner, by emergency order, may close the fishing season in any portion of the Kuskokwim Area and immediately reopen the season in that portion during which the following gear limitations apply:

(1) a gillnet used to take fish

(A) must be of seven and one-half inch or greater mesh or four-inch or less mesh;

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

(C) for a gillnet of seven and one-half inch or greater mesh, may not exceed the length specified in (b) and (j) of this section;

(2) for fish wheels:

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

(B) the livebox of a fish wheel must be checked at least once every 12 hours while the fish wheel is in operation, and all chum salmon in the livebox must be returned alive to the water;

(C) repealed 6/17/2001;

(3) beach seine gear: any chum salmon taken in beach seine gear must be returned alive to the water.

(n) Notwithstanding (b) and (j) of this section, during times when the commissioner determines that it is necessary for the conservation of king salmon, the commissioner, by emergency order, may close the fishing season in any portion of the Kuskokwim Area and immediately reopen the season in that portion during which one or more of the following gear limitations may be implemented:

(1) for gillnets;

(A) a gillnet mesh size may not exceed six inches;

(B) a gillnet mesh size may not exceed four inches and the gillnet may only be operated as a set gillnet; no part of a set gillnet may be more than 100 feet from the ordinary high water mark;

(C) a gillnet may not exceed the length specified by the commissioner in the emergency order, except that a longer gillnet may be used if no more than the specified length of the gillnet is in a fishing condition and the remainder of the gillnet is tied up or secured so that it is not in the water in a fishing condition;

(2) for fish wheels:

(A) except as provided in (B) of this paragraph, a fish wheel used to take fish must be equipped with a livebox that is constructed so that it contains no less than 45 cubic feet of water volume while it is in operation; the livebox of a fish wheel must be checked at least once every six hours while the fish wheel is in operation, and all king salmon in the livebox must be returned alive to the water;

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

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

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

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

(3) for beach seine gear: any king salmon taken in beach seine gear must be released immediately and returned alive to the water;

(4) for dip nets: a person may fish for salmon with a dip net, as defined in 5 AAC 39.105, and all king salmon caught in a dip net must be released immediately and returned alive to the water.

(o) For the purposes of this section, a "livebox" is a submerged container, that is attached to a fish wheel and that will keep fish caught by the fish wheel alive. (In effect before 1988; am 4/2/88, Register 105; am/readopt 5/15/93, Register 126; am 7/3/94, Register 130; am 7/5/2000, Register 155; em am 7/8/2000 - 11/4/2000, Register 155; em am 5/29/2001, Register 158; am 6/17/2001, Register 158; am 5/19/2004, Register 170; am 8/23/2009, Register 191; am 5/24/2015, Register 214)

5 AAC 01.280. Subsistence fishing permits. Fish may be taken for subsistence purposes without a subsistence fishing permit. (In effect before 1988; readopt 5/15/93, Register 126)

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

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

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

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

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

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

(1) 67,200 - 109,800 king salmon in the Kuskokwim River drainage;

(2) 41,200 - 116,400 chum salmon in the Kuskokwim River drainage;

(3) 32,200 - 58,700 sockeye salmon in the Kuskokwim River drainage;

(4) 27,400 - 57,600 coho salmon in the Kuskokwim River drainage;

(5) 500 - 2,000 pink salmon in the Kuskokwim River drainage;

(6) 6,900 - 17,000 salmon in Districts 4 and 5, combined;

(7) 12,500 - 14,400 salmon in the remainder of the Kuskokwim Area. (Eff. 5/15/93, Register 126; am 6/10/98, Register 146; am 6/17/2001, Register 158; am 4/13/2013, Register 206)

Kuskokwim Area Commercial Salmon Fisheries

5 AAC 07.200. Fishing districts, subdistricts, and sections. (a) District 1 consists of that portion of the Kuskokwim River upstream from a line from Apokak Slough at 60° 08.50' N. lat., 162° 12' W. long. to the southernmost tip of Eek Island to Popokamiut at 60° 04' N. lat., 162° 28' W. long., to a line between ADF&G regulatory markers located at the mouth of Bogus Creek.

(1) Subdistrict 1-A consists of that portion of District 1 upstream from a line between ADF&G regulatory markers located at the downstream end of Steamboat Slough to a line between ADF&G regulatory markers located at the mouth of Bogus Creek;

(2) Subdistrict 1-B consists of that portion of District 1 upstream from a line from Apokak Slough at 60° 08.50' N. lat., 162° 12' W. long. to the southernmost tip of Eek Island to the Popokamiut at 60° 04' N. lat., 162° 28' W. long. to a line between ADF&G regulatory markers located at the downstream end of Steamboat Slough.

