

**PROPOSAL 104**

**5 AAC 05.350. Closed waters.**

Repeal closed waters in the lower three miles of the Pastolik and Pastoliak rivers, as follows:

Repeal 5 AAC 05.350. Closed waters (11)

5 AAC 05.350. Closed waters

Salmon may not be taken in the following waters:

(11) the waters [WITHIN 500 YARDS OF THE MOUTH] of the Pastolik River and Pastoliak River upstream from a point located 3 miles up each river [AS SPECIFIED IN 5 AAC 39.290(a)(2);]

Allow commercial fishing in both river drainages like the Black River, stat area 334-11.

**What is the issue you would like the board to address and why?** Replace the current regulation that closes the waters within 500 yards of the mouth and all the waters of the Pastolik and Pastoliak Rivers with a regulation that closes the upstream waters of the Pastolik and Pastoliak Rivers from a point located 3 miles upstream in each river.

Changing this regulation would allow commercial and subsistence fishing in the lower 3 miles of each river. Extremely shallow water and the presence of numerous, persistent sandbars outside the mouth of these rivers preclude any fishing outside the mouths of these rivers.

We believe that fish originating in the Yukon River, mill in these rivers before continuing their migration to and up the Yukon River. Fishers catch the salmon as they are exiting the Pastolik and Pastoliak Rivers after milling in them. This is the same rationale for allowing commercial and subsistence fishing within the Black River, statistical Area 334-11, of the Yukon Area. [http://www.adfg.alaska.gov/static/fishing/PDFs/commercial/yukon/yukon\\_district1.pdf](http://www.adfg.alaska.gov/static/fishing/PDFs/commercial/yukon/yukon_district1.pdf)

If nothing is done, fishers who have traditionally fished within these rivers will continue to be disenfranchised from the commercial and subsistence fishery.

**PROPOSED BY:** Cyril Okitkun

(HQ-F18-037)

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