

Submitted by the Alaska Department of Fish and Game at the request of Board Member Jensen

January 15, 2016

Substitute language for Proposal 116

5 AAC 01.220(m) and (n) are amended to read:

5 AAC 01.220. Lawful gear and gear specifications.

(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 **one or more of** the following gear limitations **may be implemented** [APPLY]:

...

(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 operator must closely attend the fish wheel while it is in operation, and all chum salmon must be immediately released to the water alive from the livebox** [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(C) repealed 6/17/2001;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:

...

(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 operator must closely attend the fish wheel while it is in operation, and all king salmon must be immediately released to the water alive from the livebox [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.