(A) the Lower Section consists of that portion of Subdistrict 1-B upstream from a line from Apokak Slough at 60° 08.50' N. lat., 162° 12' W. long. to the southernmost tip of Eek Island to Popokamiut at 60° 04' N. lat., 162° 28' W. long. to a line between ADF&G regulatory markers located at approximately 60° 28' N. lat., 162° 18' W. long. and 60° 28' N. lat., 162° 21' W. long.;

(B) Upper Section consists of that portion of Subdistrict 1-B not included in the Lower Section.

(b) District 2 consists of that portion of the Kuskokwim River from the ADF&G regulatory markers located just below the upstream entrance to the second slough on the west bank of the Kuskokwim River downstream of Lower Kalskag, approximately seven and one-half miles downstream of Lower Kalskag, to ADF&G regulatory markers at the downstream edge of Chuathbaluk.

(c) District 4 consists of Kuskokwim Bay between ADF&G regulatory markers located at the northernmost edge of the mouth of Weelung Creek and at the southernmost edge of the mouth of the Arolik River.

(d) District 5 consists of that portion of Goodnews Bay east of a line from an ADF&G regulatory marker located approximately two miles south on the seaward side of the entrance of Goodnews Bay to an ADF&G regulatory marker located approximately two miles north on the seaward side of the entrance of Goodnews Bay and west of a line between the mouth of Ukfigag Creek at 59° 04.17' N. lat., 161° 36' W. long. and the mouth of the Tunulik River at 59° 08' N. lat., 161° 37' W. long. (In effect before 1985; am 5/11/85, Register 94; am 4/2/88, Register 105; am 7/26/90, Register 115; am 7/16/92, Register 123; am 3/30/95, Register 133; am 6/17/98, Register 146; am 7/5/2000, Register 155; am 3/11/2001, Register 157; am 6/17/2001, Register 158; am 5/19/2004, Register 170; am 6/7/2007, Register 182; am 5/19/2010, Register 194)

5 AAC 07.331. Gillnet specifications and operations. (a) The aggregate length of a set or drift gillnet may not exceed 50 fathoms, except that if the commissioner determines that there is a harvestable surplus of salmon, the commissioner may, by emergency order, close the fishing season and immediately reopen a season during which the aggregate length of a set or drift gillnet may not exceed 100 fathoms.

(b) The maximum depth of gillnets is as follows:

(1) gillnets with six-inch or smaller mesh may not be more than 45 meshes in depth;

(2) gillnets with greater than six-inch mesh may not be more than 35 meshes in depth.

(c) In Districts 1 and 2, salmon may be taken only with gillnets with six-inch or smaller mesh.

(d) In Districts 4 and 5,

(1) repealed 4/15/81;

(2) salmon may be taken only with gillnets of six-inch or smaller mesh.

(e) No gillnet gear may be operated in a manner to obstruct more than one-half the width of any waterway. In the intertidal zone this restriction applies at all stages of the tide. (In effect before 1985; am 5/11/85, Register 94; am 5/19/2004, Register 170; am 6/7/2007, Register 182; am 4/13/2013, Register 206)

5 AAC 07.365. Kuskokwim River Salmon Management Plan. (a) The purpose of this management plan is to provide guidelines for management of the Kuskokwim River salmon fisheries that result in the sustained yield of salmon stocks large enough to meet escapement goals, amounts reasonably necessary for subsistence uses, and for nonsubsistence fisheries. The department shall use the best available data, including pre-season and in-season run projections, test fishing indices, age and sex composition, harvest reports, passage escapement estimates, and recognized uncertainty, to assess run abundance for the purpose of implementing this plan.

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

(c) In the king salmon fishery,

(1) when the projected escapement of king salmon is below the drainagewide escapement goal range, the commissioner shall, by emergency order, close the commercial, sport, and subsistence king salmon fisheries;

(2) when the projected escapement of king salmon is within the drainagewide escapement goal range, the commissioner shall open and close fishing periods, by emergency order, as follows:

(A) to the extent practicable, at least one fishing period per week will be opened for a directed subsistence king salmon fishery to provide harvest opportunity on surplus king salmon in excess of escapement needs, except that when surplus king salmon in excess of the drainagewide escapement goal is limited, the commissioner may, by emergency order, close the subsistence fishery and immediately reopen a subsistence fishery during which

