

## **PROPOSAL 22**

### **5 AAC 01.310. Fishing seasons and periods.**

Allow subsistence fishing for salmon in the Egegik District at any time from May 1 through September 30, as follows:

5 AAC 01.310 Fishing seasons and periods

(a) Unless restricted in this section and 5 AAC 01.325, or unless restricted under the terms of a subsistence fishing permit, fish, other than rainbow trout, may be taken at any time in the Bristol Bay Area.

(b) IN EGEKIK COMMERCIAL SALMON DISTRICT, SUBSISTENCE FISHING FOR FISH, INCLUDING SALMON, IS ALLOWED AT ANY TIME, UNLESS CLOSED OR RESTRICTED BY EMERGENCY ORDER. FROM MAY 1 THRU SEPTEMBER 30.

**What is the issue you would like the board to address and why?** Current regulations restrict subsistence fishing for salmon in the Bristol Bay Area, particularly the Egegik Salmon District, and do not allow ample opportunity for subsistence fishers to harvest enough salmon for their home use. This proposal would allow subsistence fishing for salmon in the Egegik Salmon District at all times, unless closed by emergency order.

Subsistence is the priority consumptive use of the resource. However, current regulations severely restricts subsistence fishing opportunity in commercial salmon districts during the months when salmon are most abundant: (b) From June 1 through September 30, within the waters of a commercial salmon district, salmon may be taken only during open commercial fishing periods. We believe this level of subsistence fishing does not provide reasonable opportunity for Alaskan residents to meet their subsistence needs, particularly in the Egegik Salmon District. Residents who either live or have fish camps adjacent to waters of the Egegik Salmon District must travel upriver by boat, beyond the upper District boundaries, to subsistence fish for salmon when commercial fishing is closed. Resident subsistence fishers are displaced by this regulation and are no longer able to fish in their traditional fishing locations, except during commercial fishing periods. My Mother and Father moved to this location on the beach in 1947-and I am still there-same location. However during commercial fishing periods, competition with commercial fishers is extreme and this competition severely hampers their opportunity to harvest fish for subsistence. The subsistence fisher should not be in direct competition with the commercial fishers. The subsistence fishery should be treated as a PRIORITY fishery.

\* As written in the ADFG Subsistence Regulation- Alaska state law directs the Board of Fisheries to provide a reasonable opportunity for subsistence users FIRST, BEFORE providing for other uses of any harvestable surplus of a fish or game population [ AS 16.05.258 (b)] This is often referred to as the "subsistence preference " or sometimes the " subsistence priority." While it's true that subsistence fishers have the option of traveling upriver beyond the commercial salmon district boundaries to subsistence fish when commercial fishing is closed within the district, traveling by boat is hazardous, because of numerous sandbars in the river, and is also extremely time consuming. Additionally, the upriver fishing locations are not traditional locations for subsistence fishing. Even the Elders of the City of Egegik fish on their local beach in front of town-they do not boat up to the end of the district. Subsistence fishers should be able to fish in their traditional

fishing grounds unimpeded by competition from commercial fishers. Because of the consumptive priority designation of subsistence, subsistence fishing should be given the Priority. Currently, it is not. We are not asking to change the commercial fishing schedule, we are requesting that subsistence fishing be allowed before, during, and after commercial fishing periods within commercial salmon district waters. The relatively small amount of subsistence sockeye salmon taken within this District, less than 1,000 fish in several surveys, should not warrant such extreme current restrictions on subsistence fishing.

If nothing is done, subsistence fishers who wish to fish their traditional fishing grounds within the Egegik commercial salmon district must compete with commercial fishers for their subsistence. One viable alternative would be to allow subsistence fishing at anytime throughout Bristol Bay, by repealing 5 AAC 01.3109 (b). This would prioritize the subsistence fishery over the commercial fishery in all commercial salmon fishing districts by allowing subsistence fishing for fish at any time in the Bristol Bay Area, as stipulated in 5 AAC 01.3109 (a). We believe that this may be the proper approach but we are hesitant to propose an Area-wide proposal since we are only concerned with our subsistence in the Egegik Salmon District. We understand that enforcement may be a problem with subsistence-caught salmon being sold commercially if this proposal is passed. In the Egegik District we have State Troopers stationed on the North Shore, having access to 4x4 truck-4 wheeler-boats-airplanes and helicopter. They are very visible-and jog in the evenings. But we are not opposed to marking subsistence caught salmon some way- caudal lobe (one of the fins) cut to identify subsistence caught salmon from commercial caught salmon.

**PROPOSED BY:** Eddie Clark

(EF-F18-036)

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