

Kuskokwim Commercial Fisheries (3 proposals)

PROPOSAL 95

5 AAC 07.365. Kuskokwim River Salmon Management Plan.

When a federal special action or emergency special action is in effect under ANILCA Title VIII the Alaska Department of Fish and Game would not provide set gillnet fishing periods prior to June 12 when the projected escapement is within the drainagewide escapement goal range, as follows:

Amend 5 AAC 07.365(c)(2)(C) as follows:

(C) notwithstanding (c)(2)(A) of this section, before June 12 the commissioner shall open, by emergency order, at least one subsistence fishing period per week with four-inch or smaller mesh gillnets, **unless the federal government has exercised its authority under ANILCA Title VIII to manage subsistence salmon fishing to ensure a priority for federal subsistence users;** the gillnet may only be operated as a set gillnet and no part of the set gillnet may be more than 100 feet from the ordinary high water mark;

What is the issue you would like the board to address and why? Revise Kuskokwim River Salmon Management Plan to clarify management authority relative to ANILCA Title VIII. Conservation concerns regarding Kuskokwim River Chinook salmon and chum salmon require the application of precautionary management principles. When the Federal Subsistence Management Program assumes management of Kuskokwim River salmon stocks within federal waters, it is important to ensure that political tensions between the State of Alaska and the Federal Subsistence Management Program do not compromise sustainable management principles. Previously, ADF&G has justified violating federal closures to subsistence salmon gillnet fishing in the Kuskokwim River by opening subsistence fishing opportunities to all Alaska residents stating that the Kuskokwim River Salmon Management Plan requires them to do so.

PROPOSED BY: Kuskokwim River Inter-Tribal Fish Commission (EF-F22-066)

PROPOSAL 96

5 AAC 07.365. (c)(2)(A) Kuskokwim River Salmon Management Plan.

When a federal special action or emergency special action is in effect under ANILCA Title VIII the Alaska Department of Fish and Game would not provide directed king salmon fishing periods after June 11 when the projected escapement is within the drainagewide escapement goal range, as follows:

(A) the commissioner shall close, by emergency order, the commercial, sport, and subsistence king salmon fisheries, and after June 11, to the extent practicable, the commissioner shall open, by emergency order, at least one fishing period per week for a directed subsistence king salmon fishery to provide harvest opportunity on surplus king salmon in excess of escapement needs, **unless the federal government has exercised its authority under ANILCA Title VIII to manage subsistence salmon fishing to ensure a priority for federal subsistence users;**

What is the issue you would like the board to address and why? Revise Kuskokwim River Salmon Management Plan to clarify management authority relative to ANILCA Title VIII. Conservation concerns regarding Kuskokwim River Chinook salmon and chum salmon require the application of precautionary management principles. When the Federal Subsistence Management Program assumes management of Kuskokwim River salmon stocks within federal waters, it is important to ensure that political tensions between the State of Alaska and the Federal Subsistence Management Program do not compromise sustainable management principles. Previously, ADF&G has justified violating federal closures to subsistence salmon gillnet fishing in the Kuskokwim River by opening subsistence fishing opportunities to all Alaska residents stating that the Kuskokwim River Salmon Management Plan requires them to do so.

PROPOSED BY: Kuskokwim River Inter-Tribal Fish Commission (EF-F22-067)

PROPOSAL 97

5 AAC 07.365. Kuskokwim River Salmon Management Plan and 5 AAC 01.270. Lawful gear and gear specifications and operation.

Establish times when a commercial gillnet permit holder in Kuskokwim Area may use dip net and beach seine gear to commercially harvest salmon and standardize Kuskokwim Area dipnet lawful gear specifications and operation, as follows:

5 AAC 07.365(e) is amended by adding a new paragraph to read:

(e) In the commercial fishery,

...

(11) during times when the commissioner determines that it is necessary for the conservation of salmon, the commissioner may, by emergency order, close the commercial gillnet fishing season and immediately reopen a fishing season during which

(A) notwithstanding 5 AAC 07.331, a permit holder may fish with

(i) up to four dip nets; for purposes of this section, a dip net is a bag-shaped net supported on all sides by a rigid frame; the maximum straight-line distance between any two points on the net frame, as measured through the net opening, may not exceed five feet; the depth of the bag must be at least one-half of the greatest straight-line distance, as measured through the net opening; no portion of the bag may be constructed of webbing that exceeds a stretched measurement of 4.5 inches; the frame must be attached to a single rigid handle or a single rigid handle with a single line attached and be operated by hand;

(ii) beach seine gear that;

(1) may not be constructed of monofilament web and may not exceed

(2) may be up to 50 fathoms in length;
(3) may be up to 100 meshes in depth;
(4) have a mesh size of three and one-half inches stretched measure; and

(B) all salmon specified by the commissioner caught in dip net and beach seine gear must be released immediately and returned to the water unharmed.

...

5 AAC 01.270(a) is amended to read:

...

(a) Salmon may be taken only by gillnet, beach seine, a hook and line attached to a rod or pole, handline, dip net **as defined in 5 AAC 07.365(e)(11)(A)**, or fish wheel subject to the restrictions set out in this section and 5 AAC 01.275, except that salmon may also be taken by spear in the Holitna River drainage, Kanektok River drainage, Arolik River drainage, and the drainage of Goodnews Bay.

...

5 AAC 01.270(n)(4) is amended to read:

(n) Notwithstanding (b) and (j) of this section, during times when the commissioner determines that it is necessary for the conservation of king salmon, the commissioner, by emergency order, may close the fishing season in any portion of the Kuskokwim Area and immediately reopen the season in that portion during which one or more of the following gear limitations may be implemented:

...

(4) for dip nets: a person may fish for salmon with a dip net, as defined in **5 AAC 07.365(e)(11)(A)** [5 AAC 39.105], and all king salmon caught in a dip net must be released immediately and returned alive to the water.

...

What is the issue you would like the board to address and why? Gillnet is the only gear type currently available to harvest salmon in all Kuskokwim Area commercial fishing districts. Salmon species returning to the Kuskokwim Area have highly overlapping run timings. These overlapping run timings complicate commercial fisheries management in years where conservation actions to achieve escapement goals are needed for one species but there is a surplus above escapement and subsistence needs for another species. Currently, harvestable surplus goes unharvested due to overlapping run timing with less abundant salmon species. Allowing the use of dip nets and beach seines in time of conservation has been shown to be an effective management tool for lower Yukon Area salmon fisheries. This proposal could allow Kuskokwim Area commercial fishermen additional opportunity to harvest surplus salmon by authorizing the use of gear types that could

allow for the release of less abundant salmon alive during times of salmon conservation to achieve escapement goals.

This proposal also clarifies a dip net operation method that is used by both subsistence and commercial fishers in the Yukon and Kuskokwim areas. The current definition of dip net operation does not reflect the practice of attaching a single line to a dip net handle. This method of dip net operation has created confusion and difficulty for enforcement personnel. Clarifying dip net operations would provide enforcement and local fishers with a clear definition of gear type operation.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F22-051)
