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## *Nushagak-Mulchatna King Salmon Management Plan (3 proposals)*

### **PROPOSAL 11**

**5 AAC 06.361. Nushagak-Mulchatna River King Salmon Management Plan and 5 AAC 67.022. Special provisions for season, bag, possession, and size limits, and methods and means in the Bristol Bay Area.**

Make numerous amendments to the Nushagak-Mulchatna King Salmon Management Plan, as follows:

As part of a larger comprehensive solution to issues facing management of the king salmon fisheries in the Nushagak drainage, the committee recommends the following regulatory changes. The list below includes eight regulatory action items with consensus among the Nushagak King Salmon Committee, of about 15 considered. Actions listed below, in draft regulatory format, would fall under the Nushagak-Mulchatna River King Salmon Management Plan (5 AAC 06.361), except where noted under #6 which would fall under sport fishing Special Provisions (5 AAC 67.022).

1. Define specific management objectives for the Plan by adding the language below to, or following, section (a) of the Plan:

**The department shall manage the Nushagak fisheries for the following management objectives:**

- 1) **Provide consistent sport fishing opportunity within and among seasons. This includes a level of inriver abundance as a given year's run timing allows, and a predictably open season.**
  - 2) **Provide a directed commercial king salmon fishery when surplus is available.**
  - 3) **Provide for an uninterrupted commercial sockeye salmon fishery (i.e., minimize disruptions to the sockeye salmon fishery).**
  - 4) **Provide for reasonable opportunity for subsistence harvest of king salmon.**
  - 5) **The subsistence fishery is the last fishery to be closed.**
  - 6) **Achieve escapement goals for all species in the district.**
  - 7) **Maintain a representation of age classes in the escapement similar to the run.**
2. Manage large sockeye runs so that escapements fall in the upper portion of the escapement goal range, which would reduce incidental catch of king salmon, by adding new provisions to section (b) as follows:

**(X) Consistent with 5 AAC 06.367 Nushagak District Commercial Set and Drift Gillnet Sockeye Salmon Fisheries Management and Allocation Plan, the department in an attempt to conserve king salmon shall manage for sockeye escapements in the Nushagak District to fall within the**

**(1) lower half of the escapement goal range when the Wood River sockeye salmon run is 8 million or less and/or the Nushagak sockeye salmon run is 4 million or less, or the**

**(2) upper half of the escapement goal range when the Wood River sockeye salmon run is greater than 8 million and/or the Nushagak sockeye salmon run is greater than 4 million based on the preseason forecast and in-season assessment of run size.**

**(X) On or after June 25, the department shall consider when evaluating total run of sockeye salmon to the Nushagak District all possible data sources including but not limited to: pre-season forecast, Port Moller test fishery indices and stock and age composition, total C+E to date, age composition of C&E and district test fishing.**

**3. Use a Nushagak District Test Fishery to assess relative abundance of sockeye and king salmon by adding the following new provision to (b):**

**(X) From June 1 through June 30 the department in an attempt to conserve king salmon shall conduct a drift gillnet test fishery to assess the abundance of sockeye and king salmon prior to opening by emergency order a fishing period directed at sockeye salmon.**

**4. Modify the Wood River trigger and establish a Nushagak River trigger by adding the following new provisions to (b) and repealing (e)(1):**

**(X) close, by emergency order, the sockeye salmon commercial fishery in the Nushagak District until the projected sockeye salmon escapement past the Wood River tower exceeds 100,000 within the next 12 hours if the forecasted Wood River sockeye run is 8 million or less. If the Wood River sockeye run is forecasted to be more than 8 million the fishery shall close by emergency order until the projected sockeye salmon escapement past the Wood River tower exceeds 300,000 within the next 12 hours.**

**(X) (1) independent of whether the Wood River tower count exceeds 100,000 or 300,000, open, by emergency order, the sockeye salmon commercial fishery in the Nushagak District when the sockeye salmon escapement past the Nushagak River sonar counter exceeds XXXXXX when the forecasted Nushagak River sockeye run is XXXXXXXX. If the Nushagak River sockeye run is forecasted to be more than XXXXXXXX, the fishery shall open by emergency order when the projected sockeye salmon escapement past the Nushagak River sonar exceeds XXXXXXXX.**

e) If the spawning escapement of king salmon in the Nushagak River is projected to be less than 55,000 fish, the commissioner

[ (1) shall close, by emergency order, the sockeye salmon commercial fishery in the Nushagak District until the projected sockeye salmon escapement into the Wood River exceeds 100,000 fish; ]

**5. Provide a directed commercial fishery for king salmon when surplus clearly exists by modifying section (c) as follows:**

(c) If the total inriver king salmon return in the Nushagak River is projected to exceed 95,000 fish, **(1) the guideline harvest level described in (b)(1)(C) of this section does not apply[.], and (X) the department will consider a directed commercial king salmon fishery.**

**6. Modify the annual limit for king salmon by modifying 5 AAC 67.022 and section (c) of the Plan as follows:**

**5 AAC 67.022. Special provisions for season, bag, possession, and size limits, and methods and means in the Bristol Bay Area.**

(g) In the Nushagak River drainage, excluding the Wood River drainage, and unless otherwise specified in [5 AAC 06.361](#) or [5 AAC 06.368](#), the following special provisions apply:

(1) the bag and possession limit for king salmon 20 inches or greater in length is two fish, of which only one fish may be 28 inches or greater in length; the annual limit for king salmon 20 inches or greater in length is four fish, **of which only one fish may be 28 inches or greater in length**; the bag and possession limit for king salmon less than 20 inches in length (jack salmon) is five fish; ...

**5 AAC06.361 Nushagak-Mulchatna King Salmon Management Plan.**

(c) If the total inriver king salmon return in the Nushagak River is projected to exceed 95,000 fish, **(1) the guideline harvest level described in (b)(1)(C) of this section does not apply[.], and (X) the commissioner may increase the annual limit for king salmon to 4 king salmon 20 inches or longer (no restriction to one fish over 28 inches).**

**7. Avoid complete closures of the sport fishery when possible by modifying section (e) as follows:**

(2) shall [close]**restrict to catch and release**, by emergency order, the sport fishery **for king salmon** in the Nushagak River [to the taking of salmon] and prohibit the use of bait for fishing for all species of fish until the end of the king salmon season specified in 5 AAC 67.020 and 5 AAC 67.022(g); and

**8. Provide the department with flexibility to restrict but not close the subsistence fishery in low inriver run scenarios and standardize subsistence fishing schedule and area under a restricted scenario by modifying section (e) as follows:**

(3) [shall]may establish, by emergency order, fishing periods during which [the time or area is reduced for the inriver king salmon subsistence fishery in the Nushagak River]**the subsistence fishery is restricted to 3 days per week in the Nushagak District; and the waters above the district including Dillingham beaches, Wood River up to Red Bluff, and the Nushagak River drainage.**

**What is the issue you would like the board to address and why?** The Nushagak River fisheries that harvest king salmon have been managed under the direction of the Nushagak-Mulchatna King Salmon Plan (5 AAC 06.361) since 1992. Salmon fishery dynamics changed notably over the life of the Plan. King salmon runs declined to some of the lowest levels recorded and sockeye runs to the Wood and Nushagak Rivers increased in magnitude to some of the highest levels recorded. Commercial fishing directed at king salmon has remained closed since 2014, and sport fishing regulations have become increasingly conservative. At the same time, substantial uncertainties have expanded over the ability of the sonar to estimate inriver run abundance.

Restrictions to the sport fishery due to low early season inriver passage of king salmon combined with sometimes intense fishing for sockeye in the Nushagak District in the mid-2010's led to calls to enact paired restrictions in the commercial and sport fishery in 2018 (Proposals 41 and 42, 2018



Bristol Bay Board meeting). The Board, in response to the proposals, removed several triggers in the Plan that affect the sport fishery. The Board also established a committee to develop a comprehensive solution to the Plan through RC 84 and a charge statement (2018-291-FB) and charged the committee with reporting back to the Board. At the 2018 Board meeting, the Bristol Bay Science and Research Institute (BBSRI) committed to supporting the committee's work through a stakeholder-led technical analysis of options the committee was expected to consider (RC 80).

The committee first met in Anchorage on October 21, 2019 (a meeting summary can be found on the Alaska Board of Fisheries website) and break-out groups met in December 2019 and February 2020. At the Upper Cook Inlet meeting in February 2020, the Board disbanded the formal committee but encouraged stakeholders on the committee to continue to work together in preparation for the next in-cycle Bristol Bay meeting. BBSRI reasserted its commitment to serving the committee and moving toward its original mission outlined in the charge statement: a comprehensive solution to the Plan. Committee makeup remained the same as selected by the Board initially in February 19, minus the two Board members. The committee met on a consensus basis 15 times from Fall 2019 through early April 2022; 9 times as a full committee and 6 partial committee meetings.

This regulatory proposal is one part of a larger, more comprehensive solution envisioned by the committee to address issues plaguing management of the Nushagak king salmon fisheries. Other components will include additional technical analyses, recommendations for improving stock assessment, and other non-regulatory actions or recommendations. As one example of a non-regulatory action, BBSRI has secured funding to field a district test boat program to better inform managers of sockeye and king salmon abundance in the Nushagak District and thereby reduce incidental harvest of king salmon and better target sockeye salmon in the district. A report will be made available in advance of the November 2022 Board meeting to summarize the committee process and work products and present the full scope of the comprehensive solution. Work products including the report will be posted on the BBSRI website as they become available.

**PROPOSED BY:** Nushagak-Mulchatna King Salmon Committee (HQ-F22-028)  
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**PROPOSAL 12**

**5 AAC 06.361. Nushagak-Mulchatna King Salmon Management Plan.**

Make several changes to the management plan to reduce commercial king salmon harvest and increase sockeye salmon harvest, as follows:

Require a 4.75" maximum mesh restriction until July 1<sup>st</sup> to mitigate chinook harvest which should prove to more effectively optimize sockeye:chinook catch ratios in multiple ways: a) chinook migrate deeper in the water column (4.75" vs. 5.125" is approximately 1 foot shallower), b) smaller mesh size decreases chances of catching chinook, c) catch efficiency of sockeye is higher with smaller mesh and less overall fishing time can be utilized for similar sockeye harvest and can increase time corridors for migrating chinook, d) July 1<sup>st</sup> follows historic and current patterns for when the majority of chinook have migrated into the Nushagak River, e) since two independent triggers are suggested to be used (Wood River or Nushagak River), projected escapement should

be increased from the current metric of ~14% of minimum biological escapement goal in the Wood River to 20% of minimum biological escapement goal for each river. This will reduce the sensitivity of the Wood River triggering event and likely provide more chinook migration time prior to a district opening. Although the Nushagak River escapement would have triggered an earlier opening in 2021, the use of a smaller mesh size earlier would have increased the sockeye harvest while still offering protection for chinook salmon.

**Amend 5AAC 06.361(e)(1) to read:** shall close, by emergency order, the sockeye salmon commercial fishery in the Nushagak District until the projected sockeye salmon escapement into the Wood River or the Nushagak River exceeds 20% of the minimum biological escapement goal and will restrict mesh size to not exceed 4.75” until July 1<sup>st</sup> or until chinook escapement is projected above 55,000 fish. This change will have an effective sunset date at the next Board cycle, to review data and overall effectiveness.

**What is the issue you would like the board to address and why?** Mitigating chinook harvest to better optimize sockeye:chinook harvest ratios during times where in-season chinook returns fall below the curve established for the minimum biological escapement goal or 55,000 chinook.

Ecological conditions for run size between the Nushagak River and the Wood River have changed greatly, where sockeye sizes have been smaller and the Nushagak River can now greatly exceed historic returns. Recently, we have seen that a Wood River projection for a minimum of 100,000 sockeye is not always the best trigger to initiate openings in the Nushagak District. This is especially true for years with high volumes of Nushagak River sockeye, where the high-end biological escapement goal can be reached prior to a 100,000 projected sockeye salmon escapement into the Wood River.

Salmon size has also decreased, and a large percent of fishermen have already transitioned to a smaller mesh size since 2018. This smaller mesh size is more efficient at harvesting sockeye while simultaneously decreasing chinook harvest. However, fishermen trends do exhibit a multi-year lag effect. In consideration of future conditions, if chinook numbers remain depressed, smaller mesh sizes should be considered as a tool for management.

We recognize that there is no perfect solution at this time, and data is severely limited and desperately needed concerning chinook in the Nushagak/Mulchatna River Drainage, including more accurate enumeration methods. In the interim of this data discrepancy, this proposal seeks to decrease overall chinook harvest. When better data is available, best management practices can then be implemented. However, this proposal works toward providing some chinook harvest mitigation by the commercial fleet..

**PROPOSED BY:** Nicholas Dowie, Michael Jackson, Frank Woods (HQ-F22-035)

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**PROPOSAL 13**

**5 AAC 06.361. Nushagak-Mulchatna King Salmon Management Plan.**

Structure fishing periods in the Nushagak District so that pulses of king salmon, not subjected to commercial fishing pressure, may enter the Nushagak River, as follows:

The Department of Fish and Game will create opportunities for pulses of King salmon to enter the Nushagak River. From June 1 through July 10 this will be done by issuing commercial openings no earlier than 1 hour before the forecasted high tide at Clark's Point. The Department will close fishing at least 4 hours before the next scheduled high tide. This will allow for pulses of Kings to make it into the Nushagak River while still allowing for the commercial fleet and set users to access the resource and have economic opportunities. For example:

High tide at Clark's Point on June 28 is at 0600 and again at 1630 and then on June 29 at 0530.

An opener for both set and drift is announced for June 28 from 0500 (1 hour before high tide) to 1230 (4 hours before next high tide) 7 hours 30 minutes, and again from 1530 (1 hour prior to high tide) June 28 until 0130 (4 hours before next high tide) June 29, 10 hours of fishing.