(i) king salmon may be taken only by persons 60 years of age or older; and

(ii) a person authorized to take king salmon under (i) of this paragraph may not authorize a proxy to take or attempt to take king salmon under AS 16.05.405 or 5 AAC 01.011, but the participant may be assisted by family members within the second degree of kindred; in this sub-subparagraph, "within the second degree of kindred" has the meaning given in 5 AAC 92.990(a);

(B) fishing may be opened for commercial and sport fisheries to provide harvest opportunity on surplus king salmon in excess of escapement and subsistence needs;

(3) when the projected escapement of king salmon exceeds the drainagewide escapement goal range, the

(A) directed subsistence king salmon fishery will be open seven days per week; and

(B) commercial and sport fisheries will be managed to provide harvest opportunity on surplus king salmon in excess of escapement and subsistence needs.

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

(1) the subsistence salmon net and fish wheel fisheries will be open seven days per week, except that if the commissioner determines that it is necessary in order to achieve escapement goals, the commissioner may alter fishing periods, by emergency order, based on run abundance;

(2) the commissioner may implement one or more of the gear limitations as described in 5 AAC 01.270(n) during times the commissioner determines that it is necessary for the conservation of king salmon;

(A) the gillnet mesh size may not exceed four inches until sockeye and chum salmon abundance exceeds the king salmon abundance;

(B) a gillnet may not exceed 25 fathoms in length, except that a longer gillnet may be used if no more than 25 fathoms of the gillnet is in a fishing condition and the remainder of the gillnet is tied up or secured so that it is not in the water in a fishing condition;

(C) a person may fish for salmon with a dip net, as defined in 5 AAC 39.105, and all king salmon caught by a dip net must be returned immediately to the water unharmed;

(3) actions to conserve king salmon may be applied to the entire Kuskokwim River, its sections, or tributaries, consistent with harvest trends and variability in abundance of king salmon available for harvest as the run progresses upstream;

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

(e) In the commercial fishery,

(1) the guideline harvest level for king salmon and sockeye salmon is as follows:

(A) 0 - 50,000 king salmon;

(B) 0 - 50,000 sockeye salmon;

(2) only the waters of District 1 may be opened during the first commercial salmon fishing period;

(3) the commissioner shall open and close the Kuskokwim River commercial salmon fishery, by emergency order, if inseason information indicates a run strength that is large enough to provide for a harvestable surplus and a reasonable opportunity for subsistence uses and for nonsubsistence fisheries;

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

(5) Districts 1 and 2 commercial fishing periods are from 12:00 p.m. through 6:00 p.m.; when longer fishing periods are allowed, the extra time is to be divided before 12:00 p.m. and after 6:00 p.m.;

(6) the department shall manage the commercial fishery to ensure there is no significant impact on escapement or allocations of salmon species as a result of incidental harvest in commercial fisheries directed at other salmon species;

(7) in June and when king salmon are abundant, the department shall manage the commercial fishery conservatively to ensure king salmon escapement goals are achieved and reasonable opportunity for subsistence uses is provided in consideration of harvest trends and abundance of king salmon available for the subsistence fishery, as follows:

(A) when the projected escapement of king salmon is within the drainagewide escapement goal range,

(i) the first opening may not occur until after June 23;

(ii) only the waters of Subdistrict 1-B may be opened during the first commercial fishing period;

(iii) at least 72 hours must pass between the first Subdistrict 1-B opening and the first Subdistrict 1-A opening;

(B) when the projected escapement of king salmon exceeds the drainagewide escapement goal range, the commercial fishery will be managed to provide harvest opportunity on surplus king salmon in excess of escapement and subsistence needs;

(8) when chum salmon abundance exceeds king salmon relative abundance, the department shall manage, to the extent practicable, the commercial salmon fishery based on chum salmon run strength;

(9) when coho salmon abundance exceeds chum salmon abundance, the department shall manage, to the extent practicable, the commercial salmon fishery based on coho salmon run strength;

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

(f) In the sport fishery,

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

(2) in the Aniak River drainage, the king salmon fishery is open from May 1 through July 25, with a bag and possession limit of two fish, 20 inches or greater in length, with an annual limit of two fish, 20 inches or greater in length; the sockeye, pink, chum, and coho

salmon fisheries are open year round, with a combined daily bag and possession limit of three fish, of which no more than two fish may be king salmon;

(3) actions to conserve king salmon will only be implemented when king salmon are present, consistent with migratory timing as the run progresses upstream. (Eff. 6/10/87, Register 102; am 4/2/88, Register 105; am 6/14/90, Register 115; am 6/10/98, Register 146; am 6/17/2001, Register 158; am 7/8/2001, Register 159; am 5/19/2004, Register 170; am 6/7/2007, Register 182; am 5/19/2010, Register 194; am 4/13/2013, Register 206; am 4/18/2014, Register 210; am 5/24/2015, Register 214)

5 AAC 07.367. District 4 Salmon Management Plan. (a) The objective of the District 4 Salmon Management Plan is to maintain a level of sustained yield which will provide for subsistence needs, the long-term economic health of the commercial and sport fishing industries, and recreational opportunities, in the district and freshwater systems flowing into the district.

