

## **PROPOSAL 35**

### **5 AAC 01.172. Limitations on subsistence fishing gear.**

Repeal the requirement for hook and line subsistence fishermen to follow sport fishing bag and possession limits in the northern Norton Sound area, as follows:

Remove the requirement that those subsistence fishing for salmon using rod and reel in flowing waters that drain into northern Norton Sound from Cape Prince of Wales to Bald Point (between Elim and Koyuk) keep to sport fish bag limits. Suggested language:

### **5 AAC 01.172. Limitations on subsistence fishing gear**

(a) Except when fishing through the ice, for subsistence fishing in state waters of, and all flowing waters that drain into, northern Norton Sound from Cape Prince of Wales to Bald Point (between Elim and Koyuk) with a hook and line attached to a rod or a pole, the following provisions apply:

(1) the methods and means specified in 5 AAC 70.011, 5 AAC 70.030, and 5 AAC 75.022; and

(2) the bag and possession limits [for non-salmon fish], by species, specified in 5 AAC 70.011.

**What is the issue you would like the board to address and why?** Rod and reel has been recognized by the Board of Fish as a legal subsistence gear type in all flowing waters that drain into northern Norton Sound from Cape Prince of Wales to Bald Point (between Elim and Koyuk) under 5AAC 01.172(a). As a result, Alaska residents in multiple communities are not required to purchase a sport fishing license to use this method to harvest fish. However, under that same section of code, 5AAC 01.172(a)(2), we are required to adhere to sport fish bag and possession limits per 5 AAC 70.011.

In Norton Sound Subdistrict, the sport fish bag limits for salmon are different than those under we fish under by the subsistence permit required to fish in Norton Sound Subdistrict 1. The sport fish bag limits are much more restrictive than the subsistence limits, and unnecessarily so. For example, under the subsistence permit, using a setnet, we can take up to 20 coho annually from Bonanza Channel. Under the rules governing subsistence rod and reel fishing, we can only take 3 coho per day at the same location. As a result, we would have to spend 5 days fishing using rod and reel to catch as many coho as setting a net. This is very inefficient, we would spend more time and gas. Not everyone has a net and boat.

Elsewhere in the area where rod and reel has been determined to be a subsistence gear type, subsistence permits are also required.

My memory of the reason for this requirement that subsistence fishers using rod and reel in this area keep to sport fish bag limits is that it is related to law enforcement concerns about how to distinguish between a sport and subsistence fisher in the field. Because subsistence salmon fishers are required to get a permit and are required to record our catch before leaving our fishing location – we have the subsistence permit in the field. Law enforcement can easily determine who is subsistence fishing.

**Did you develop your proposal in coordination with others, or with your local Fish and Game Advisory Committee? Explain.** I presented this proposal for discussion and comment at the Northern Norton Sound advisory committee meeting in March 2025.

**PROPOSED BY:** Nicole Braem

(EF-F26-027)

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