The Department can allow for continuous fishing starting on July 11

**What is the issue you would like the board to address and why?** 5 AAC 06.361. Nushagak-Mulchatna King Salmon Management Plan with regards to King salmon states in Section (b)(2):

(b) The department shall manage the commercial and sport fisheries in the Nushagak District as follows:

(2)in order to maintain a natural representation of age classes in the escapement, the department shall attempt to schedule commercial openings to provide pulses of fish into the river that have not been subject to harvest by commercial gear;

The Department has not always followed through with this mandate while managing the sockeye commercial openers which has an unintended intercept of King salmon. To meet the requirement of the NMKSMP there must be meaningful breaks in commercial fishing that facilitate opportunity for Kings to move into the river thus meeting the requirement set forth in the plan. These breaks need to be realistic in timing as to when the most kings are pushing through the commercial district while still maximizing opportunity for the commercial fishers to harvest sockeye. The flood stage of an incoming high tide time is by far the best time to hold the commercial fishery to allow pulses of fish into the river that have not been subject to harvest by commercial gear.

**PROPOSED BY:** Brian Kraft (EF-F22-060)

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### ***Subsistence Salmon (3 proposals)***

#### **PROPOSAL 14**

##### **5 AAC 01.320. Lawful gear and gear specifications.**

Reinstate provision that set gillnets are the only lawful gear for subsistence fishing for salmon in the Naknek, Alagnak, and Wood River Special Harvest Areas, as follows:

5 AAC 01.320. (b) is amended to read:

...

(b) Outside the boundaries of any district **and within the Naknek, Alagnak, and Wood River special harvest areas**, salmon may only be taken by set gillnet, except that salmon may also be taken by dip nets in the waters described in 5 AAC 01.310(d) if fishing other than from a vessel, and salmon may also be taken as follows:

...

**What is the issue you would like the board to address and why?** In 2018, the Alaska Board of Fisheries clarified the definition of a district to include special harvest areas. This unintentionally opened the Naknek, Alagnak, and Wood River special harvest areas to subsistence fishing for salmon with drift gillnet gear. These areas had previously been restricted to subsistence fishing for salmon with set gillnets only with a maximum length of 10 fathoms.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F22-066)  
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**PROPOSAL 15**

**5 AAC 01.320. Lawful gear and gear specifications.**

Allow use of small fishwheels to harvest salmon for subsistence purposes in the Ugashik Bay, Ugashik River, and Dago Creek drainages, as follows:

Add to 242.27 Subsistence taking of fish.

**(5) Bristol Bay Area**

**(iv)** Unless otherwise specified, you may take salmon by set gillnet only.

**(A)** You may also take salmon by spear in the Togiak River, excluding its tributaries.

**(aa) You may also take salmon by fish wheel in the Ugashik Bay, Ugashik River and Dago Creek.**

**What is the issue you would like the board to address and why?** Allow the use of small fish wheels in the Ugashik Bay, Ugashik River and Dago Creek for Subsistence use only. Why?

- (a) For better quality of subsistence catch of salmon for home use. Net caught salmon are many times bruised and marked by nets.
- (b) For better control of how many fish are caught. Fish wheels can be designed to allow only so many fish to be caught such as dumping into a tote that will hold 10 to 20 fish at a time with the overflow simply sliding off a fish holding tote back into the river or into a live well for unharmed removal of live fish not needed or protected.
- (c) For use by ADF&G or Fish & Wildlife at the upriver test sites to measure salmon run escapement during test fisheries without harm to the fish.

**PROPOSED BY:** Gust Sonny Griechen (HQ-F22-012)  
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**PROPOSAL 16**

**5 AAC 01.330. Subsistence fishing permits.**

Repeal requirement that subsistence salmon fishing permits for the Naknek River Drainage may only be obtained at the King Salmon office of the Alaska Department of Fish and Game, as follows:

5 AAC 01.330. (d) is amended to read:

...

(d) **Repealed.** [SUBSISTENCE SALMON FISHING PERMITS FOR THE NAKNEK RIVER DRAINAGE WILL BE ISSUED ONLY THROUGH THE ADF&G KING SALMON OFFICE.]

...

**What is the issue you would like the board to address and why?** Bristol Bay subsistence salmon permits, except for Naknek River subsistence permits, are available online. This regulation prevents the issuance of subsistence permits for Naknek River online or from Alaska Department of Fish and Game offices other than the King Salmon office. Repealing this regulation will increase availability of subsistence permits.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F22-067)

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***Sport Fishing Guides (1 proposal)***

**PROPOSAL 17**

**5 AAC 67.022. Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area.**

Limit guided angler access to sport fishing in a section of the Naknek River, as follows:

The new regulation should read:

Upstream from ADF&G markers located ½ mile above Rapids Camp to ADF&G markers at Trefon’s cabin at the outlet of Naknek Lake:

June 8 – October 31: no commercial entity (Lodges, guide services, businesses including LLC’s, rental boat operators, fishing clubs, transporters, etc) may have more than 8 fishermen in this section of the Naknek River at any one time. They may take multiple groups in a day, but they may not have more than 8 fishermen on this section of the river at any given time.

A formula for identifying a commercial entity and their clients should can be developed. One option would be to issue up to 8 identification badges to each commercial entity, to be worn by anglers while fishing in this section of river. The Board may want to consider other option for identifying the 8 anglers. I will present options at the Board of Fish in their December meeting.

This will greatly enhance quality of experience and particularly reduce pressure on rainbow trout

**What is the issue you would like the board to address and why?** In the last cycle, the Naknek/Kvichak Advisory Committee supported a proposal that would limit the number of

fishermen for guided and transported fishermen by any commercial entities (Lodges, guide services, businesses including LLC's, rental boat operators, fishing clubs). The proposal read as follows:

Upstream from ADF&G markers located ½ mile above Rapids Camp to ADF&G markers at Trefon's cabin at the outlet of Naknek Lake:

September 1 – October 31: Each commercial entity will have four badges, one per angler, to sport fish for Rainbow Trout, Dolly Varden, Arctic Char and Arctic Grayling. Badges must be worn on the arm of the angler and visible at all times.

The Board through its subcommittee found this proposal too restrictive and rejected it. The issues that prompted this original proposal was intense overcrowding and loss of quality of experience for which this river was once famous. The vast majority of the communities of King Salmon and Naknek signed a petition supporting this proposed regulation. Local residents find it very difficult to even find a place to fish. Spatial distribution and level of effort help determine quality of experience. There are far too many fishermen, mainly guided, on this section of river. Residents who live here do not want to see the Naknek River reduced to combat fishing.

**PROPOSED BY:** Joe Klutsch (EF-F22-082)

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### ***Methods and Means (3 proposals)***

#### **PROPOSAL 18**

**5 AAC 67.020. General provisions for seasons and bag, possession, annual, and size limits for the Bristol Bay Area.**

Prohibit the use of salmon eggs for sport fishing, as follows:

Banning the use of spawn for sportfishing

**What is the issue you would like the board to address and why?** Sport fishermen using spawn to catch salmon, trout, dolly varden. The fish swallow the spawn, and the hook is deep in their mouths. I have seen it when they are targeting King salmon, they are accidentally catching rainbow trout and dolley varden. When the hook is deep in a King salmon its hard on them also, their survival rate goes down.

**PROPOSED BY:** Mark Gagliano (EF-F21-006)

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#### **PROPOSAL 19**

**5 AAC 67.022. Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area.**

Prohibit the use of certain sport fishing tackle in a section of the Naknek River, as follows:

On the Naknek River from the upper ADF&G boundary marker at Trefon's Cabin down to the lower ADF&G boundary marker at Rapids Camp, use of all salmon egg imitation patterns are not

permitted. These patterns includes all hard and soft beads, glow bugs, spin and glows and any other stand alone egg imitation, unless the egg imitation is a fixed part of a fly or lure longer than 1 inch in length (for example egg sucking leeches).

**What is the issue you would like the board to address and why?** This proposal will address the means and methods of fishing for rainbow trout on the Naknek River from the upper ADF&G boundary marker at Trefon’s cabin Lake Camp to the lower ADF&G boundary marker at Rapids Camp. I believe it is imperative we eliminate all forms of bead fishing in this section of the river. The increased pressure from this technique is having a huge detrimental impact on both the rainbow trout and the quality of experience on the water. It also has a negative effect on the remnant king salmon populations. Smaller age class rainbows are also vulnerable to bead fishing.

We cannot continue down this path and expect the fishery to remain healthy for much longer. I’ve noticed a sharp decline in certain age classes over the last five seasons and this will invariably affect our trophy class of rainbow trout in the next few years. On some days as much as 80 percent of the total fishing pressure are using the bead technique. Beads increase the mortality rate, wound and maim the trout because they tend to swallow the bead deeply thus causing the fish to bleed upon release and eventually die. The popular technique is to peg the bead a few inches up the line. Sometimes the trout miss the bead but the hook may end up in their eye or under their chin causing in some cases blindness in one eye or serious infections to the wound area. Conventional flies such as wooly worms and egg sucking leaches are taken in the mouth, and the angler feels the bite immediately. He must respond quickly to the strike and the fish will be hooked somewhere in the mouth, and is easily released. Beads on the other hand, are almost always swallowed deeply into the throat area which greatly increases the mortality rate. Even if released, they often would and maim the fish, and they eventually die.

The Naknek River was known for its pristine beautiful rainbow trout. Let’s eliminate this method of fishing and maybe help alleviate some of the pressure on the river as well.

I will offer the board examples of "bead baits" at the Boar of Fish meeting.

**PROPOSED BY:** Joey Klutsch (EF-F22-080)

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**PROPOSAL 20**

**5 AAC 67.022. Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area.**

Prohibit the use of bait and barbed hooks in the Wood River Lakes system, as follows:

From the outlet of the Agulapak River into Lake Nerka north to Kulik Lake and its streams and tributaries only unbaited, single barbless/pinched barbed hook artificial lures Sept 1-June 7; only unbaited, single barbless/pinched barbed hook artificial flies June 8-Aug 31.

**What is the issue you would like the board to address and why?** The issue I would like to address is the use of barbed hooks on the Agulapak River in Bristol Bay. This river is roughly 50 river miles from the closest town, Aleknagik. After my 4 years guiding on the Agulapak I have

never seen people from town drive up and fish that river. They have either the Wood River and/or Agulawok River that are significantly closer to them. The Agulapak gets pressured through local fishing lodges, whom practice catch and release methods. They use oversized hooks that tend to harm fish by scaring their face. The large hooks have disproportionate sized barbs on them too which causes fish to die when the unhooking technique is poor. It will also cause the fish to bleed out if hooked deep in the mouth and on the bottom of the head. Since I have been guiding on that river the amount of scarred fish outnumber the 'clean' fish without scars of being caught before. If the regulation continues as it stands that number will only increase because the fishing lodges are getting busier. And it is also a shame people are paying \$7,000 to \$12,000 to catch fish that look like they belong in the Kenai with all of the scars. If guided properly, fish can be landed at the same rate using a barbless hook than a barbed hook.

I am recommending the board to consider making the upper Wood River draining, approximately everything north of the outlet of the Agulapak River to a barbless/pinched barb fishery. That would include Agulapak River, Lake Beverley, Peace River, Mikchalk Lake, Wind River, Kulik Lake, and all streams and tributaries. This will not cause the angler or business any more money because all they need to do is pinch the barb. The lodge that I work for already operates on a barbless standard. This change will increase survival rate of the fish in the drainage due to the ease and simplicity of removing the barbless hook from the fish.

**PROPOSED BY:** Jordy Perrego (EF-F21-019)  
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***Rainbow Trout (1 proposal)***

**PROPOSAL 21**

**5 AAC 67.022. Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area.**

Prohibit harvest of rainbow trout by nonresident anglers in a section of the Naknek river drainage, as follows:

Naknek River Drainage:

Rainbow Trout Limits:

Upstream from ADF&G markers located ½ mile above Rapids Camp to ADF&G markers at Trefon's cabin at the outlet of Naknek Lake and to include Naknek Lake:

Closed to the harvest of rainbow trout year-round for non-residents

**What is the issue you would like the board to address and why?** The rainbow trout population on the Naknek River is undergoing excessive and unsustainable fishing effort. This is causing increased hook mortality and reduction of quality of experience. Hook mortality on catch and release rainbows has grown incrementally as a result of unsustainable commercial effort which is primarily non-resident based. This has resulted in a biological problem which needs to be addressed. The proposed regulatory changes are not arbitrary. They are based on historical



knowledge of the Naknek River sport fishery by not only conservation-oriented guides, but also local residents who have had enough of loss of opportunity and abuse of the fishery resource.

Unlike other major rivers in the Bristol Bay region, the Naknek River is only 34 miles long from its mouth to Naknek Lake. Only 1/2 of this affords good fishing opportunity for salmon and freshwater species. The portion of the River as described under current regulation “upstream from the ADF&G regulatory markers located 1/2 mile upstream from Rapids Camp to ADF&G markers at Trefon’s Cabin at the outlet of Naknek Lake” has undergone a dramatic and unsustainable level of effort for both the quality of experience (all species) and biological health of Rainbow Trout stocks

What would happen if nothing is changed?

The health and future of our rainbow population would continue to be jeopardized, not allowing future generations of anglers the opportunity to catch and release beautiful, healthy and pristine rainbows that this watershed has always been known for. The economic viability for conservation-oriented guides will be eliminated.

What Other Solutions have you considered?

Time and area closures for guided, transported, boat and equipment rental commercial entities – i.e. limit days of operation I would also consider making a zero fish limit to both residents and non residents, though would prefer to see it limited to non residents, since the vast majority of effort is guided non residents.

**PROPOSED BY:** Joey Klutsch (EF-F22-044)  
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***Sport Salmon (8 proposals)***

**PROPOSAL 22**

**5 AAC 67.022. Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area.**

Close Big Creek to sport fishing for salmon, as follows:

We propose Big Creek to be closed from June 1 to July 31 for all salmon. This would eliminate the possibility of anglers catching kings while “targeting” other salmon species.

