

PROPOSAL 53

5 AAC 06.359. Egegik River Sockeye Salmon Special Harvest Area Management Plan.

Close a portion of the Egegik District to mitigate illegal fishing activity, as follows:

5 AAC 06.359. Egegik River Sockeye Salmon Special Harvest Area Management Plan.

(a) The goal of this plan is to:

(1) minimize the interception of sockeye salmon migrating through the Egegik District and bound for spawning systems within the Naknek-Kvichak and Ugashik Districts, while providing opportunities within the Egegik District to harvest Egegik River sockeye salmon that are in excess of the spawning escapement goal.

(2) **Provide the Commissioner an option to mitigate illegal fishing activities within the Egegik District.**

(b) The Egegik Special Harvest Area consists of the waters south of a line between 58° 18.05' N. lat., 157° 33.15' W. long. and 58° 17.93' N. lat., 157° 32.67' W. long., east of a line between 58° 18.05' N. lat., 157° 33.15' W. long. and 58° 09.91' N. lat., 157° 34.55' W. long., and north of a line between 58° 09.91' N. lat., 157° 34.55' W. long. and 58° 09.44' N. lat., 157° 32.97' W. long. Unless otherwise specified in this section, the applicable provisions in 5 AAC 06.001 - 5 AAC 06.380 apply to the Egegik Special Harvest Area.

(c) The commissioner may close, by emergency order, that portion of the Egegik District bounded by a line from 58° 19.10' N. lat., 157° 36.65' W. long. to 58° 18.05' N. lat., 157° 33.15' W. long. to 58° 09.91' N. lat. 157° 34.55' W. long. to 58° 11.00' N. lat., 157° 38.10' W. long. to 58° 19.10' N. lat., 157° 36.65' W. long. if

(1) the Naknek-Kvichak or Ugashik District is closed to fishing because the total season escapement is projected to be below the lower end of the escapement goal range;

(2) all conservation measures have been taken within the district where the escapement is projected to be below the lower end of the escapement goal range; and

(3) interceptions of Naknek, Kvichak, or Ugashik sockeye stocks within the Egegik District have been documented by past studies and in-season indicators.

(4) **illegal fishing activities are excessive and consistent in areas west of a line between 58° 18.05' N. lat., 157° 33.15' W. long. and 58° 09.91' N. lat., 157° 34.55' W. long., and cannot be effectively prevented by Enforcement resources. Closing this portion of the Egegik District for this purpose is not conditional on (1), (2), or (3) of this section.**

(d) If a district closed under (c)(1) of this section is reopened to fishing, the commissioner shall reopen that portion of the Egegik District that was closed under (c) of this section.

(e) The department shall attempt to issue an emergency order under this section at least 48 hours before the effective time of the opening or closing.

(f) If the midpoint of the escapement goal range is achieved in the Egegik District and the district boundary line has been moved into the Egegik Special Harvest Area, the 48-hour transfer notification period remains in effect for the Egegik District.

What is the issue you would like the board to address and why? Enact SHA boundaries before closing areas due to illegal fishing.

The last week of the 2024 sockeye fishing season in Egegik ended abruptly when the ADFG biologist shut the fishery down because a few fishermen were fishing illegally in an excessive and consistent manner in closed waters over the Egegik north line. The State Troopers had left the fishery and moved on to other areas of Alaska, and the remaining local enforcement could not effectively prevent the illegal fishing activities.

While closing the fishery absolutely stopped the handful of illegal-fishing fishermen, it also stopped a number of legal-fishing fishermen from fishing as well. There are fishermen who fish up-river in the Egegik district in the late season, who never even see the north line. These fishermen had nothing to do with any illegal fishing activities, yet they were penalized just as were those who were doing the illegal fishing.

This proposal offers ADFG biologists another tool in their tool box which may prevent illegal fishing from occurring, and still allow those fishermen who choose to fish legally, to keep fishing.

The situation as it currently exists:

Presently during the late season, the Egegik North Line has a handful of drift net fishermen who consistently fish over the line. Occasionally they get a ticket from an airplane, but the scant amount of late-season enforcement does not seem to stop this illegal fishing activity.

The illegal fishing is occurring over the northern line immediately seaward of the coastal shoreline. The tidal current moves perpendicular to the line, so if a vessel were to fish over that line, the current may carry their boat and net into legal waters. These illegally-set nets seldom drift into legal waters, since the offending vessels are set in very shallow water where the current moves very slowly or not at all, and are usually set out at ¼ mile or more over the line.

The majority of fish caught in this area show up primarily on the ebb tide, as the water is leaving Bristol Bay, the beach is increasing, and the sandbars are becoming exposed. This area is almost exclusively west of the Egegik Special Harvest Area (SHA) western boundary line, and therefore would all be happening in closed waters, if the SHA was in effect.

Situation if this proposal were enacted:

This proposal offers the Egegik run manager another tool in the instance where fishermen are consistently fishing illegally and the only option is to close the fishery. The new option is to move the western boundary line from the standard western boundary line, and into the western SHA boundary line.

While it is true that fishermen could just as easily set illegally over the SHA western boundary line, the fact of the matter is they will not do it. The current would carry them parallel to the western SHA boundary, and NEVER OVER IT (into legal waters), making setting in these closed waters “too blatantly illegal,” even for those veteran fish-thieves who frequent the illegal waters north of the Egegik north line.

Plus, if this SHA boundary measure were enacted as a result of illegal fishing, peer pressure from the rest of the fleet would not allow the offending vessels to set over the SHA western boundary line. It would be obvious that management has already taken a limited action to avoid illegal fishing, and it is just as clear (as evidenced by the 2024 late-season closure) that the next step would be full-district closure if any illegal fishing continues.

Did you develop your proposal in coordination with others, or with your local Fish and Game Advisory Committee? Explain.

PROPOSED BY: Matt Marinkovich

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