November 30, 2021

Via Email: dfg_bof.comments@alaska.gov

Chair Marit Carlson-Van Dort
Alaska Board of Fisheries
P.O. Box 115526
Juneau, AK 99811-5526

Re: RC Substitute Language for Proposal 27

Dear Chair Carlson-Van Dort and Board Members,

After discussing Proposal 27 with Board members, ADF&G staff, and the Alaska Wildlife Troopers, the Native Village of Chenega wishes to amend its proposal to clarify that subsistence fishing would be allowed seven days per week only in the Eshamy and Chenega Districts of Prince William Sound as described in 5 AAC 24.200(h) and (j). This amendment addresses concerns that were raised regarding enforcement. Specifically, ADF&G and the Alaska Wildlife Troopers noted that it would be difficult to enforce commercial fishing regulations if subsistence fishing is open in the same areas where a commercial fishery is taking place. Because the subsistence and commercial fisheries use different gear in the Eshamy and Chenega Districts, this amendment to Proposal 27 should resolve that concern.

For your information, we provide a brief overview of the commercial and subsistence gear provisions in the Eshamy and Chenega Districts:

In the Eshamy District, the commercial fishery is limited to set and drift gillnets. 5 AAC 24.331(b). Commercial set gillnets may not be more than 100 fathoms in length and no person or vessel may possess more than 150 fathoms of set gillnet in the aggregate. 5 AAC 24.331(b)(1). Commercial drift gillnets may not be longer than 150 fathoms.
5 AAC 24.331(b)(4). Commercial drift gillnets must be marked by a red keg or buoy with the vessel number. 5 AAC 24.334(a).

Subsistence salmon may also be taken in the Eshamy District by set or drift gillnet. 5 AAC 01.620(b)(3); 5 AAC 01.010(c). But the maximum allowable lengths for subsistence set or drift gillnets are shorter than commercial nets. No subsistence set or drift gillnet may be longer than 50 fathoms. 5 AAC 01.010(c). Subsistence set or drift gillnets must be marked with a buoy indicating the name and address of the subsistence permit holder. 5 AAC 01.620(j).

In the Chenega (Southwestern) District, the commercial fishery is limited to purse seines. 5 AAC 24.330(c). Commercial purse seines may not be less than 125 fathoms or less than 200 meshes. 5 AAC 24.332(a).

Subsistence salmon may also be taken in the Chenega (Southwestern) District by purse seines. 5 AAC 01.620(b)(3). But the maximum allowable length and meshes for subsistence purse seines are shorter than commercial nets. No subsistence purse seine may be longer than 50 fathoms in length and 100 meshes. 5 AAC 01.620(b)(3)(B). Subsistence salmon may also be taken by gillnets up to 150 fathoms in length. 5 AAC 01.648(a)(2).

For all districts in Prince William Sound, subsistence salmon must be marked by clipping the top and bottom of the tail fins. 5 AAC 01.640(c).

Proposed substitute language for Proposal 27 is attached.

Sincerely,

Larry Evanoff, President
The Native Village of Chenega

Encl.

Cc:
Jeremy Botz, ADF&G, Area Management Biologist, jeremy.botz@alaska.gov
Capt. Aaron Frenzel, Alaska Wildlife Troopers, aaron.frenzel@alaska.gov
RC _____ - SUBSTITUTE LANGUAGE FOR PROPOSAL 27

Submitted by Native Village of Chenega

Proposal 27 – 5 AAC 01.610. Fishing Seasons.

Amend subsistence fishing seasons to remove linkage between subsistence salmon fishing opportunity and commercial salmon fishing periods in the Eshamy and Southwestern (Chenega) Districts, as follows:

5 AAC 01.610. Fishing seasons.

(g)

(1) Salmon may be taken in the districts described in 5 AAC 01.605(b), only from May 15 through October 31, during fishing periods as follows:

   (i) from May 15 until two days before the commercial opening of that salmon district, seven days per week;

   (ii) during the commercial salmon season, only during open commercial salmon fishing periods in that district and Saturdays from 6:00 a.m. to 10:00 p.m.;

   (iii) from two days following the closure of the commercial salmon fishing season in that district through October 31, seven days a week.

   (iv) notwithstanding (g)(1)(ii) of this section, subsistence salmon fishing is not allowed 24 hours before open commercial salmon fishing periods in that district.

(2) Notwithstanding (g)(1) of this section, subsistence salmon may be taken in the Eshamy [5 AAC 24.200(h)] and Southwestern [5 AAC 24.200(j)] Districts any day from May 15 through October 31.