New regulation:

5 AAC 67.002 (11) in the Big Creek drainage, upstream of its confluence with the Naknek River, **shall be closed to sport fishing of all salmon June 1 though July 31** [KING SALMON MAY NOT BE RETAINED OR POSSESSED; KING SALMON MAY NOT BE REMOVED FROM THE WATER AND MUST BE RELEASED IMMEDIATELY]

**What is the issue you would like the board to address and why?** We would like the board to address the catch and release fishery of king salmon on Big Creek. Big creek is a vital tributary to

the Naknek River drainage with king salmon numbers that are 30 to 40 percent of the total aggregate run of the Naknek River drainage. It is also one of two main tributaries of the Naknek River drainage that is significant to kings, along with King Salmon Creek. Current regulations call for a complete year round closure of fishing for king salmon in both Pauls Creek and King Salmon Creek in order to protect the species. However, Big Creek remains open to catch and release of Kings. Why are Pauls Creek and King Salmon Creek afforded more protection than Big creek? All three tributaries provide vital spawning habitat for king salmon. With the king runs at historic lows, all three should be protected.

Kings are easier to target in smaller water. Over the years as the king numbers declined, boat traffic and fishing pressure up Big Creek has significantly increased. The horsepower on jet boats has increased, causing more erosion and altering spawning habitat. All these factors put additional, unnecessary stress on already precarious survival rate. It is also important to note that the mortality rate for catch and release is approximately 6.5 – 10%. However, there are no current studies indicating what the mortality rate is when the fish are caught over and over again both commercially and on rod and reel. As is the case with big creek, fish move with the high tide and settle in holes for the low tide. In a small creek it is easy to target the school of fish as they move upriver with the tide, catching them multiple times. Additionally, these same kings have been stressed from commercial nets and run a gauntlet of sportfishing hooks before they even reach Big Creek. When these remaining kings miraculously make it to the final leg of their journey we should protect them just as we have done on the other tributaries of the Naknek.

**PROPOSED BY:** Naknek Kvichak Advisory Committee (EF-F22-038)  
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**PROPOSAL 23**

**5 AAC 67.022. Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area.**

Allow retention of king salmon less than 20 inches in length in Big Creek, as follows:

I would propose that sport fisherman be allowed to retain any jack king salmon caught in Big Creek, any king salmon less than 20 inches. Jack salmon do not spawn so there would not be any risk to the salmon population to retain these fish up big creek.

**What is the issue you would like the board to address and why?** I would like the fishing regulations for the Naknek river drainage in Bristol Bay changed. specifically the regulations on Big creek and not being able to retain any king salmon on big creek.

**PROPOSED BY:** Andrew K. Christiansen (EF-F21-013)  
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**PROPOSAL 24**

**5 ACC 67.022. Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area.**

Reduce king salmon bag and possession limits and prohibit harvest of female king salmon in the Naknek River drainage, as follows:

We recommend dropping the proposed bag limit down to two King Salmon per season, one King Salmon over 28 inches and one King Salmon under 28 inches. Only male fish may be retained. The current reg allows for an annual bag limit of 5 king salmon.

The new regulation should read as follows:

(1) king salmon: (A) in fresh waters, as follows: (i) 20 inches or greater in length; may be taken only from May 1 through July 31; bag and possession limit of **two** [THREE] fish, of which only one fish may be 28 inches or greater in length; annual limit of **two** [FIVE] fish 20 inches or greater in length taken in combination from fresh waters and salt waters; only male fish may be retained; a harvest record is required as specified in **5 AAC 75.006**;

**What is the issue you would like the board to address and why?** Due to the urgent and continual decline of King Salmon in the Naknek River Drainage, we propose to adopt a reduced King Salmon bag limit. The current regulation allows for 5 kings to be taken annually; a number that is way too high considering our extremely low returns. Dropping the bag limit and allowing only males to be retained will help safeguard a species that is in dire need of protection.

**PROPOSED BY:** Naknek Kvichak Advisory Committee; Joey Klutsch (EF-F22-037)  
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**PROPOSAL 25**

**5 ACC 67.022. Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area.**

Reduce king salmon bag and possession limits and prohibit harvest of female king salmon in the Naknek River drainage, as follows:

I recommend dropping the bag limit down to two King Salmon per season, one King Salmon over 28 inches and one King Salmon under 28 inches, MALES ONLY. All females must be released. The current regulation allows for an annual bag limit of 5 king salmon.

The new regulation should read as follows:

(1) king salmon: (A) in fresh waters, as follows: (i) 20 inches or greater in length; may be taken only from May 1 through July 31; bag and possession limit of two [THREE] fish, of which only one fish may be 28 inches or greater in length; annual limit of two [FIVE] fish 20 inches or greater in length taken in combination from fresh waters and salt waters; **ONLY MALES MAY BE RETAINED**; a harvest record is required as specified in 5 AAC 75.006;

**What is the issue you would like the board to address and why?** Due to the urgent and continual decline of King Salmon in the Naknek River Drainage, I propose to adopt a reduced King Salmon bag limit, males only, all females must be released. The current regulation allows for 5 kings to be taken annually; a number that is way too high considering our extremely low returns. Dropping the bag limit and allowing only males to be retained will help safeguard a species that is in dire need of protection.

## Background

I have lived in King Salmon my entire life, 36 years, and have spent nearly every summer on the Naknek River, personal fishing and guiding. I grew up guiding and have guided on the river for over 15 years. During that time, I have watched a drastic reduction in the King fishery, to the point that it is a mere remnant of what it was in the late 1990s and early 2000s. I feel that at this point the Kings on the Naknek River will probably never come back to levels they used to be. **Again, it is a remnant fishery, and I would go as far to say that Kings are endangered.** After nearly 15 years of guiding fishermen, primarily for Kings on the Naknek, I gave it up because I could no longer look a paying client in the eye and tell them that the King fishing was good, and promise them a good trip. The run is more or less gone. It is a very sad fate that Kings have suffered. At this point it is so bad that I don't even enjoy fishing with my family for Kings, because there is almost nothing to catch.

During the last two decades, there has been a complete and utter disregard for these amazing fish by both the Department and the Board of Fish. (The in-river commercial fishery in the mouth of the Naknek is a prime example). No efforts have been made to count their numbers, determine the health of the run, limit the level of effort, reduce bag limits, or anything management related what so ever. To me, this is nothing short of a dereliction of the Department's duties. It is a travesty of the highest order and represents a complete and utter failure in management, the likes of which I can think of no comparison. It is especially sad for me to see the river which I have grown up on, and which I have spend so many days of my life on, and more importantly, the river where so many locals once enjoyed sport fishing kings with their families or catching them for subsistence, to be reduced to this sorry and pathetic state. Will my son and daughter ever see kings the way I saw them when I was young? HIGHLY DOUBTFUL.

It must be at least acknowledged that the commercial fishery in Bristol Bay has not helped the King population. Again, the in-river fishery was a huge mistake in my opinion, but the fact of the matter is that our river is managed for the commercial fishing of red salmon, and red salmon alone. All other fish are an afterthought, or more accurately, not thought of at all. I can say this as a commercial fisherman myself, for the last 6 years. Commercial fishermen catch more than our fair share of kings, that is for sure, even with the in-river fishery days long over. The commercial red salmon fishery, takes a large number of kings each year, which on a river like the Naknek that does not get many kings for their overall run, ends up being a large percentage of the King run taken in nets. I think there are solutions to this that work for both the commercial fishery and for the kings, but I am not going to mention them now, as it is no doubt a much larger topic, and certainly a more controversial one. I simply want to point out that lack of kings is surely not just a sport fishing related cause. However, what I am offering with this proposal, is at the very least a simple and easy to implement "first start" to conserving kings on the Naknek River, one in which most of my fellow sport fishermen in this community would be happy to support. In fact, I have spoken with many people in our community who support this. I am not the only one who is upset about what has happened to our kings, and the lack of action.

Other rivers reduce bag limits on kings, such as the Nushagak. I realize that the Nush has a King management plan, and they count Kings. The Naknek does not. Again, I go back to my previous

statement on complete disregard for the kings on the Naknek River by the department. I realize that you will say there is no data available, no surveys, etc etc etc. Whatever excuse you want. Well, that may be true, but who's fault is that? Should the fish continue to suffer? Should we just ignore them further until there are none left, to the point where even subsistence no longer is an option? Because that is what is happening right before our eyes. Our community members who fish this river year after year know there is a major issue on the Naknek River king salmon run. You may not have the data, but the people who live here know. We see it with our own eyes, year after year steadily getting worse, to the point no one wants to even fish for Kings on this once world-famous king salmon fishing destination. It is sad.

This is a small sacrifice, an easy first step, which will no doubt help. Bag limit reductions will be extremely beneficial. Once in the river, a higher percentage of fish will be able to spawn. Let those fish that manage to run the gauntlet of commercial fishing nets, miraculously making through the web, be free to spawn. Further, by making sport fishermen release all females, more females will be on the spawning beds, which is crucial. I have heard from the department at our AC meeting say that this regulation is "unenforceable, because you can't distinguish between females and males all the time." I have heard them actually say that in a study, "40% (or some percentage in this range) of department staff could not tell, so how can the average person tell the difference?" This is an utter joke to me. First off, I have been able to tell a male from a female king since I was a kid. You don't need a PHD to do so. Second, if you are not sure, let it go. I will point to the many hunting regulations with size restrictions in place, that are certainly much more difficult to judge than the sex of an adult King. For example, have you ever tried to determine legality of a dall sheep? There are numerous ways for a sheep to be legal, none of which are obvious or easy to tell, all of which are open to interpretation even by biologists, and in fact I would say, as a dall sheep hunting guide myself, are extremely difficult. Yet they are regulations. I would point to the wonderful publication the ADF&G put out on Judging sheep. The same argument can be made for moose, determining spread (50" minimum), or brown tine count. Do not tell me it is hard to tell the difference between male and female kings. Further, they always say when sheep hunting – if you are not sure it is full curl, 8 years old, or broken past the lamb tip on both sides, (the 3 primary ways to determine legality), then DO NOT SHOOT. The same can be said for kings – if you are not sure if it's a male, throw it back. Simple as that. **This is sport fishing. Not subsistence fishing. The idea behind sport fishing is that we are ok releasing fish. It is not done as a way to fill the freezer.**

**The enforceability of something should never be the determining factor on whether or not it is put into regulation!**

You can tell from my comments that I am very upset by the lack of any action on trying to preserve what remains of our Kings, and I am. I hope the department takes my comments seriously. It is sad what has happened here. You have the power to help make it better. .

**PROPOSED BY:** Joey Klutsch (EF-F22-043)  
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## **PROPOSAL 26**

### **5 AAC 67.022. Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area.**

Close tributaries and upper section of the Naknek River to sport fishing for king salmon, as follows:

King salmon fishing is closed on the Naknek River from “Painter Bob’s Cabin” upstream to the ADF&G marker at “Trefon’s Cabin” near the mouth of Naknek Lake and on all major creek tributaries draining into the Naknek River, including Big Creek, King Salmon Creek, and Pauls Creek. (These are all areas where king salmon actively spawn). In these closed areas, king salmon may not be targeted at all, and if they are accidentally hooked while targeting other species, must NOT be removed from the water and will be released immediately.

#### **Naknek River Drainage:**

##### **Naknek River main stem**

**King Salmon: Closed year round to all king salmon fishing from Painter Bob’s Cabin” upstream to the ADF&G marker at “Trefon’s Cabin” near the mouth of Naknek Lake.**

**Big Creek – upstream of its confluence with the Naknek River to its headwaters.**

**King Salmon: Closed year round to all king salmon fishing**

**King Salmon Creek – upstream from the ADF&G markers at the confluence of the Naknek River to its headwaters**

**King Salmon: Closed year round to all king salmon fishing**

**Pauls Creek - upstream of its confluence with the Naknek River to its headwaters.**

**King Salmon: Closed year round to all king salmon fishing**

**What is the issue you would like the board to address and why?** Over the years the Naknek River has seen a drastic increase in the number of guided sport fisherman. At the same time, we have seen a notable decrease in the numbers of king salmon in our river. Recognizing this decrease, ADF&G has already closed fishing of king salmon in certain areas, including the mouth of King Salmon Creek to the King Salmon Creek Bridge, and the mouth of Pauls Creek up past the Pauls Creek Bridge. However, this does not stop anglers from fishing the remaining portions of the tributaries king salmon actively spawn.

Currently the upper Naknek River, above the first ADF&G marker located half mile upstream above Rapids Camp, is open to catch and release king fishing. These areas are fished very hard, and it takes a significant toll on the kings when they are most vulnerable. Even catch and release fishing while kings are near or at their spawning stage results in high mortality rates. Anglers end up removing the fish from the water to release them, which is in violation of the law, either because

of the difficulty of releasing one of these big powerful fish, or to take pictures. This can easily result in the death of the fish. We are not able to enforce catch and release king fishing and evidence of this is shown on numerous lodge social media sites, web sites, brochures, tv shows and promotional material

It can be argued that the Naknek River is no longer a premier destination for king fishing, as it once was. Once king salmon reach the spawning grounds, the point at which they are most exhausted from their long journey home and therefor the most vulnerable, they should be left alone to spawn, and ensure a viable fishery in future years

What will happen if nothing is done?

If nothing is done we risk the health of the world famous Naknek River king run. Future generations will not be able to enjoy our salmon for which the area is world famous for. The Naknek River will cease to be a premier destination for sport fishermen. Local subsistence users who depend on king salmon for an important food source may also suffer. IF THESE CHANGES ARE NOT IMPLEMENTED WE WILL CONTINUE TO SEE A DECLINE IN OUR OVERALL KING SALMON RETURNS. The pressure from the commercial fishing industry on king salmon entering our tributaries is very high. The added pressure of sport fishermen catching king salmon on their spawning grounds will in no way help the future of the Naknek River's once great king run.

**PROPOSED BY:** Karl Anderson

(EF-F22-073)

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**PROPOSAL 27**

**5 AAC 67.022. Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area.**

Create a nonresident annual limit for coho salmon in the Naknek River drainage, as follows:

We recommend adding an annual bag limit of 15 Silvers for nonresident anglers in the Naknek River Drainage.

New Regulation:

**(C) Annual bag limit of 15 Silver Salmon for nonresidents.**

...

**What is the issue you would like the board to address and why?** This proposal is to add an annual bag limit of 15 silvers for nonresident anglers in the Naknek River Drainage. Low silver salmon returns, have negatively impacted the silver run the past few years. As we have no fish and game data on the size of the silver salmon run on the Naknek River drainage, we are left to gather our information from fellow guides and local sports fisherman. It is our general consensus that prior to a few years ago our silver salmon run was very strong. Silver salmon bag limits throughout Alaska river drainages average a daily bag limit of two or three silver salmon. Adopting a reduced

bag limit or an annual limit will help ensure a sustainable silver salmon run for future generations in the Naknek River Drainage.

