

**Proposal 222 – 5 AAC 01.280 Subsistence fishing permit.** Establish a permit system for regulating the king salmon subsistence fishery during times of low king salmon runs.

5 AAC 01.280 is amended to read:

**5 AAC 01.280 Subsistence fishing permits.**

[FISH MAY BE TAKEN FOR SUBSISTENCE PURPOSES WITHOUT A SUBSISTENCE FISHING PERMIT]

**(a) Except as provided in this section, fish may be taken for subsistence purposes without a subsistence fishing permit.**

**(b) In times of king salmon conservation, the commissioner may, by emergency order, close the subsistence fishery and immediately reopen the fishery with the following provisions. In the Kuskokwim River drainage, king salmon may only be taken by a subsistence fishing permit.**

**(1) A king salmon community subsistence fishing permit may be issued to communities or groups of [NUMBER] or more individuals who demonstrate a communal subsistence pattern of use of king salmon as described in the applicable board finding;**

**(i) Season dates for community permits are [MONTH AND DAY] through [MONTH AND DAY].**

**(ii) Annual permit limits will be determined based on a percentage of annual forecasted surplus king salmon, the number of permit applications received, and the number of individuals attached to the permit.**

**(2) A king salmon household subsistence fishing permit may be issued;**

**(i) Season dates for household permits are [MONTH AND DAY] through [MONTH AND DAY].**

**(ii) Annual permit limits will be determined based on a percentage of annual forecasted surplus king salmon, the number of permit applications received, and the number of individuals per household. .**

**(3) The application period for community and household permits is [MONTH AND DAY] through [MONTH AND DAY] annually;**

**(4) Only one subsistence fishing permit will be issued to each household per year. Individual households are only eligible to be listed on either a community subsistence fishing permit or a household subsistence fishing permit;**

**(5) All species caught while fishing for king salmon must be retained;**

**(6) Permit must be in possession while fishing or transporting fish;**

**(7) All fish harvested must be recorded on the permit, in ink, before concealing the fish from plain view or transporting the fish from the fishing site; for the purposes of this paragraph, “fishing site” means the location where the fish is removed from the water and becomes part of the permit holder’s bag limit;**

**(8) Permits must be returned or harvest reported when fishing is completed or by the date specified on the permit;; Permits must be returned to the department no later than [Month and Day], or a permit for the following year may be denied as provided in 5 AAC 01.015 (c);**

**(9) This regulation expires [DATE].**

**What is the issue you would like the board to address and why?** Since 2012, king salmon returns to the Kuskokwim River have been below historical averages and some of the lowest runs on record. These low returns have prompted restrictions to the Kuskokwim River subsistence salmon fishery. At the August 2015 Kuskokwim Subsistence Salmon Panel meeting (panel) in Bethel, the panel heard testimony from panel members in support of a limited permit system that would allow for the harvest of king salmon during times of shortage.

**PROPOSED BY:** Alaska Board of Fisheries (Board Generated Proposal)

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**PROPOSAL 223 – 5 AAC 34.925. Lawful gear for Registration Area Q.**

5 AAC 34.925(e)(2) is amended to read:

(2) in the Norton Sound Section of the Northern District, **as follows:**

**(A)** an aggregate of no more than 50 pots may be operated from a validly registered king crab vessel with an overall length of more than 125 feet; [, AND]

**(B)** an aggregate of no more than 40 pots may be operated from a validly registered king crab vessel with an overall length of 125 feet or less;

**(C) a permit holder may operate no more than 20 king crab pots described in (d) of this section during the winter through-the-ice commercial king crab season described in 5 AAC 34.910(d)(2);**

**What is the issue you would like the board to address and why?** A convergence of a robust red king crab population, strong overseas markets for live king crab, and high dock prices have led to record winter commercial harvests and levels of fishing effort since 2012: 7,314 pot lifts occurred in 2015 and over 4,000 pot lifts occurred in 2014 despite unfishable ice conditions throughout much of Norton Sound. The level of effort during the past 3 seasons is unprecedented because it has historically been cost prohibitive to fish a large number of pots through the ice.

The Norton Sound winter commercial king crab fishery has rapidly expanded to a highly competitive fishery in recent years. As shorefast ice develops, fishermen compete to occupy the outer edge of the ice to maximize catch rates. This relatively active ice is unstable and frequently breaks off. Recent regulation changes have partially addressed the issue of pot loss by shortening season dates to a period when sea ice stability is more optimal. However, the new season dates do not adequately address the issue of pot losses resulting from permit holders working the outer, less stable expanses of sea ice.

A large factor contributing to recent pot losses is the recent attitude among some permit holders who now view pots as a consumable item, in contrast to the former attitude that pots were multiyear equipment. Implementing a winter commercial pot limit would incentivize commercial fishermen to view commercial pot gear as a long term investment rather than the current situation in which pots are simply a business expense. Reducing the amount of commercial gear should lessen crowding at the ice edge to prevent the constant leapfrogging of the pots onto increasingly unstable ice expanses. Pot limits and their enforcement would also provide fishery managers with more reliable estimates of pot loss in season. If pot losses are high, the department may need to implement restrictions or closures in season in order to mitigate or eliminate further pot losses in years with marginal sea ice conditions so as to reduce ghost fishing by derelict pot gear. A winter commercial pot limit should also reduce conflicts with subsistence users competing for space along the same ice expanses.

**Proposed by:** Northern Norton Sound Advisory Committee.

*(formerly ACR 4)*

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