(b) The District 4 commercial salmon fishery is to open before June 16.

(c) When the catch of king salmon in the commercial fishery is less than 50 percent of the catch of king and sockeye salmon combined, the department shall manage, to the extent practicable, the commercial salmon fishery based on the strength of the sockeye salmon return.

(d) Commercial salmon fishing periods are established by emergency order. The department shall allow at least one fishing period per week, unless a severe conservation problem develops.

(e) When a closure of the commercial salmon fishery is required, the department shall decide, on or before the 10th day of the closure, whether to close the sport fishery to the taking of the species of the biological concern and whether additional management actions on the sport fishery are needed. (Eff. 4/2/88, Register 105; am 12/1/2004, Register 172)

Kuskokwim Area Commercial Herring Fisheries

5 AAC 27.875. Description of Kuskokwim Area districts. (a) The Security Cove District consists of the waters between the latitude of Cape Newenham and the latitude of the Salmon River (58° 51.83' N. lat.).

(b) The Goodnews Bay District consists of that portion of Goodnews Bay inside a line between the northernmost tip of South Spit (59° 02.92' N. lat., 161° 49.08' W. long.) and the southernmost tip of North Spit (59° 03.58' N. lat., 161° 49.17' W. long.) and a line between the mouth of Ukfigag Creek (59° 04.17' N. lat., 161° 36' W. long.) and the mouth of the Tunulik River (59° 08' N. lat., 161° 37' W. long.).

(c) The Nelson Island District consists of the waters north of the latitude of Chinigyak Cape (60° 27' N. lat.) and east of the longitude of Atrnak Point (165° 15' W. long.) (approximately two miles west of Umkumiut), and all waters north of the latitude of Talurarevuk Point (60° 35' N. lat.) and south of the latitude of the southernmost tip of Chinit Point (60° 36' N.

lat.) and east of 165° 30' W. long., and all waters north of the latitude of the northernmost tip of Chinit Point (60° 37' N. lat.) and south of the latitude of the southeasternmost tip of Kigigak Island (60° 49' N. lat.) and east of 165° 30' W. long.

(d) The Nunivak Island District consists of the waters extending three miles seaward of mean low water from Kikoojit Rocks (60° 20' N. lat., 166° 40' W. long.) to Cape Mendenhall (59° 45.17' N. lat., 166° 07' W. long.).

(e) The Cape Avinof District consists of the waters extending landward of Kikegtek, Pingurbek, and Kwigluk Islands and north of the latitude of the southernmost tip of Kwigluk Island (59° 42' N. lat.), from the longitude of Ishkowik River (162° 44' W. long.) to the latitude of Tern Mountain (60° 42' N. lat.), to a point at 60° 42' N. lat., 164° 14' W. long., then to the northernmost tip of Kikegtek Island. (In effect before 1985; am 5/11/85, Register 94; am 4/2/88, Register 105; am 4/7/90, Register 114; am 3/30/95, Register 133; am 6/10/98, Register 146; am 6/17/98, Register 146; am 3/11/2001, Register 157)

KUSKOKWIM-GOODNEWS AREA SPORT FISHERIES

5 AAC 71.030. Methods, means, and general provisions - Finfish. (a) Unless otherwise provided in this chapter or by an emergency order issued under AS 16.05.060, the provisions in this section apply to finfish sport fishing in the Kuskokwim - Goodnews Area.

(b) In all waters, multiple hooks with a gap between the point and shank greater than one-half inch may be used for taking fish other than salmon.

(c) A spear or bow and arrow may be used to take suckers and burbot. Unless prohibited in 5 AAC 71.010, northern pike and whitefish, except sheefish, may be speared by a person who is completely submerged at any time, and, from September 1 through April 30, may be taken by spear or bow and arrow. (Eff. 3/14/2009, Register 189; am 4/13/2013, Register 206)

YUKON RIVER AREA SPORT FISHERIES

5 AAC 73.010. Seasons, bag, possession, and size limits, and methods and means for the Yukon River Area. (a) Except as otherwise specified in this section or through an emergency order issued under AS 16.05.060, sport fishing is permitted year round in the waters of the Yukon River Area.