**PROPOSED BY:** Naknek Kvichak Advisory Committee (EF-F22-039)  
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**PROPOSAL 28**

**5 AAC 67.022. Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay area.**

Close the Nushagak, Mulchatna, and Nuyakuk river drainages to sport fishing for king salmon, as follows:

Sport fishing for chinook salmon in the Mulchatna river drainage, the Nuyakuk river drainage and the Nushagak river drainage upstream of the confluence with the Nuyakuk river will be closed to the fishing of chinook year round. Chinook salmon will not be targeted during fishing in these waters.

**What is the issue you would like the board to address and why?** Declining numbers of Chinook salmon area wide and the excess amounts of pressure on the spawning areas for Chinook salmon.

**PROPOSED BY:** Nancy Morris Lyon (HQ-F22-023)  
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**PROPOSAL 29**

**5 AAC 67.022. Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area.**

Restrict the Togiak River king salmon sport fishery until a minimum king salmon commercial harvest is achieved, as follows:

Section 5 AAC 67.022 (L)

(l) In the Togiak River Drainage, until the annual commercial catch in the Togiak River section has harvested 2000 king salmon, the following special provisions apply:

1. only barbless, unbaited, single-hook artificial lures or flies may be used; and
2. the bag and possession limit for king salmon less than 20 inches in length (jack salmon) is five fish and;
3. any king salmon caught that are 20 inches or greater in length must be immediately released.

**What is the issue you would like the board to address and why?** The number of king salmon returning to the Togiak River is at an all-time low. This is reflected in the commercial, sport, and subsistence harvest assessments. Attempts to monitor king salmon escapement have been unsuccessful to date. There is not an escapement monitoring program in place, nor is there a management plan specific to King Salmon in the Togiak River drainage.



Without the ability for managers to monitor escapement of king salmon on the Togiak River, and continual reports of low abundance, additional conservation actions are needed.

The escapement goal of king salmon on the Togiak River was recommended to be discontinued by the ADF&G and was repealed by the BOF in 2012. (Fair et al, 2012)

The oldest continuous documentation on the presence and abundance of king salmon is in the form of traditional knowledge held by subsistence users, which has indicated that the abundance has been relatively low, and returning smaller in recent history. (Jones et at 2019)

Another long-running collection of abundance information are the incidental catch of king salmon in the Togiak River Section of the Togiak District of Bristol Bay's commercial fishery. These catch numbers indicate that the returns of king salmon to the Togiak River are the lowest on record. (Tiernan et al., 2021) (Sands et al., 2021)

In addition to not having the ability to monitor the population , reportedly in decline, there is no daily or annual limit to the number of anglers fishing for king salmon on the Togiak River. Therefore, there is no total annual harvest limit, leaving the king salmon population susceptible to over exploitation..

**PROPOSED BY:** Jimmy Coopchiak (EF-F22-027)

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***Miscellaneous Sport (1 proposal)***

**PROPOSAL 30**

**5 AAC 67.022. Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area.**

Create a youth-only sport fishery in the Naknek River drainage, as follows:

We recommend the second Sunday of each month beginning in June and ending in September be designated youth-only fishery on the Naknek River, similar to the ADF&G youth only fisheries already in existence in the Southcentral region. No commercial guiding or fishing for persons 16 and older within the designated youth fishery areas is permitted.

**Naknek River Area from the ADF&G counting tower to the entrance of Smelt Creek will be designated a youth sport fishery and will occur the second Sunday of each month beginning in June and ending in September. During the four designated youth fishing days, a person 16 years of age or older may not sport fish. Guiding within these boundaries is not permitted.**

**What is the issue you would like the board to address and why?** We would like the board to consider a Youth-Only Fishery on the Naknek River. Over the past 30 years we have seen the number of local residents, specifically families, out enjoying the river less and less. The increase in the number of guides and the competitive nature of the fishery has discouraged families from coming out and enjoying a casual day of fishing in their own backyard. Very few school students go out on the river for salmon and trout, due to a combination of angler pressure and low salmon

runs. We propose that four days be designated to families and youth only fishing throughout the summer. A person 16 years or older may not sportfish. No adults are permitted to fish unless they are assisting youth. There will be no guided fishing in the areas designated for youth only fishery. Youth only fisheries have already been successfully implemented in other areas throughout the state experiencing an increase in commercial and recreational pressure, such as Knik Arm drainage, Resurrection Bay drainage, Tanana River Area to name a few. It is our hope that in response to the increasing pressure on the Naknek River, a youth only fishery be implemented to allow equally opportunity and access to the resource. We believe creating a space for youth to connect to the river will foster future stewardship of our natural resources.

**PROPOSED BY:** Patricia Edel

(EF-F22-040)

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### ***King Salmon Harvest Reporting (2 proposals)***

#### **PROPOSAL 31**

#### **5 AAC 06.377. Reporting requirements and 5 AAC 67.XXX new section.**

Require reporting of king salmon harvest in guided sport fisheries and commercial fisheries in Bristol Bay, as follows:

Require all sport fishing operations to turn in a seasonal tally of King salmon retained. This number is to be inclusive of clients, guides, staff, or any person that utilized the services of the operation. This tally sheet will be filled out daily and a running total logged with a final cumulative total at the end of the operator's season. There will also be a size category as well for a total of fish over 28' and those under 28".

All commercial drift permit holders must turn in a King salmon tally log that keeps tract of total king salmon retained by any person while under the command of the captain. This includes employees, contract workers, deck hands, mechanics, guests, or any person that retains a King salmon because of the gill net being implemented in the commercial fishery targeting sockeye salmon. This tally sheet will be filled out daily and a running total logged with a final cumulative total at the end of the operator's season. This does not pertain to any King salmon directive commercial openers.

All commercial set net permit holders must turn in a King salmon tally log that keeps tract of total king salmon retained by any person that was caught through use of implementation of a set net during a commercial sockeye opening. This includes employees, contract workers, general laborers, mechanics, guests, or any person that retains a King salmon because of the implementation of a set net being used in the commercial fishery targeting sockeye salmon. This tally sheet will be filled out daily and a running total logged with a final cumulative total at the end of the operator's season. This does not pertain to any King salmon directive commercial openers.

Penalties for non-compliance or falsification of data are up to the department however we recommend that they are severe as to deter under-reporting on non-reporting. A fine along with suspension from the fishery (Guides/camps loose ability to have clients for a year, com captain permit suspended for a year, set net permit suspended for a year).

**What is the issue you would like the board to address and why?** The King salmon runs of Bristol Bay have faced some very tough times over the last few years. We are seeing less and less Kings returning to the system and the size composition is declining. We need to get a better handle on the amount of King salmon that are being retained. The sport fishing industry no longer has the log-books that were required to be on hand and filled out before getting onshore. The commercial fishery intercepts kings in their effort to catch sockeye and many of those fish go into "home packs" and do not get reported. This self-reporting will help the department get a handle on king retention and allow for tools to help protect the king runs of the Bristol Bay rivers.

**PROPOSED BY:** Brian Kraft

(EF-F22-041)

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**PROPOSAL 32**

**5 AAC 06.377 Reporting requirements. and 5 AAC 67.XXX New section.**

Require reporting of king salmon harvest in guided sport fisheries and commercial fisheries in Bristol Bay, as follows:

Require all sport fishing operations to turn in a seasonal tally of King salmon retained. This number is to be inclusive of clients, guides, staff, or any person that utilized the services of the sport fishing operation. This tally sheet will be completed daily and a running total logged with a final cumulative total at the end of the operator's season. There shall also be a size category reporting requirement, as well as quantity of fish over 28' and those under 28''.

All commercial drift permit holders must submit a King salmon fishing registration sheet that records the total king salmon retained by any person while under the command of the captain along with their annual fishing license number. This includes employees, contract workers, deck hands, mechanics, guests, or any person that retains a King salmon. While Gill nets are being deployed in the commercial fishery targeting sockeye salmon, they are also harvesting Kings. This fishing registration sheet will be completed daily and a running total logged with a final cumulative total reported at the end of the operator's season. This does not pertain to any King salmon directive commercial openers.

All commercial set net permit holders must also complete a King salmon fishing registration sheet that records the total King salmon retained by any person when caught through use of implementation of a set net during a commercial sockeye opening. This includes retention by the Captain, any employee, contract workers, general laborers, mechanics, guests, or any person that retains a King salmon. because the implementation of a set net being used in the commercial fishery targeting sockeye salmon. This tally sheet shall be completed daily and a running total logged with a final cumulative total at the end of the operator's season. This does not pertain to any King salmon directive commercial openers.

Penalties for non-compliance or falsification of data will be designed by the department; however, we recommend that they be severe to deter under-reporting or non-reporting. Sport fishing lodges/camps should receive a significant fine along with suspension from the fishery, loosing the ability to have clients for a year. Commercial drift-net Captains should receive a significant fine

along with suspension from the fishery and their permit suspended for a year. Set-net permit holders should also receive a significant fine along with suspension from the fishery for a year as well.

**What is the issue you would like the board to address and why?** The King salmon runs of Bristol Bay have faced some very tough times over the last few years. We are seeing less and less Kings returning to the system and the size composition is rapidly declining. We must get a better handle on the amount of King salmon that are being retained in the bay. The sport fishing industry no longer has the log-books that were required to be on-hand and completed before stepping ashore. The commercial fishery intercepts kings in their effort to catch sockeye; and by many accounts, many if not most of those Kings find their way into "home packs" and are not reported. This self-reporting will help the department get a handle on King salmon retention and allow for tools to help protect the King runs of the Bristol Bay rivers.

**PROPOSED BY:** Bristol Bay Sport Fishing Association (EF-F22-078)  
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***Gear Specifications and Operations; Vessel Specifications and Operations (15 proposals)***

**PROPOSAL 33**

**5 AAC 06.331. Gillnet specifications and operations.**

Increase maximum offshore operation distance for set gillnets in Ugashik District, as follows:

We propose that the maximum offshore distance be increased from 600 feet from the 18-foot high tide mark to 800 feet from the 18-foot high tide mark. Increasing the offshore distance allowed will enable the set gillnets in this area to effectively fish their historic fishing time as determined by the tides of the day. The eleven sites currently fishing in this area would all have the ability to fish farther offshore negating any allocative effects potentially arising from this solution. At the time of the submittal of this proposal ten out of the eleven sites concur that the maximum offshore distance should be amended by the board to 800 feet from the 18-foot high tide mark.

Draft language:

5AAC 06.331(m) (8) in the Ugashik District, in that portion of the east bank of the UGashik River from a point at 57° 32.27' N. lat., 157° 24.36' W. long., no part of a set gillnet may be more than (600) **800** feet from the 18-foot high tide mark.

**What is the issue you would like the board to address and why?** During the last four seasons an extensive mudbank has developed along the inshore end of our area in which we fish our set gillnets. This impedes us from fishing as effectively as we have in the past (decrease in functional fishing time). The current offshore distance limitation of 600 feet from the 18-foot high tide mark precludes us from fishing the full extent of our allowable gear and denies us the efficient use of the fishing time allowed. We have lost an estimated 20% of our opportunity due to fewer hours of available fishing time because our nets are not in the water.

In 2016 the BOF adopted the “Criteria for Board Deliberations on Commercial Set Gillnet Proposals Impacted by Coastal Erosion” (2016-238-FB) which outlines the criteria that the board will consider and weigh when deliberating on a proposal related to set gillnet sites impacted by coastal erosion. The case stated above clearly fits Criteria #1 which states that issues that arise from land that has either eroded or accreted through natural or artificial causes contiguous to the leasehold.

**PROPOSED BY:** Ugashik Village Set Netters (HQ-F22-017)  
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**PROPOSAL 34**

**5 AAC 06.335. Minimum distance between units of gear.**

Increase minimum distance between units of drift and set gillnet gear in the Ugashik District, as follows:

*The following regulation would become 5 AAC 06.335 (d)*

(d) In the Ugashik Bay district, no drift gillnet may be operated within 1000 ft of the 18 ft high tide line on all waters south of a line from Cape Greig at 57° 43.54' N. lat., 157° 41.82' W. long., to a point approximately one mile offshore at 57° 43.54' N. lat., 157° 43.80' W. long., then east of a line from 57° 43.54' N. lat., 157° 43.80' W. long. to Cape Menshikof at 57° 28.34' N. lat., 157° 55.84' W. long. during the regulatory season.

*The following regulation would become 5 AAC 06.335 (e).*

(e) No part of a drift gillnet may block navigable waters for other boats underway in or out of Dago Creek, on all waters north of a line from approximately 57° 36.70' N. lat., 157° 36.75' W long., to 57° 36.53' N. lat., 157° 36.75' W. long. during the regular

**What is the issue you would like the board to address and why?**

- (a) *I would like to address the safety and protection of set-gillnetters persons & gear. Many drift gillnetters have no concern for how close they fish to set gillnets in the Ugashik district because of limited law enforcement protection. In a frenzy, many drift gillnets ignore the 300' from side and 100' from offshore end of set gillnet minimum distance requirements (5 AAC 06.335b), and run over with boats or drift over setnet nets running lines and buoys and anchors, sometimes destroying setnet gear and/or causing great danger to setnetters trying to operate their gear along the beaches out to the regulatory 1000 ft. boundary for setnetters.*
- (b) *Setnetters pay annual leases to the State of Alaska and must remain within 1000' of the 18' high tide mark (5 AAC 06.331m), and cannot fish outside of 1000' of the beach while drifters pay no fees wherever they fish.*
- (c) *There is limited or minimum law enforcement protection in the Ugashik fishing district. Knowing this, many drifters ignore the minimum distance regulations and fish too close to setnetters.*
- (d) *Without land references on the seaward side it is difficult for setnetters to produce pictures or videos for enforcement to use in complaints.*

- (e) While fishing just outside and inside of Dago Creek fishboats with their nets out completely block all navigable waters to the entrance of Dago Creek. This causes danger and stress of captains trying to navigate in the narrow channel using this waterway to deliver fish to the tenders anchored outside in the main river. It also blocks tender, barge service and emergency personnel trying to go in and out of Dago Creek, the only navigable waters during low tide conditions to reach shore services and the airport facilities for medivacs.

**PROPOSED BY:** Gust Sonny Griechen (HQ-F22-074)  
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**PROPOSAL 35**

**5 AAC 06.335 - Minimum distance between units of gear.**

Increase minimum distance between units set and drift gillnet gear, as follows:

- (a) In the Naknek-Kvichak, Egegik, Ugashik, and Togiak Districts, no part of a set gillnet may be set or operated within 300 feet of any part of another set gillnet. In the Nushagak District, no part of a set gillnet may be set or operated within 450 feet of any part of another set gillnet. The provisions of this subsection do not prohibit a CFEC permit holder from operating a set gillnet seaward of another set gillnet operated under the authority of the same CFEC permit.
- (b) No part of a drift gillnet may be operated within 300 feet of the side of a set gillnet and within **300** [100] feet of the offshore end of a set gillnet. The **300-foot** [100-foot ] restriction does not apply seaward of the offshore setnet distance restrictions set out in 5 AAC 06.331(m) and (n).
- (c) In the Nushagak District, no part of a drift gillnet may be operated within 100 feet of the inshore end of a set gillnet, except that in the locations described in 5 AAC 06.331(n), no part of a drift gillnet may be operated inshore of a set gillnet.

**What is the issue you would like the board to address and why?** The current regulation: “No part of a drift gillnet may be operated within 100 feet of the offshore end of a set gillnet...” is no longer adequate. With the advent of D permits and a higher percentage of shallow draft drift boats this distance is too small.

Drift nets repeatedly come into contact with the outside of set gillnets resulting in consequences listed below. Increasing the distance to 300 feet is a more realistic regulation for the drift fleet to adhere to and more realistic for enforcement to gain the documentation they need and for attaining the goal of keeping nets and gear from colliding.

- a) Safety.

When a drift gillnet drifts onto set gillnet gear / nets, the drift boat skipper often tows on their net attempting to separate the gear. This creates a great amount of tension on the set net lines. Many times, set net skiffs are under the net lines picking fish or attached to lines at the time of this high-power tow creating a dangerous situation which can be compounded by strong current, darkness and wind. There is no communication between the drift boat and set net skiffs when this happens. Many driftnet skippers have never set net and may not be thinking about the danger they are putting the skiff fishermen in.

This situation has become worse with more D permits fishing the Bay because D-permit boats have 33% more net to handle, and a third more pull from current. A D-permit drift skipper may be over 1200' away from the entangled end of their net with little visual awareness or understanding of people working the setnet site.

The Bristol Bay fishery now has more high-horsepower jet boats than in the past who are working the shallows and maneuvering in and amongst set net sites increasing this problem.

Having a 300' buffer instead of 100' will give everyone more time to rectify the situation of getting too close. Drift boat won't have to determine so closely if they are legal, and from the set net side of things it allows skiff workers more time to determine if they will indeed get wrapped.

b) Changing fishery.

Fisheries are constantly changing. The Board of Fish helps us keep our fishery orderly and productive by allowing changes in regulations to meet these changes to technology and other areas. The current trend in boats is more power, jets, and a greater ability to fish in the shallows. This has increased the number of gear interferences as well as the severity of consequences from these interferences with set nets. This is a particularly unsafe and serious situation in our fishery. It is time to address this situation and make changes before the changes are forced to be made by injuries or death.

c) Enforcement

In order to enforce the "100' minimum distance off the seaward end of a set net" regulation, enforcement officers have to see it themselves (odds aren't good they will be there), or Enforcement officers advise set netters to gather very specific photos or videos to document these violations. Oftentimes the only chance to document an interaction is after the fact as the whole incident may last only 10 min. Without these specific proofs set netters are advised that prosecution is extremely unlikely.

It is more difficult to document these occurrences than you might think. Set net skiffs are open boats where everything gets wet and keeping a phone/video camera dry and constantly at the ready is a challenge. To provide the documentation that the Troopers ask for means the set netter needs to quit picking fish, get out from under the net and get multiple angles of photographs with boat numbers, both nets, show distance, buoy numbers at just the right angle all in the same photo. This is an unrealistic burden to put on the setnetter. To prove this point...In the last 5 years only 8 incidents have been documented well enough to result in a citation in the entire Bristol Bay. Adding 200' onto this regulation, will give everyone a bit more breathing room and time to avoid problems. And if interference occurs, a better chance to document it.

d) Economic loss

Interference and damage to fishing gear often results when drift nets come into contact with stationary / anchored set net. The cost of damage to gear is one thing....but loss of fishing time

can be a large economic loss to the set netter. If critical anchoring devices are drug or broken off in an interference incident, many times a set netter may have to wait for a certain low tide to fix it. There is so little recourse to be reimbursed due to the hardship of documenting the incidents. We are all out there fishing hard for a productive fishery. We need to minimize situations where negligence with no consequences results in economic loss.

If this regulation is not adopted this gear interference situation will continue to grow in our fishery resulting in more dangerous situations, fishermen injuries, more burden on Enforcement with continued conflicts between the set and drift gear groups, and more financial burden landing mainly on the set gillnetter..

**PROPOSED BY:** Lower Bristol Bay Advisory Committee (HQ-F22-022)  
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**PROPOSAL 36**

**5 AAC 06.331 Gillnet specifications and operations.**

Limit the length of drift gillnet towlines to 100 feet, as follows:

Limit tow line to 100 feet from tow point to beginning of the net. This is more than sufficient for big weather days and to allow you to maneuver if something goes wrong. Easy for Troopers to enforce and measure, it's roughly 3 boat lengths.

**What is the issue you would like the board to address and why?** No limit on tow lines. The fishery has changed greatly in the last 5 years. Large influx of shallow drafted boats have entered the fishery, along with this we have seen more and more boats going really shallow and setting their net and running out to deeper water with tow lines up to a 1/4 of a mile long, as the tide falls they pull their nets and fish out of the shallows. The long tow lines preempt grounds and are dangerous. Dragging the fish out of the shallows also has a very negative impact on fish quality. Finally its not drift fishing and is Illegal.

**PROPOSED BY:** Alexis Kwachka (EF-F22-076)  
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**PROPOSAL 37**

**5 AAC 06.331. Gillnet specifications and operations.**

Limit the length of drift gillnet towlines to 100 feet, as follows:

The Board of Fish should adopt a maximum towline length limit of 100' from the tow point of a drift gillnet vessel to the beginning of the net in the Bristol Bay drift gillnet fishery.

**What is the issue you would like the board to address and why?** Currently, the Bristol Bay drift gillnet fishery does not have a maximum towline length limit. Towlines in excess of a full net length (150-200 fathoms or 900-1200 feet) have become common in the Bristol Bay fishery. Long towlines are used to anchor nets in shallow water and allow the vessel to transit to deeper water while still maintaining control of the net. Towlines in excess of 100' pose serious safety concerns



for other vessels fishing or traveling around vessels employing the use of excessively long towlines.

**PROPOSED BY:** Erik Velsko (EF-F22-084)  
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**PROPOSAL 38**

**5 AAC 06.331. Gillnet specifications and operations.**

Limit the length of drift gillnet towlines to 25 fathoms, as follows:

Ammend 5 AAC 06.331 to limit the length of a tow line to 25 fathoms overall length.

**What is the issue you would like the board to address and why?** Some vessels are using net tow lines in the range of 1000' in length. A combination of a 1000' towline and 1200' of net is a total gear length of 2200' off of the towpoint. This configuration of gear can create problems with safety, fairness, and grounded nets.

With increasing presence of shallow water boats it can create navigation hazard to have that much gear trailing a vessel.

This gear style lends itself to fisshing with a grounded net.

I don't feel that this style of fishing is in the intent of drift gillnet operation.

**PROPOSED BY:** Timothy Gervais (EF-F22-091)  
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**PROPOSAL 39**

**5 AAC 06.331. Gillnet specifications and operations.**

Prohibit placement of set gillnet gear on the shore fishery lease site of another set gillnet permit holder, as follows:

When a commercial fisher has a shore lease, and is fishing in the waters of said shore lease, then no other fisher shall install an anchor, running line or net within the boundaries of said shore lease. Because the Egegik District is a competitive fishery, commercial fishers should be fined for complaining to the Troopers, if the Troopers determine the commercial fishers are just trying to gain advantage of other commercial fishers for competitive reasons.

**What is the issue you would like the board to address and why?** I would like the board to address two concerns. First, other set netters should not be allowed to install their gear on my shore lease. The regulation in the Egegik District states that a set net must be relatively straight out from the shore, when a commercial fisher is in the act of fishing. Other commercial fishers have been complaining to the Troopers that my set net is not relatively straight. The Troopers have been letting me know about these complaints for the past four years and this has cost me fishing time at my shore lease. The problem is that one of the commercial fishers has a screw anchor that is installed 75 feet onto my shore lease. This allows him an advantage of making his set net more

relatively straight out as compared to my set net. Second, the AF&G biologist said that the Egegik District is a competitive fishery. For commercial fishers to complain to the Troopers to gain an advantage and for another commercial fisher to have his screw anchor on my lease should not be allowed.

**PROPOSED BY:** Christopher John Erpelding (EF-F21-004)  
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**PROPOSAL 40**

**5 AAC 06.331. Gillnet specifications and operations.**

Increase area available to set gillnet fishermen in the Graveyard Point area, as follows:

Within section (m)(5) replace the coordinates and reference to the unnamed creek as follows. alternate text is underlined and italicized:

(5) in the Kvichak Section of the Naknek-Kvichak District from Libbyville Dock to a point near Graveyard Point at 58° 52.07' N. lat., 157° 00.80' W. long. and from the point on the northwest shore of Kvichak Bay at 58°51.74' N. lat., 157°08.19' W. long. north to a point on the northwest shore of Kvichak Bay at 58° 53.37' N. lat., 157° 04.26' W. long., the maximum distance that a set gillnet may be operated offshore is as follows:

**What is the issue you would like the board to address and why?** Presently set net fishing is allowed in the majority of the Kvichak district according to section 5 AAC 06.331(m)(5) parts A or B which require nets to be no further than 1,000 feet from the 18' high tide mark OR the shoreward end must go dry at the time of the opening.

I propose making this "OR" allowance applicable either to include an additional mile further west from the unnamed creek referenced in (m)(5). This section of the district has developed a massive mudflat extending from the 18-foot high water-mark out to about the 12' water-mark of over 1,000 feet which makes this area virtually unfishable. Changing this arbitrary reference point would enable fishing opportunities for fishermen looking for alternate fishing grounds when the fish are running on the west side channel.

**PROPOSED BY:** Joe Echo-Hawk, Nathan Rispler, Reid Ten Kley, Alec Capps (EF-F21-005)  
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**PROPOSAL 41**

**5 AAC 06.331. Gillnet specifications and operations.**

Adjust seaward boundary for set gillnet gear near in the Nushagak District, as follows:

1. To address the cumulative erosion loss, add 100 feet to the outer limit for setnet sites on Ekuik Beach as follows:

(2) from the cannery dock at Clark's Point to First Creek at 58° 47.15' N. lat., 158° 30.57' W. long., 600 feet from the 18-foot tide mark under normal weather conditions, except that from 58° 50.10'

N. lat., 158° 33.52' W. long. to 58° 49.29' N. lat., 158° 33.10' W. long., 750 feet from the mean high tide mark, whichever location is closer to the mean high tide mark;  
(3) from First Creek at 58° 47.15' N. lat., 158° 30.57' W. long. to Third Creek at 58° 46.81' N. lat., 158° 28.10' W. long., 800 feet from the mean high tide mark;  
(4) from Third Creek at 58° 46.81' N. lat., 158° 28.10' W. long. to Etolin Point at 58° 39.37' N. lat., 158° 19.31' W. long., 1,100 feet from the mean high tide mark.

2. To solve the problem of uncertainty and variability of outer boundaries, eliminate the minus 3-foot tide line as an outer boundary. Instead, establish the outer boundaries by surveying the mean high-water mark from downstream of the Range Marker on Ekuk Beach, based on NOAA tidal benchmarks as of August, 2022. The survey will provide a plot line based on way points which represent the outer limits defined in this proposal. This would allow both setnet fishermen and enforcement to identify a consistent outer boundary. It would also allow drift vessels to easily identify the outer limits of setnet sites to avoid entanglement with setnets, anchor equipment, and marker buoys.

The outer boundary survey would be conducted by a professional land surveyor, registered in the State of Alaska, using established benchmarks. The survey will be based upon the NOAA tidal benchmark at Clarks Point, designation 946 5621 B, set 1.399 meters above mean high water.

**What is the issue you would like the board to address and why?** Ekuk Beach is experiencing uncertain boundaries for setnet sites for two reasons: 1) Western Alaska is known to have significant beach erosion, which is affecting historic setnet sites on Ekuk Beach, and 2) the current regulations defining the outer limit of setnet sites create unpredictable boundaries.

Ekuk Beach is experiencing significant erosion. Portions of Ekuk Beach were surveyed in 1983 and then again in 2021 and there has been a loss of 146 feet or more in many places since 1983. The erosion is accruing from downstream from the Range Marker on Ekuk Beach. This erosion may cause historic/traditional setnet sites to be outside the boundaries defined in current regulations. Those regulations set boundaries for setnet sites based on distance limits measured from the mean high tide line, to a maximum outer limit of the minus 3-foot tide line. So as erosion moves the tidal lines, the boundaries for set net sites are being altered.

The current system of setting setnet boundaries, using the mean high tide line and minus 3-foot tide line as outer limits, introduces unnecessary uncertainty and variability. The mean high tide line can change significantly with every wind storm. The wind greatly affects the gravel berm that usually accumulates at the high tide line, which can build or be depleted depending on the direction and strength of the wind, affecting where the mean high tide line is seasonally, and even daily. So, it is possible, depending on weather, that a setnet site could fish within regulation one tide, but outside limits on the next, as wind and storms affect the mean high tide line.

The variability of tidal lines makes it very difficult to identify the outer limit of a setnet site under the current regulations. A minus 3-foot tide is affected by weather and ocean conditions. So, a minus 3-foot tide line on one day can be different the next day. This proposal would eliminate this variability by setting a consistent outer limit.