(b) Except as otherwise specified in (c) of this section, the following are the general bag, possession, and size limits for finfish and shellfish in the waters of the Yukon River Area:

(1) king salmon 20 inches or greater in length: the bag and possession limit is three fish, of which only two fish may be 28 inches or greater in length;

(2) salmon, other than king salmon: the bag and possession limit is 10 fish, with no size limit;

(3) Arctic char/Dolly Varden and lake trout:

(A) in all lakes: the bag and possession limit is two fish of all species combined, with no size limit;

(B) in all flowing waters: the bag and possession limit is 10 fish of all species combined, of which only two fish may be 20 inches or greater in length, and of which only two fish may be lake trout;

(4) rainbow trout: the bag and possession limit is two fish, of which only one fish may be 20 inches or greater in length;

(5) Arctic grayling: the bag and possession limit is five fish, with no size limit;

(6) sheefish: the bag and possession limit is 10 fish, with no size limit;

(7) northern pike: the bag and possession limit is 10 fish, with no size limit;

(8) burbot: the bag and possession limit is 15 fish, with no size limit;

(9) halibut: may be taken only from February 1 through December 31, with a bag limit of two fish and a possession limit of four fish, with no size limit;

(10) finfish species that are not specified in this section: there are no bag, possession, or size limits;

(11) shellfish: may not be taken or possessed.

(c) The following are the exceptions to the general bag, possession, and size limits, and fishing seasons specified in (a) of this section for the Yukon River Area:

(1) in all waters of the Innoko River drainage, including all waters draining into the Yukon River from Holy Cross downstream to and including Paimiut Slough, the bag and possession limit for northern pike is three fish, of which only one fish may be 30 inches or greater in length;

(2) in all waters upstream from the mouth of the Tanana River to and including the Hodzana River, the bag and possession limit for northern pike is five fish, of which only one fish may be 30 inches or greater in length;

(3) in all waters of the Dall River drainage and in all waters of the Little Dall River drainage, northern pike may be taken only from May 20 through September 30, with a bag and possession limit of four fish less than 30 inches in length and only one fish which may be 48 inches or greater in length; all northern pike caught that are at least 30 inches, but less than 48 inches in length, may not be possessed or retained and must be immediately released;

(4) in the Dalton Highway corridor (Trans-Alaska Pipeline corridor) within the Yukon River Area, which is described as a corridor five miles wide on each side of the Dalton Highway north of the Yukon River, excluding the Ray River,

(A) sport fishing for salmon is closed;

(B) lake trout may be taken only by catch-and-release fishing, and may not be possessed or retained; all lake trout caught must be immediately released;

(C) the bag and possession limit for northern pike is five fish, of which only one fish may be 30 inches or greater in length;

(5) in the Nome Creek drainage of the Beaver Creek, Arctic grayling may be taken only by catch-and-release fishing, and may not be possessed or retained; all Arctic grayling caught must be immediately released;

(6) in the waters of the Nowitna River drainage, the bag and possession limit for northern pike is five fish, of which only one fish may be 30 inches or greater in length.

(d) In the Yukon River Area, the following special provisions to methods and means apply:

(1) in the Dall River and Little Dall River drainages,

(A) only unbaited, single-hook, artificial lures may be used;

(B) the use of set lines is prohibited;

(2) from April 1 through May 31, in the Nome Creek drainage of Beaver Creek, only unbaited, single-hook, artificial lures may be used. (Eff. 3/14/2009, Register 189)

TANANA RIVER AREA SPORT FISHERIES

5 AAC 74.010. Seasons, bag, possession, and size limits, and methods and means for the Tanana River Area. (a) Except as otherwise specified in this section or through an emergency order issued under AS 16.05.060, sport fishing is permitted year round in the waters of the Tanana River Area.