This proposal is not allocative, it addresses these two problems which imperil the current setnet fleet on Ekuk Beach. Addressing erosion and the uncertainty of the current tidal boundaries in regulation will maintain these traditional setnet locations, which have been consistently fished in these locations for decades. Disregarding the effects of erosion and variability of tidal boundaries could disrupt harvest on these historic setnet sites. Applying the tidal boundaries currently in regulation, and/or the effects of erosion, could require relocation of the outer anchoring devices of some setnet sites, which is a major endeavor, is not commonly attempted, and is often not possible during a season. Changing these outer anchoring devices is very difficult, dependent on tidal and weather conditions, and expensive. Many times, these outer anchoring devices can take years to change and are location dependent (many areas have very large rocks, clay and outer anchoring devices' stability are variable depending on conditions). Most outer anchoring devices are weak in their first year after being put in, as the substrate has been heavily disturbed, so an entire season could be lost if the outer anchoring device cannot be relocated. If an outer anchoring device were found out of compliance due to erosion or variable measurements of tidal lines and could not be moved due to tide or other conditions, that site would be eliminated from harvest, or have greatly reduced capacity. The cumulative result would be reduced capacity of the setnet fleet on Ekuk Beach.

Reducing the capacity on Ekuk Beach would immediately harm the fishermen whose sites were made less efficient and insecure due to disruption of their anchoring devices. It would also have a broader impact by reducing overall fishing efficiency of the Ekuk Beach setnet fleet. This disruption would further hinder overall catch efforts by the setnet fleet in the Nushagak, causing a deviation from district goals for optimal harvest, as well as further skewing the allocation by forcing the setnet fleet to fall further behind in allocation, which could ultimately restrict the drift fleet at a higher level..

**PROPOSED BY:** Nicholas Dowie, John O'Connor, Christine O'Connor (HQ-F22-031)  
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**PROPOSAL 42**

**5 AAC 06.333. Requirements and specifications for use of 200 fathoms of drift gillnet in Bristol Bay.**

Repeal provisions allowing operation of 200 fathoms of drift gillnet from a vessel with two CFEC permit holders onboard, as follows:

5 AAC 06.333 Requirements and specifications for the use of 200 fathoms of drift gillnet in Bristol Bay. REPEALED, 2021.

Repeal the dual drift permit regulation in Bristol Bay.

**What is the issue you would like the board to address and why?** Proposal/proposer requests that the Board of Fish repeal the regulation that allows two permit holders to jointly operate up to 200 fathoms of drift gillnet gear from the same vessel. If adopted only 150 fathoms of drift gillnet gear would allowed to be operate from any drift gillnet vessel regardless of how many drift gillnet permit holders are on board the vessel.

Having part of the BB drift fleet fishing 200 fathoms of gear and another part of the fleet restricted to 150 fathoms of gear has and will continue to create a significant economic disparity. Dual permit vessels are earning substantially more revenue than single permit vessels. This additional revenue leads to overcapitalization of the fishery by the dual permit vessels. An additional problem created by the economic disparity is the trend of Bristol Bay drift limited entry permit ownership outmigrating from the Bristol Bay watershed, rural Alaska, and Alaska to out of state permit holders.

Having all drift vessels fishing the same length of net ensures more parity among permit holders in the same spirit of requiring all drift vessels to be no longer than 32' in length. When the dual permit regulation was originally adopted sockeye ex-vessel prices were approximately \$0.35-0.40/lb. Now ex-vessel prices are higher such that a single permit vessel can earn a reasonable income with 150 fathoms of gillnet gear.

It is not prudent nor acceptable to manage and operate state fisheries in a manner that places local and resident fishermen at a disadvantage to non resident fishermen.

**PROPOSED BY:** Timothy Gervais (EF-F21-012)  
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**PROPOSAL 43**

**5 AAC 06.333. Requirements and specifications for use of 200 fathoms of drift gillnet in Bristol Bay.**

Repeal provisions allowing operation of 200 fathoms of drift gillnet from a vessel with two CFEC permit holders onboard, as follows:

Not a new regulation. I am asking the Board of Fish to repeal the regulation allowing dual permits from the same vessel, Repeal the entire 5AAC 06.333 , "Requirements and Specifications for the use of 200 fathoms of drift gillnet in Bristol Bay."

**What is the issue you would like the board to address and why?** Prohibit the use 200 fathoms of gillnet by dual permit holders.

1) The economics of the BB drift gillnet fishery have improved beyond the point where it is necessary to have two permit holders operating from from the same vessel. The ex vessel price for sockeye salmon has increased enough that a drift permit holder can make good revenue from operating the original 150 fathom of drift gillnet gear. Historically the regulations of the Bristol Bay drift fishery have tried to maintain equity in harvesting potential of the drift boat operators. The dual permit system has separated the fleet into two economic classes. Dual permit operators generally have a substantially higher income than the single permit holders. This has lead to overcapitalization of the drift fishery.

2) A dual permit vessel can effectively cork off a single permit vessel with the extra 50 fathoms of net. Prior to the dual permit system the corked vessel could tow to one side and continue to harvest salmon without having to haul their net and reset in a different location.

3) There is a significant amount of fraud in the dual permit system where an established operator is the purchaser of the second permit. The operator makes a side agreement with a deckhand to act as the second permit holder without the second permit holder actually providing financing to purchase and own the second permit. This is against the spirit and potentially a violation of Limited Entry Act regulations. CFEC Commercial Fishing Permit Brochure, "The Alaska Legislature made it illegal to lease permits to ensure that fishermen could maintain control of their own livelihoods and to ensure permits would be controlled by active fishermen with a long-term stake in conservation of fishery resources. Allowing leasing could create a class of permit holders who would be absentee landlords of the fishery who could exploit the actual fishermen forced to lease their permits."

4. The dual permit system has artificially inflated the price of Bristol Bay Drift limited entry permits and emergency transfers..

**PROPOSED BY:** Timothy Gervais (EF-F22-079)

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**PROPOSAL 44**

**5AAC 06.333. Requirements and specifications for use of 200 fathoms of drift gillnet in Bristol Bay.**

Review provisions allowing operation of 200 fathoms of drift gillnet from a vessel with two CFEC permit holders onboard, as follows:

The board look at the use and abuse of the D permit issue Beyond its intended use. D permit eliminate it D's has gone beyond the intent and usefulness. Give everyone 200 fathoms. give the d permits their own fishery, gear time and area start a whole new fishery just for D permits? Change CFEC regulations to include only D permits All of the above . Placeholder for further D removal or sunseting this regulation. Solution Sunset the D ( go away) 2025

**What is the issue you would like the board to address and why?** Management of over escapement, allocation and forgone harvest will continue to be an issues of concern for all users. Allowing this regulation to be used goes against the original intent and now outlived its need. We need more gear in the water not less to prevent continued use of forgone harvest. In the beginning of adopting 5ACC 06 .333 the decline of the fishery and low returns the optimum number of boats fishing was a number for less to be a lesser number. Now that is no longer the case. Phasing out 5AAC 06.333 over two years, This provision has caused allocation issues ,legal CFEC and transfer of limited entry permit requirements..

**PROPOSED BY:** Frank G. Woods III (EF-F22-049)

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**PROPOSAL 45**

**5 AAC 06.333. Requirements and specifications for use of 200 fathoms of drift gillnet in Bristol Bay.**

Provide drift gillnet vessels with a single permit holder onboard more fishing opportunity per opening than vessels with two permit holders onboard, as follows:

Let Dual less hours or let single permit fish couple hours earlier than dual.

Example: If it's an 8 hour opener, let dual fish 2 hours after single.

8 hours 12 noon closer > single

Dual 6am till noon

**What is the issue you would like the board to address and why?** Dual permit – lesser hours than single permits. Dual take more fish than single and dual can cork the net easily. 4 nets can cover the 3 nets and they take more fish.

**PROPOSED BY:** Norman Gloko (HQ-F22-004)  
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**PROPOSAL 46**

**5 AAC 06.333. Requirement and specifications for use of 200 fathoms of drift gillnet in Bristol Bay.**

Allow permit stacking in the Bristol Bay commercial salmon drift gillnet fishery, as follows:

The regulation would allow an individual to own and operate two permits on one vessel in the Bristol Bay drift fishery. S03T permits

**What is the issue you would like the board to address and why?** With the ability to fish a "D" permit in Bristol Bay, Ak for the commercial drift fleet, it seems odd that a boat owner cannot own and fish both permits. I feel you should be able to own and fish both permits on one vessel. As a young small business owner it would allow me to grow my business and make a larger profit to share with my crew and local community.

**PROPOSED BY:** Hayden Linscheid (EF-F21-009)  
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**PROPOSAL 47**

**5 AAC 06.333. Requirement and specifications for use of 200 fathoms of drift gillnet in Bristol Bay.**

Allow permit stacking in the Bristol Bay commercial salmon drift gillnet fishery, as follows:

Allow a permit holder to own and fish two Bristol Bay Drift permits, using the existing structure of the right to fish four 50 fathom shackles of gear with two permits and three shackles using one permit. This is commonly referred to as permit stacking.

**What is the issue you would like the board to address and why?** Allow a permit holder to own and fish two Bristol Bay Drift permits. I. E. Permit stacking. This action would reduce the number of boats and some of the gear conflicts that occur. Our fishing districts are too small and the fleet has become fast and maneuverable. Turning a chaotic line fishery down right dangerous.

Less boats and less net in the water means less chinook bycatch and less antisocial behavior. Seems like enforcement could use a bit of a break.

**PROPOSED BY:** Douglas R Elwell (EF-F22-035)  
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***Registration and Re-registration; Time and Area; Area and District Descriptions (9 proposals)***

**PROPOSAL 48**

**5 AAC 06.370. Registration and reregistration.**

Delay the date at which fishermen may reregister to or from the Togiak District, as follows:

(k) Notwithstanding (b) of this section, a CFEC permit holder and fishing vessel registered before 9:00am July 27 to fish in the

(1) Togiak District may not take salmon or be used to take salmon in the Nushagak, Naknek-Kvichak, Egegik, or Ugashik District from 9:00am June 1 to 9:00am August 4. [JULY 27];

(2) Nushagak, Naknek-Kvichak, Egegik, or Ugashik District may not take salmon or be used to take salmon in the Togiak District from 9:00am June 1 to 9:00am August 4. [JULY 27].

**What is the issue you would like the board to address and why?** The BOF originally established a later date for vessels that fish in other districts within Bristol Bay to transfer to Togiak, mainly because the Togiak fishery is comprised of a local small boat fleet that is crucial to the economy of Togiak and its residents. However, the sockeye salmon run in Togiak has been running later than usual, and a large influx of bigger vessels have begun fishing in Togiak after 9:00am on July 27 when they can legally start to harvests salmon. This has caused economic hardships for the small boat local fleet that live in the rural coastal community of Togiak where more than 25% of the households are below the poverty line. Fishing is the main source of income for the majority of its residents. Due to the recent trends of the later salmon runs, the current regulations do not fit the original intent of why the Togiak District has a later transfer date and should be altered to accommodate the later salmon runs..

**PROPOSED BY:** Jimmy Coopchiak (EF-F22-021)  
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**PROPOSAL 49**

**5 AAC 06.XXX. New Section.**

Reestablish a General District Salmon Management Plan, as follows:

When upper escapement goals have been achieved in Eastside Districts (Naknek-Kvichak, Egegik, Ugashik). Alaska Dept. of Fish & Game may have the option to enact a General District. The General District would consist of the waters specified in the May 17th, 2004, Board of Fish-approved General District.



**What is the issue you would like the board to address and why?** Due to to the lack of funds and manpower of Alaska Public Safety Enforcement. The orderly fishery in the eastside districts (Naknek-Kvichak, Egegik, Ugashik) deteriorates for the late season, due to a lack of enforcement effort. Because of this situation, a fishery of line violations is created, and many permit holders are forced out of the fishery. Fish revenues only go to a few, under this situation.

To remedy this, ADF&G can and should expand fishing to a General District once the upper escapement goals have been met. And Public Safety Enforcement has departed the Bristol Bay Fishery.

General District was implemented prior, per Board of Fish approval dated May 17th, 2004 General District will increase opportunity for fishing fleet, which in turn creates more revenue for fleet, processors, local and state tax jurisdictions. Additionally, late in the season. Marine mammals are a big problem in harvesting. A General District could spread things out for this situation.

**PROPOSED BY:** Joel A Ludwig (EF-F22-010)  
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**PROPOSAL 50**

**5 AAC 06.XXX. New Section.**

Reestablish a General District Salmon Management Plan, as follows:

(a) The purpose of this management plan is to provide for additional harvest opportunities in coordination with other management and allocation plans, maximize quality and harvest, and to provide management guidelines to the department for a commercial salmon fishery in the General District.

(c) **When escapement goals are met** [JUNE 1 THROUGH JUNE 30], **the General District will open to the Bristol Bay area.** [COMMISSIONER MAY OPEN AND CLOSE, BY EMERGENCY ORDER, THE GENERAL DISTRICT OR PORTIONS OF THE GENERAL DISTRICT AS NECESSARY TO HARVEST UP TO 20 PERCENT OF THE PRESEASON SOCKEYE SALMON FORECAST FOR THE BRISTOL BAY AREA.]

Open the General District when escapement goals are met.

**What is the issue you would like the board to address and why?** Reintroduce the repealed 5 AAC 06.356 General District Salmon Management Plan.

By not reintroducing the repealed 5 AAC 06.356 General District Salmon Management Plan, it is very difficult for small fishermen to make a profit if they only fish in one small area of the Bristol Bay District. Most of the fishermen who get "tickets" from fishing past the borderline are only following where the fish are, which is past the borderline, not inside of the Bristol Bay Fishing District. The handful of small fishermen left are only trying to "make-ends-meet" from self-marketing their fish, because all the canaries are closed and the fish in the Bristol Bay District are all dispersed throughout the district, which makes it even more difficult to make a profit.

When the General District finally opens to the Bristol Bay area, it allows the small profiting/self-marketing fishermen to make a little more profit than they already are from fishing in the Bristol Bay area.