(b) Except as otherwise specified in (c) and (d) of this section, the following are the general bag, possession, and size limits and means for finfish in the waters of the Tanana River Area:

(1) king salmon 20 inches or greater in length: the bag and possession limit is one fish;

(2) salmon, other than king salmon: the bag and possession limit is three fish, with no size limit;

(3) Arctic char/Dolly Varden: the bag and possession limit is 10 fish, with no size limit;

(4) lake trout: the bag and possession limit is two fish, with no size limit;

(5) rainbow trout: the bag and possession limit is 10 fish, with no size limit;

(6) Arctic grayling: the bag and possession limit is five fish, with no size limit;

(7) whitefish: the bag and possession limit is 15 fish, with no size limit;

(8) sheefish: the bag and possession limit is two fish, with no size limit;

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

(10) burbot: the bag and possession limit is 15 fish, with no size limit;

(11) finfish species that are not specified in this section: there are no bag, possession, or size limits;

(12) from October 1 through April 30, a person using an ice house that is not removed from the ice daily must register that ice house with, and receive a permit from, the department; an ice house registered under this paragraph must have its permit number displayed on its side and roof in numbers that are plainly visible and that are at least 12 inches high and one inch wide in a color that contrasts with the background; an ice house must be removed from the ice by April 30, however, the department may designate other conditions on the permit, including other time and area restrictions.

(c) The following are the exceptions to the general bag, possession, and size limits, and fishing seasons specified in (a) and (b) of this section for the Tanana River Area:

(1) in all lakes of the Tanana River drainage, except those stocked lakes listed under (29) of this subsection, and unless otherwise specified in this subsection, the following exceptions apply:

(A) repealed 4/13/2013;

(B) burbot: the bag and possession limit is five fish, with no size limit;

(2) in the Chatanika River and its tributaries,

(A) sport fishing for salmon is closed upstream of the upstream edge of the Elliott Highway Bridge;

(B) repealed 5/19/2010;

(C) repealed 5/19/2010;

(D) northern pike may be taken only from June 1 through October 14;

(3) in the Chena River and its tributaries, including Chena Slough (Badger Slough),

(A) sport fishing for salmon is closed upstream from an ADF&G regulatory marker located 300 feet downstream from the Chena River flood control structure;

(B) Arctic grayling may be taken by catch-and-release fishing only;

(4) in the Chisana River drainage upstream of the Northway Bridge,

(A) in all lakes, the bag and possession limit for northern pike is two fish, of which only one fish may be 30 inches or greater in length;

(B) in all flowing waters, the bag and possession limit for northern pike is two fish, of which only one fish may be 30 inches or greater in length;

(5) in the Delta Clearwater River drainage, including the Clearwater Lake drainage, Arctic grayling may be taken by catch-and-release fishing only, except that from June 1 through December 31, a person may retain Arctic grayling, with a bag and possession limit of one fish, 12 inches or less in length; all Arctic grayling caught that are greater than 12 inches in length must be released immediately;

(6) in the Delta River and its tributaries,

(A) sport fishing for salmon is closed;

(B) all sport fishing is closed in that portion of the Delta River between its mouth and an ADF&G regulatory marker located two miles upstream;

(7) repealed 4/13/2013;

(8) in Dune Lake, the bag and possession limit for rainbow trout, landlocked salmon, Arctic char/Dolly Varden, and Arctic grayling, combined, is five fish, of which only one fish may be 18 inches or greater in length;

(9) in Fielding Lake,

(A) repealed 4/13/2013;

(B) lake trout may be taken only from October 1 through August 31, with a bag and possession limit of one fish, which must be 26 inches or greater in length; all lake trout caught that are less than 26 inches in length must be released immediately;

(C) burbot may be taken only from October 1 through August 31, with a bag and possession limit of one fish, with no size limit;

(10) in Five Mile Clearwater Creek, the bag and possession limit for Arctic grayling is two fish, of which only one fish may be 12 inches or greater in length;

(11) repealed 5/19/2010;

(12) the Goodpaster River drainage is closed to sport fishing for salmon, except that downstream from ADF&G regulatory markers located approximately 25 miles upstream from the confluence with the Tanana River, catch-and-release fishing for king salmon is allowed; king salmon may not be removed from the water and must be released immediately without further harm;

(13) in Harding Lake,

(A) sport fishing for northern pike is closed;

(B) the bag and possession limit for burbot is two fish, with no size limit;

(C) the bag and possession limit for lake trout is one fish, 30 inches or greater in length; all lake trout caught that are less than 30 inches in length must be released immediately;

(D) the bag and possession limit for Arctic char/Dolly Varden is 10 fish, of which only one fish may be 18 inches or greater in length;

(14) in the Kantishna River drainage downstream from the mouth of the Toklat River, sport fishing for chum salmon is closed from August 15 through December 31;

(15) in Little Harding Lake, sport fishing for northern pike is closed;

(16) repealed 4/13/2013;

(17) in Piledriver Slough and its tributaries, upstream from its confluence with Moose Creek, Arctic grayling may be taken by catch-and-release fishing only;