**PROPOSED BY:** Kiril Z Basargin (EF-F21-026)

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**PROPOSAL 51**

**5 AAC 06.XXX. New section.**

Reestablish a General District Salmon Management Plan, as follows:

Whenever the Eastside districts, Naknek, Alagnek, Kvichak, Egegik, Ugashik, have reached or surpassed the upper boundary of escapement goals, an Eastside "general district" shall take effect. The Northwestern boundary line shall be from a point at 58'41'50"N lat 157'47'51"W long extending due east 3 miles. The Southern boundary line shall extend due west 3 miles from the point 57'28'34"N lat 157'55'84W long. All inner district boundary lines shall remain in effect. All fish buying operations shall take place inside Naknek/Kvichak, Egegik, and Ugashik districts. Duration and specific fishing times will be determined by ADF&G biologists and announced accordingly.

**What is the issue you would like the board to address and why?** I propose the board adopts a regulation that when all eastside rivers, Naknek, Alagnek, Kvichak, Egegik, and Ugashik have reached or surpassed the upper boundary of escapement, as per ADF&G pre season requirements, deeming the eastside systems a COMPLETE SUCCESS. When this occurs, regardless of the date, whether July 14 or August 7 (examples) an announcement be made stating the Eastside OUTER district boundary lines are no longer in effect. (General district) A new boundary line extending 3 miles east of a point 58'41'50"N lat 157'47'51"W long, thus designating an eastside/westside district line. As well as, the existing southern point of Ugashik district, 57'28'34"N lat 157'55'84'w long also on an east west axis line extending 3 miles out, designating the southern boundary line of eastside district. All inner district boundary lines remain in place.

Tenders/companies would then be restricted to buying fish INSIDE eastside river outer boundary lines (kvichak, egegik, ugashik) ensuring that fish tax, as well as catch data remains in appropriate districts. Fisherman, with today's fuel prices, will not go too far from their market.

Why? because at a certain point in the season, usually around July 18-22, fish and game enforcement is dramatically reduced, probably a budget issue, but results in extreme line violations taking place in all 3 eastside districts. This results in a two class system, those that are ok with committing offenses day after day for the reward it brings, and those that do not feel comfortable risking their boats, livelihoods or theirs and their crews freedom for getting those extra thousands of lbs. There are quite a large group of bristol bay fisherman that have other income sources which enable them to risk boat, gear, a night in jail, lawyers, buying their boat back, and all other costs associated with getting a ticket a MILE outside the district. That is not a misprint, boats are routinely fishing up to a mile OVER the line every season as of 2016, after enforcement is mostly gone.

This is an easily implemented solution to a serious issue. On larger runs, most of the aforementioned systems exceed their escapement goals so implementing this solution will in no way harm the biology of the fishery, on smaller runs the fish seem to dry up dramatically in late July which makes this an unused regulation. But the most important aspect of this proposal is that it LEVELS THE FIELD of opportunity for all drift fisherman, does not affect set net fisherman,(probably help them) and costs the state NOTHING. win-win-win for all parties. Thank you for consideration.

**PROPOSED BY:** Ken Dunsmore (EF-F22-019)

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**PROPOSAL 52**

**5 AAC 06.XXX. New section.**

Reestablish a General District Salmon Management Plan, as follows:

General district Management Plan. General district when all East side river systems have met their midpoint escapement goal on or after 17 of July.

The General district is all waters within 3-mile on the East side. There will be 3 subsections Naknek-Kvichak, Egegik, and Ugashik to allocate where the harvest is caught and delivered. Boundaries between subsections are the latitude of middle bluff and 57 degrees and 57 minutes

( this is approximately half way between Egegik and Ugashik).

**What is the issue you would like the board to address and why?** After July 17 the EO management is over and enforcement is limited.A general district will provide equal opportunity to fish by all users. Previously a subset of harvesters has taken advantage of limited enforcement and fished in closed waters.

**PROPOSED BY:** Alexis Kwachka (EF-F22-083)

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**PROPOSAL 53**

**5 AAC 06.XXX. New section.**

Reestablish a General District Salmon Management Plan, as follows:

Annually, when all escapement goals have been reached in the Nushagak, Kvichak, Naknek, Egegik, and Ugashik districts, and the 24 Hour Transfer Period has been waived in all districts (excluding the super exclusive Togiak district): The boundaries should be extended at the time to the year 2004 'XYZ district' boundary lines or an alternative such as the following:

A late season Western Boundary Line extending from the South Western Johnston Hill boundary marker to the Egegik North Western corner boundary marker. This same Western Boundary Line will follow the course of the Egegik West line in it's entirety and extend the South Western Corner of the Egegik District in a straight line to the North Western boundary marker in the Ugashik

District. The Walrus boundary in Ugashik would be built in at the discretion of the department (ADFG) to accommodate the safe passage of Walrus in their haul out.

Existing outer Naknek, Egegik, and Ugashik boundary lines would be amended to open up the waters south of the Naknek South Line to the waters of the Ugashik North Line to commercial fishing when escapement goals have been met and enforcement has withdrawn from the fishery. Proposed boundary change (Late Season Boundary):

58' 43.73' N LAT  
157' 42.71' W LONG

TO

58' 38.50' N LAT  
157' 22.23' W LONG

TO

58' 19.10' N LAT  
157' 36.65' W LONG

TO

58' 11.00' N LAT  
157' 38.10' W LONG

TO

57' 43.54' N LAT  
157' 43.80' W LONG

TO

57' 28.34' N LAT  
157' 55.84' W LONG

Additionally, proposal can be approved on a trial basis or with a sunset clause.

**What is the issue you would like the board to address and why?** The Alaska State Troopers cease to police the Bristol Bay gill net fishery on or around July 15th every season. This leaves the fishery with largely un-monitored boundaries aside from an increasingly rare aerial patrol. Many fishermen feel forced to quit and go home due to the lawless state caused by the lack of trooper skiffs and their absence. ADFG extends fishing time to a wide-open schedule as long as escapement goals have been met almost concurrently with the withdrawal of the State Troopers. The annual Fall fishing schedule ensues shortly thereafter.

The BOF has an opportunity to take the line fishing focus away from the Bristol Bay East side fishery, but It has to take an approach that differs from the 'pre-season XYZ district' failures which occurred nearly twenty years ago. My proposal offers a simple solution to the troubles of late season fishing by removing the congestion of line fishing in its entirety. This proposal complements the withdrawal of enforcement, and the immediate need for a more logical and less congested and stressful fishery.

**PROPOSED BY:** David Vardy

(EF-F22-063)

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**PROPOSAL 54**

**5 AAC 06.XXX. New section.**

Adopt an Eastside Bristol Bay late-season management plan, as follows:

**Late-Season Waiver of Lines:**

No lines on east side after escapements are met.

(h) Regarding the Eastern commercial fishing districts of Bristol Bay, pertaining to the drift gillnet fishery: When two adjacent river systems have reached their escapements goals such that ADF&G managers have waived the 48-hour transfer period into the districts, AND both districts' fishing schedules have no non-concurrent closures, then during the time of concurrent openings, the boundary lines between those two adjacent fishing districts shall be as follows:

(1) Ugashik to Egegik Late-Season Section: The western boundary line of the areas between the Ugashik and Egegik Districts shall be all waters east of a line from 57° 43.54' N. lat., 157° 43.80' W. long. then continuing to 58° 11.00' N. lat., 157° 38.10' W. long., exclusive of waters west of the Stat 3-mile Jurisdictional Limit, and except those waters within, and those waters draining into, the regular districts described in 5AAC 06.200.,

(2) Egegik to Naknek-Kvichak Late-Season Section: The western boundary line of the areas between the Egegik and Naknek-Kvichak Districts shall be all waters east of a line from 58° 11.00' N. lat., 157° 38.10' W. long., then continuing to 58° 43.73' N. lat., 157° 42.71' W. long., except those waters within, and those waters draining into, the regular districts described in 5AAC 06.200.

(3) The geographic location of where the fish were landed shall be indicated on the fish ticket.

I) The district closest to the point of landing shall receive tax revenues generated by the landing.

II) The district closest to the point of landing shall have those fish counted towards the drift gillnet tally for purposes of tracking allocation.

**What is the issue you would like the board to address and why?**

**Late-Season Waiver of Lines for East-Side Districts:** No lines on east side after escapements are met.

The presence of fishery enforcement is a very necessary component of fishery management. Imagine how many boats would brazenly set illegally during the emergency order if there were no adverse consequence; imagine the difficulty of managing the runs if the fish poached by these “pirates” were not counted in early-season run assessments. Now please consider the inverse of this situation, when at the end of the season if someone were to set a mile or two (or ten) over the line... the fish caught then would have zero impact on fishery management, at a time when all rivers had their escapement, every district is open on a 24-hour schedule and ADF&G is no longer keeping track of the districts in which the vessels are fishing.

**The situation as it currently exists:** Presently at the end of the season, after most boats have gone home and enforcement efforts have basically disappeared, fishing continues much like it has all season long. Fishermen throughout the district give each other as much room as practicable, but toward the boundary lines there’s less room to be given when the fish are moving across the line, *but there’s always more room over the line.*

A subtle late-season “line show” plays out where the most brazen fishermen, who are willing to risk a ticket for the reward, get a disproportionately larger paycheck because their net (which is way over the line) is the first in front of the small trickle of fish entering the district. It’s pretty much the same cast of characters all the time, who are greatly rewarded for their risk.

The above scenario does not have to exist. When the runs are biologically secure, and the fishery is wide-open, what is the purpose of boundary lines? Their mere existence rewards illegal activity, lowers the value of the catch (through competitive, rather than sensible harvesting practices), and diminishes everyone’s paycheck except those fishing illegally).

**Situation if this proposal were enacted:** If there were more liberal boundary lines between districts in the late-season, fishermen would go to the place where there is the most consistent fishing, as far as practicable from other fishermen. They’d work their gear with the already significant challenges of tidal fluctuations, weather, and SEALS (“Ort! Ort! Ort!”).

The revenues earned by the fishermen would be more evenly distributed, and no one would be rewarded for illegal fishing activity.

The public safety and fleet-monitoring aspect of this expanded fishing area would be very manageable. The entry-pattern of the fish in the late season would create a very predictable fishing vessel placement scenario; boats will be working the beach/flats/bars at low water, spaced out .25 to .5 miles apart (or more if practicable), and never would you find a concentration of boats fishing “on top” of each other. There will also be effort on the regular tide streaks where fish come across in deeper and swifter-moving waters.

Taxes would still be properly accounted: Taxes for fish landed outside of a district’s boundary would be placed under the district to which the landing was closest when the fish were landed.

Enforcement efforts would remain unchanged, since there is presently almost no enforcement in the late season.

Public Safety (SAR) would be increased to a degree with the expanded area. .

**PROPOSED BY:** Matt Marinkovich

(HQ-F22-008)

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**PROPOSAL 55**

**5 AAC 06.200. Fishing districts and sections.**

Align Naknek Section southern boundary line with Naknek-Kvichak District southern boundary line, as follows:

Change the definition of the Naknek Section south-western waypoint (ADF&G “south marker” coordinates) as follows:

(1) Kvichak Section: all waters of the Naknek-Kvichak District north and west of a line from the shore, along the dock, and to the outer end of Libbyville Dock at 58° 46.76' N. lat., 157° 03.57' W. long., to 58° 38.50' N. lat., 157° 22.23' W. long., continuing on this line to the point of intersection of the line described in 5 AAC 06.200(b); [58° 38.50' N. LAT., 157° 22.23' W. LONG. TO THE OUTER END OF LIBBYVILLE DOCK AT 58° 46.76' N. LAT., 157° 03.57' W. LONG., THEN ALONG THE DOCK TO THE SHORE]

**What is the issue you would like the board to address and why?**

**Modification of Naknek Section south-western boundary definition**

Clarifies Naknek Section fishing boundary line.

There is an obvious point of confusion surrounding the southern boundary line of the Naknek Section, compared to the Naknek/Kvichak district southern boundary line. These lines differ from each other ranging from just a few feet, to close to 300 feet. The difference occurs because the “straight” line “drawn” from the N/K southern boundary is actually curved, a result of drawing geographic lines on our curved earth.

The real problem is the waypoint initially used for the south-western corner of the Naknek Section, which was originally established by locating the intersection of the Naknek sideline and the N/K southern boundary. This worked well initially, when it was drawn on a flat paper chart, since the N/K line was established from the old Loran-C signal and that “synched” up with the drawing. When GPS technology entered the picture, it gave a more accurate location of both the N/K line, and the placement of the Naknek Section SW ADF&G waypoint. A decent estimate of this difference is that the SE waypoint is approximately 250 feet north of the N/K line.

**The situation as it currently exists:**

The problem exists when the open fishing area switches from the entire N/K district to the Naknek Section only, at which time it is necessary for every fisherman AND fisheries enforcement to switch their plotters to match the proper district for the opening at hand (it is still necessary to switch when the openings switch the other way, but there is no consequence of a fishing violation). Since we’re all human, sometimes people forget to do this switch, and because of the difference between the two lines, the result become an undisputable fishing violation (if fishing with the N/K

line on your plotter during a Naknek Section opening, you could be up to 250-feet over the line when your plotter says you're legal, which is no excuse for fisheries enforcement); there are several tickets each year attributed to this error.

**Situation if this proposal were enacted:**

If this proposal were to become regulation, there would exist a 100% accurate definition of the Naknek Section and the entire N/K district, using the already-existing waypoints that are currently used for this purpose. There would be no confusion as to which lines to use, because it would always be the same line; neither fishermen nor enforcement would have to switch their plotters when the openings switch from N/K to Naknek Section, or visa-versa.

This is a simple geometry problem. A point with two defined lines going away from it holds the same definition as a point on a defined line which is intersected by another defined line. So instead of trying to pinpoint a waypoint upon the N/K southern boundary line (which has proven infeasible from the limitations of the GPS plotters), the SW "corner" of the Naknek Section can be determined by using the existing waypoints for the already-existing two lines used to determine the (1) N/K southern line, and (2) the Naknek Section sideline.

With this regulation in place, during Naknek Section openings ONLY, it would be necessary for fishery enforcement, and any fishermen seeking the accurate location of the Naknek Section southern boundary "corner" location, and the Naknek Section "sideline," to either operate two plotters simultaneously to display the two intersecting lines (one for the southern boundary and another for the "sideline" boundary), or have a plotter that is capable of showing two independently programed lines at once (some plotters can do this). The cost of a modest GPS that can show the distance from the line is about \$100.

The effective use of locating the "corner" (point of Naknek Section SW boundary intersection) with this method is to observe the cross-track error, or "off-course" distance, from the two-waypoint line programed into a GPS plotter, which is either the N-K southern boundary, or the Naknek Section "sideline" boundary (the sideline incorporates the existing "corner" waypoint, which will no longer represent the corner, but rather constitutes the second point of an infinite line). The cross-track information will display the distance from its designated line in the form of nautical miles or fractions thereof, and then will switch to readings in feet at 600-feet or 1,000-feet from the designated line. The fishermen (or enforcement officer) will know they are on "on the corner" when both cross-track errors read zero feet; finding the "corner" isn't important; what is important is to recognize the geographic distance from the line.

This is the exact same technology currently used by fishery enforcement when determining if a fisher is set over the line, so Enforcement will have no problem using the technology. Since Enforcement has two plotters already placed on their enforcement assets, there will be absolutely NO DIFFERENCE in determining whether fishers are in legal waters (they won't even have to re-program the equipment).

The adoption of this regulation will relieve stress and confusion to a great degree when fishing the Naknek Section only openings.



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**PROPOSAL 56**

**5 AAC 06.370. Registration and reregistration.**

Allow drift gillnet fishermen to make ‘test sets’ under certain circumstances, as follows:

Permit holders participating in the SO3T fishery shall be allowed to lawfully set their gear (hereinafter called a “test set”), whether or not they had dropped their “blue or green card,” under the following circumstances:

- From June 1 through June 16 in Egegik; and from June 1 through June 23 in all other areas.
- Between the hours of 8:00am – 8:00pm.
- For a duration of not more than two-hours total, set between one hour before and after high water on a tide table designated by the local ADF&G office. This time will be agreed to and under permission from ADF&G enforcement, and determined with advance notice of at least sixteen-hours.
- A test set area shall be designated in each regulatory area in which this fishing shall be allowed. This area shall be in deep, open water, away from obstructions, and considerate of the distance which may be traveled while the gear is in the water drifting (which will be near slack tide so the gear will not travel too far).
- A vessel shall not utilize this test set opportunity more than three times total in a season.
- Any and all SO3T permits associated with the vessel must be renewed for the current season, registered to the vessel which will be making the test set, and be in possession of the permit holder on the vessel when test set activities are commenced.
- Any and all fish caught shall be delivered on an ADFG fish ticket; it is the responsibility of the permit holder to assure they have a processor who is willing to make the landing of fish caught.
- Any and all revenues earned from fish sales shall be directed to ADF&G; revenues paid shall be fair market value.
- If the fisher’s permit has been registered in a different regulatory area, or if they are waiting through a transfer period, they shall be allowed to make their test set in a different regulatory area (i.e. if registered in Ugashik they can test-set in the prescribed test area in Naknek).

**What is the issue you would like the board to address and why? “Test Set” Proposal:**

Permit holders shall be allowed to test-set fishing gear without dropping registration card. This proposal addresses a safety concern for all fishermen, especially those with boats that have any amount of deferred maintenance.

The situation as it currently exists:

The first fishing opening of the season produces a list of repairs that weren’t seen, noticed, or existed before the equipment and gear had been tested. Often this list becomes apparent after the fisherman has left their home port, or at the start of regular and frequent fishing openings. Due to this timing, bigger things like more efficient or safer deck modifications never get completed, nor do smaller things like float-switches on bilge pumps, or “non-critical” electrical issues. It is the

combination of problems stemming from these smaller issues that combine into creating larger problems, that can lead to a catastrophic incident (this is how boats are lost).

Vessel modifications also beg for a full-stress, full-situation trial run, to assure everything will work when it is go-time. Examples are:

- New net reel installed
- New refrigeration system installed
- New steering, engine controls, hydraulic pump or any modification to these systems
- New crew member(s) working on deck
- New structural components to the vessel (like a tow bit moved to higher up in mast)
- Old operator with a new boat (like a jet boat) and needs to learn how to “drive” it.

The time for all of the above to be tested is when there is no pressure from boundary lines, piles of fish, or nasty weather.

Currently, the only way to test-run a boat is for a permit holder to drop their card and start fishing for the season, but many fishermen value “holding their card” so they can position themselves on good fish abundance when they start fishing. So they forgo the safety and sensibility of dropping their card to give their boat a “shakedown, which frequently puts their first fishing/learning/test-running opportunity right in the middle of precarious situations.

Situation if this proposal were enacted:

This proposal allows fisherman time to field test their boat and “break in” their crew before the fishing season. It will reduce the risk of injury or catastrophic incident, by allowing “first opening” problems to be encountered and addressed in a stress-free state of mind, with no dramatic variables causing extra mental and physical pressure on the situation.

Each fishing district would have an area, perhaps two square miles, that is the designated location of this “test-set” area. The allowed time would be one-hour before and after the high-water as indicated in the NOAA tide predictions, making easy accessibility for the fishermen, and easy predictability for ADF&G enforcement. The 16-hours advance notice would allow fisherman to contact the ADF&G office before closing time in the evening, then be able to make the test set if the start time is around 8:00 a.m. the next morning. Fishermen could fill out their test-set request online, which would require very little man-hours.

The cost of this proposal includes time involved in fielding fishermen’s request for test-set authorization, which will likely peak in Naknek and Nushigak in the week prior to the initiation of the emergency order, after which time the option is no longer available. There will be proportionately fewer test-sets in Egegik, and very few requests for test-sets in Ugashik because of the fewer number of boats stored in those areas in comparison to Naknek and Nushagak. I do not have the means to quantify a dollar amount on the cost of implementing this proposal, but I know it will be cost-effective to the value gained in reducing incidents on the fishing grounds in the early season..

**PROPOSED BY:** Matt Marinkovich

(HQ-F22-007)

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*East Side Management (4 proposals)*

**PROPOSAL 57**

**5 AAC 06.364. Naknek-Kvichak District Commercial Set and Drift Gillnet Sockeye Salmon Fisheries Management and Allocation Plan.**

Repeal set and drift gillnet allocations in the Naknek-Kvichak District, as follows:

This proposal is to repeal Allocation in the Naknek-Kvichak District, and manage the way it was before allocation was implemented.

**What is the issue you would like the board to address and why?** Under the allocation plan that was developed, the allocation between Set and Drift was set at 84% Drift and 16% Set. Of which is divided equally between the Naknek Setnetters and Kvichak Setnetters. Until several years ago the allocation between percentages was kept close. Then the percentage of Set Allocation started to rise, to as much as 30% several years ago. In 2021 the Set percentage reached 47%. When the allocation between Set and Drift was implemented we thought ADFG was required to keep the harvest close to those percentages, but the N/K management has not been doing that the last several years. It had not been managed to allocation, so why even have allocation.

**PROPOSED BY:** Randolph Alvarez (EF-F22-014)

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**PROPOSAL 58**

**5 AAC 06.360. Naknek River Sockeye Salmon Special Harvest Area Management Plan.**

Provide increased commercial salmon fishing opportunity in the Naknek River Special Harvest Area, as follows:

5 AAC 06.360

**(i) The commissioner may open, by emergency order, the NRSHA when the Naknek River escapement exceeds the mid-point of the escapement goal range and is projected to exceed the upper end of the escapement goal range.**

**(A) Fishing periods may open concurrently with fishing periods in the Naknek Section and the Naknek-Kvichak District, except that, drift gillnet fishing periods may close one hour before high tide.**

**(B) Fish harvested in the NRSHA shall be delivered prior to fishing the Naknek Section or the Naknek-Kvichak District.**

**What is the issue you would like the board to address and why?**

**NRSHA open concurrent to Naknek and/or N/K openings**, which increases fishing area and reduces escapement. This proposal addresses over escapement of sockeye salmon in the Naknek River.

**The situation as it currently exists:** The Naknek River has experienced over escapement in recent years due to increasing runs, and unusual fish-movement patters in which the fish swim through the Naknek Section and “magically” appear in the Naknek River with an express ticket to the spawning grounds. In such instances over 1,000,000 fish have eluded fishermen and swam up the

river during a “push” of fish, even though the Naknek Section was open for fishing when the fish swam through the district. Currently fishermen are allowed to fish in the Naknek River Special Harvest Area (NRSHA) only as a conservation measure to protect the Kvichak River stocks, and are not allowed to fish with consideration of catching a push of fish that are in the river.

**Situation if this proposal were enacted:** When fish are “sneaking past” the fleet and winding up in the river in abundance, the NRSHA may be opened concurrently with the Naknek Section or Naknek/Kvichak district openings. This will allow for those fish to be caught, and not go up the river to add to the over-escapement tally. Since the in-river fishery will close one-hour prior to high tide, this proposal will allow for the orderly and unobstructed flow of traffic on the Naknek River for tug-and-barge, and salmon tendering activities. .

**PROPOSED BY:** Matt Marinkovich (HQ-F22-010)  
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**PROPOSAL 59**

**5 AAC 06.365. Egegik District Commercial Set and Drift Gillnet Sockeye Salmon Fisheries Management and Allocation Plan.**

Repeal provisions directing the department to avoid continuous fishing with set gillnet gear in the Egegik District, as follows:

5 AAC 06.365 Egegik District Commercial Set and Drift Gillnet Sockeye Salmon Fisheries Management and Allocation Plan

...

[(g) IN THE SET GILLNET FISHERY, THE DEPARTMENT SHALL MANAGE, TO THE EXTENT PRACTICABLE, THE EGEGIK DISTRICT TO AVOID CONTINUOUS FISHING WITH SET GILLNET GEAR.]

Remove the entire line item.

**What is the issue you would like the board to address and why?** In the set gillnet fishery, the department shall manage, to the extent practicable, the Egegik District to avoid continuous fishing with set gillnet gear.

Due to this line item, the set net fisherman had (in previous seasons) been required to set AND pull set gillnet gear each and every tide. This again, requires two sets and two pulls each and every day fishing periods were allowed.

In removing this, would give flexibility to the biologists to allow continuous fishing with set gillnet gear at their discretion.

**PROPOSED BY:** Michael A Duta (EF-F22-011)  
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**PROPOSAL 60**

**5 AAC 06.366. Ugashik District Commercial Set and Drift Gillnet Sockeye Salmon Set and Drift Gillnet Fisheries Management and Allocation Plan.**

Align the Ugashik District fall fishing schedule with the Naknek-Kvichak District and Egegik District fall fishing schedules, as follows:

Abolish current Ugashik fall fishing schedule.

Add Ugashik to the current regulation regarding the fall fishing schedule for Naknek/Kvichak, Egegik. Assimilate all 3 Eastside districts together.

**What is the issue you would like the board to address and why?** In Ugashik, the current fall schedule is after Aug 1st, it opens Thurs 9am until Mon 9am. I propose changing the fall schedule to align with Naknek/Kvichak, and Egegik which is a Mon 9am until Sun 9am, starting on July 17. Implementation shall only occur if the minimum escapement goal has been reached as of July 17.

Why? the current regulation often results in the end of the Ugashik fishery for a given season. Markets leave when there are gaps in fishing time while other districts are open (Kvichak, Egegik) The result is local Ugashik fishers have missed opportunities for fall fishing due to markets not coming to the district, while both of the other Eastside districts are fishing. By assimilating Ugashik with Kvichak and Egegik's fall fishing schedule, it will level the field of opportunities for all fishers.

**PROPOSED BY:** Ken Dunsmore (EF-F22-020)

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***Reporting Requirements (1 proposal)***

**PROPOSAL 61**

**5 AAC 06.377. Reporting requirements.**

Require reporting of king salmon harvest by size class on fish tickets, as follows:

Addendum to 5 AAC 06.377

(c) Each processor shall report to ADF&G, after the season, the number of chinook purchased for the three size classes consistent with other chinook size regulations: under 20 inches, 20-28 inches, and over 28 inches.

**What is the issue you would like the board to address and why?** Inconsistent recording of chinook across user groups, results in gaps in data for future consideration for chinook management. Additional recording should start be recorded.

All chinook are treated as a number for commercial and subsistence users, but sports fish users have three categories for chinook. Jack kings are a high percent of the commercial catch and gear is optimized for harvest of sockeye and subsequently for the size of jack kings less than 20", approximately 4 pounds (similar average on many years to sockeye). Jack kings are approximately

90% male and are of less biological significance for future returns. Sports fish licensees are currently allowed to catch and keep 10 chinook under 20” per day, and 10 in possession. This illustrates the different value placed on size classes of chinook and data in the commercial fishery should be consistently collected for future use.

**PROPOSED BY:** Nicholas Dowie, Michael Jackson (HQ-F22-032)  
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***Herring (1 proposal)***

**PROPOSAL 62**

**5 AAC 27.865. Bristol Bay Herring Management Plan.**

Allow all commercial gear types to fish for herring simultaneously in Bristol Bay, as follows:

The Board of Fisheries should allow the option of all commercial gear types to simultaneously fish for Bristol Bay herring in all open areas by repealing 5AAC 27.865(b)(3). The department would still have emergency order authority and can use its discretion to limit time and area for this fishery.

**What is the issue you would like the board to address and why?** The current Bristol Bay Herring management plan directs the department to open the commercial herring fishery by separating the gillnet and seine gear groups by area during any opening. Due to the low number of participants over the last 6 years, this management approach is unnecessary. There is no risk of gear conflict by allowing all gear types to fish simultaneously in the same areas. In fact, by restricting the gillnetters and seiners to only fishing in separate areas by regulation, the result is an unnecessary disadvantage for both groups to access areas where the resource is congregating. Additionally, the Togiak herring season is very short (lasting roughly 10 days) due to herring spawning behavior and weather challenges. By increasing access for all participants during this short fishery, the result will be more efficient and effective harvest of high-quality herring for all users.

**PROPOSED BY:** Raymond May and Robert Nelson (EF-F22-046)  
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