(18) in Rainbow Lake, the bag and possession limit for rainbow trout, landlocked salmon, Arctic char/Dolly Varden, and Arctic grayling, combined is five fish, of which only one fish may be 18 inches or greater in length;

(19) repealed 5/19/2010;

(20) in the Salcha River and its tributaries,

(A) sport fishing for salmon is closed upstream from an ADF&G regulatory marker located approximately two and one-half miles upstream from the Richardson Highway Bridge;

(B) repealed 5/19/2010;

(C) sport fishing is prohibited from the Richardson Highway Bridge over the Salcha River;

(21) in the Shaw Creek drainage and its tributaries, Arctic grayling may be taken from April 1 through May 31, by catch-and-release fishing only;

(22) in "T" Lake, the bag and possession limit for burbot is two fish, with no size limit;

(23) in the Tanana River and its tributaries within a two-mile radius of its confluence with Shaw Creek, Arctic grayling may be taken from April 1 through May 31, by catch-and-release fishing only;

(24) in the Tangle Lake system, including all waters of the Delta River drainage upstream from Wild Horse Creek,

(A) repealed 2/23/2014;

(B) the bag and possession limit for lake trout is one fish, with no size limit;

(C) the bag and possession limit for burbot is two fish, with no size limit;

(25) the Toklat River drainage is closed to sport fishing from August 15 through May 15;

(26) in the Tok River drainage,

(A) Arctic char/Dolly Varden may be taken by catch-and-release fishing only;

(B) Arctic grayling may be taken from May 15 through October 31, with a bag and possession limit of two fish, with no size limit;

(C) sport fishing for salmon is closed;

(27) in the Tolovana River drainage, northern pike may be taken only from June 1 through October 14;

(28) in Volkmar Lake, northern pike may be taken only from June 1 through April 20, with a bag and possession limit of two fish, of which only one fish may be 30 inches or greater in length;

(29) in stocked waters, the bag, possession, and size limit for rainbow trout, Arctic char/Dolly Varden, landlocked salmon, and Arctic grayling is 10 of all stocked species combined, of which no more than one fish may be 18 inches or greater in length; for the purposes of this paragraph, "stocked waters" include Artillery Lake, Backdown Lake, Ballaine Lake, Bathing Beauty Pond, Bear Lake (Eielson Air Force Base), Big "D" Pond, Birch Lake, Bluff Cabin Lake, Bolio Lake, Brodie Lake, Bullwinkle Lake, Cavalry Lake, Chena Lake, Chet Lake, CHSR 25.0 Mile Pit, CHSR 30.0 Mile Pit, CHSR 42.8 Mile Pit (Red Squirrel Pit), CHSR 45.5 Mile Pit, CHSR 47.9 Mile Pit, Coal Mine Road #5, Craig Lake, Dick's Pond, Doc Lake, Donna Lake, Donnelly Lake, Forrest Lake, Four Mile Lake, Fourteen Mile Lake, Geskakmina Lake, Ghost Lake, Grayling Lake, (Eielson Air Force Base), Hidden Lake (Eielson Air Force Base), Hidden Lake (Tetlin NWR.), Horseshoe Lake, "J" Lake, Jan Lake, Johnson Pit #2, Kenna Lake, Ken's Pond, Kids Fishing Pond, Kimberly Lake, Last Lake, Lisa Lake, Little Donna Lake, Little Lost Lake, Lost Lake, Luke Lake, Lundgren Pond, Manchu Lake, Mark Lake, Monte Lake, Monterey Lake, Moose Lake (Eielson Air Force Base), Mosquito Creek Lake, Mullins Pit, Nenana City Pond, Nickel Lake, No Mercy Lake, Nordale #2, North Chena Pond, North Pole Pond, North Twin Lake, Olnes Pond, Otto Lake, Parks 261 Pond, Paul's Pond, Polaris Lake, Quartz Lake, Rangeview Lake, Rapids Lake, Richardson Hwy. 28 Mile Pit, Richardson Hwy. 31 Mile Pit, Richardson Hwy. 81 Mile Pit, Rockhound Lake, Shaw Pond, Sheefish Lake, Sirlin Drive Pond, South Johnson Lake, South Twin Lake, Steese Hwy. 28.8 Mile Pit, Steese Hwy. 29.5 Mile Pit, Steese Hwy. 31.6 Mile Pit, Steese Hwy. 33.5 Mile Pit, Steese Hwy. 34.6 Mile Pit, Steese Hwy. 35.8 Mile Pit, Steese Hwy. 36.6 Mile Pit, Stringer Rd. Pond, Stryker Lake, Triangle Lake, Wainwright #6, Weasel Lake, West Iksgiza Lake, Z Pit (Chena Floodway);

(30) in Koole Lake, the bag and possession for all finfish species combined is five fish, of which only one fish may be 18 inches or greater in length;

(31) repealed 4/13/2013;

(32) in George Lake, northern pike may be taken only from June 1 through April 20.

(d) In the Tanana River Management Area, the following special provisions to methods and means apply:

(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;

(2) in the Chatanika River and its tributaries, only unbaited artificial lures may be used, except that bait may be used only on hooks with a gap size larger than three-quarters of an inch;

(3) in the Chatanika River drainage upstream from the confluence of the Chatanika River and Goldstream Creek to an ADF&G regulatory marker located at the boundary of the Fairbanks nonsubsistence area, which is located approximately one mile downstream from the Murphy Dome Road, only single-hooks may be used;

(4) in the Chatanika River, whitefish may not be taken with

- (A) spear; or
- (B) bow and arrow;

(5) in the Chena River and its tributaries, including Chena Slough (Badger Slough),

(A) only one unbaited, single-hook, artificial lure may be used, except that a treble hook with a gap between hook and shank greater than one-half inch may be used when taking fish other than salmon;

(B) bait may be used only on a single hook with a gap size larger than three-quarters of an inch;

(6) in the Delta Clearwater River drainage, including the Clearwater Lake drainage, from

(A) January 1 through August 31, only one unbaited, single-hook, artificial lure may be used;

(B) September 1 through December 31, only unbaited, artificial lures may be used;

(7) in Fielding Lake,

- (A) the use of set lines is prohibited;

(B) only unbaited single-hook, artificial lures may be used;

(8) in Five-Mile Clearwater Creek, from

(A) January 1 through August 31, only one unbaited, single-hook, artificial lure may be used;

(B) September 1 through December 31, only unbaited, artificial lures may be used;

(9) in George Lake, including the George Lake outlet stream, from October 15 through May 15, set lines may be used only to take burbot;

(10) Harding Lake is closed to the taking of northern pike by spear or bow and arrow;

(11) in Harding Lake,

(A) the use of set lines is prohibited;

(B) only one single hook or one single-hook artificial lure may be used;

(12) repealed 4/13/2013;

(13) in Piledriver Slough upstream of its confluence with Moose Creek, only one unbaited, single-hook, artificial lure may be used;

(14) in the Richardson Clearwater River drainage only unbaited, artificial lures may be used;

(15) in the Salcha River and its tributaries only unbaited, artificial lures may be used, except that bait may be used only on hooks with a gap size larger than three-quarters of an inch throughout the Salcha River drainage;

(16) in Shaw Creek,

(A) only one unbaited, single-hook, artificial lure may be used;

(B) downstream from the Richardson Highway Bridge, bait may be used only on single hooks with a gap size larger than three-quarters of an inch;

(17) in "T" Lake, the use of set lines is prohibited;

(18) in the Tanana River and its tributaries within a two-mile radius of Shaw Creek, bait may be used only on single hooks with a gap size larger than three-quarters of an inch;

(19) in the Tangle Lake system, the use of set lines is prohibited;

(20) in the Goodpaster River drainage, from June 1 through August 31, only one unbaited single-hook, artificial lure may be used;

(21) in the Tok River drainage, only one unbaited, single-hook, artificial lure may be used;

(22) in Clearwater Lake, the use of set lines is prohibited. (Eff. 3/14/2009, Register 189; am 6/7/2009, Register 190; am 11/28/2009, Register 192; am 5/19/2010, Register 194; am 4/13/2013, Register 206; am 2/23/2014, Register 209)

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

(1) regional management approach;

(2) conservative management approach; and

(3) special management approach.

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

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

(d) Regional management approach. Under the regional management approach, stocked waters will be managed so that there will be a reasonable expectation of high catch rates and harvesting a daily bag limit. The bag and possession limit is 10 fish in combination of all stocked species, and only one of those fish may be 18 inches or greater in length. The fishing season is open year round and bait may be used.

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

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

(1) limit fishing to

(A) catch-and-release fishing;

(B) fly fishing;

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

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

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

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

(1) Little Harding Lake;

(2) Harding Lake;

(3) Summit Lake;

(4) Monte Lake;

(5) Donnelly Lake; and

(6) Rainbow Lake.

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

(1) Dune Lake; and

(2) Koole Lake.

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