

Alaska Board of Fisheries
November 28-December 4, 2018 | Dillingham, Alaska
Bristol Bay Proposals

PROPOSAL 18

5 AAC 01.310. Fishing seasons and periods.

Repeal limits to subsistence fishing periods in the Nushagak District, as follows:

The new regulation would say 5 AAC 01.310 (d) Repealed

What is the issue you would like the board to address and why? Repeal 5 AAC 01.310 (d).

" (d) In the Nushagak District, in all waters upstream of a line from a point approximately two miles south of Bradford Point at 58_E58.63' N. lat., 158_E33.62' W. long. to Nushagak Point at 58_E56.79' N. lat., 158_E29.53' W. long., to a point at Red Bluff on the west shore of the Wood River at 59_E09.58' N. lat., 158_E32.36' W. long., and to Lewis Point on the north shore on the Nushagak River at 58_E59.46' N. lat., 158_E05.57' W. long., from 9:00 a.m. July 2 through 9:00 a.m. July 17, salmon may be taken only from (1) 9:00 a.m. Monday to 9:00 a.m. Tuesday; (2) 9:00 a.m. Wednesday to 9:00 a.m. Thursday; and (3) 9:00 a.m. Saturday to 9:00 a.m. Sunday. "

There is no conservation concern to restrict subsistence access.

PROPOSED BY: Nushagak Fish and Game Advisory Committee (HQ-F18-055)

PROPOSAL 19

5 AAC 01.320. Lawful gear and gear specifications.

Allow subsistence fishing for salmon with dipnets near Dillingham, as follows:

Allow subsistence harvest with dip nets in waters in the vicinity of Dillingham.

This gear type would be added to the subsistence permit and require harvest reporting just like other gear types. Permit must be in possession during active fishing. The definition of legal dip net gear shall be the same as for the rest of the state: 5 AAC 39.105(d)(24)

Use should be limited to close to Dillingham:

Suggested boundary: The waters and both sides of the Nushagak River from Lewis Point down stream to the upper boundary of the commercial fishing district and; the waters and both sides of the Wood River from Red Bluff down stream to its confluence with the Nushagak River. These boundaries should eliminate or minimize any potential conflicts with sport angling in the area.

Season would be the same as for all salmon subsistence fishing in the area (or preferably May 1 to September 30).

Interference with set subsistence, commercial, sport or other dip net gear may need to be discouraged in some manner. Possibly prohibit dip netting within 25 feet of a set net, 10 feet of other dip net fishers.

Limit harvest to salmon only.

What is the issue you would like the board to address and why? I would like to allow subsistence salmon fishing with dip nets to be legal gear near Dillingham. Currently subsistence salmon fishing in the Nushagak /Wood River area in the vicinity of Dillingham does not allow dip nets as legal gear. Set net gear is expensive and requires considerable effort and space to deploy as well as having the potential for very large catches. Dip nets would be less expensive, easier to operate, and for those who do not desire large catches, it would be easier to limit their take. Dip nets would allow sorting of the catch and releasing alive those fish not desired such as pink and chum salmon or spawned or damaged fish. Sorting is of particular interest in years of very large pink or chum runs. I suspect that set nets result in quite a few chums and pinks killed and wasted in some years.

PROPOSED BY: Dan Dunaway (HQ-F18-038)

PROPOSAL 20

5 AAC 01.320. Lawful gear and gear specifications.

Allow use of drift gillnets not more than 10 fathoms in length for subsistence salmon fishing in the Wood and Nushagak Rivers near Dillingham, as follows:

Allow the use of drift nets of not more than 10 fathoms for subsistence salmon fishing in the Wood and Nushagak Rivers in the vicinity of Dillingham - but not in the commercial district, not upstream of a point in the Nushagak River and not upstream of Red Bluff in the Wood River (and reduce sport / subsistence conflicts, navigational issues with other boats and brush tangles).

Suggested boundaries and language:

Lawful Gear and Specifications: new language in

5AAC 01.320 (b)

.....

(7) in the Nushagak District from a point approximately two miles south of Bradford Point at 58_E58.63' N. lat., 158_E33.62' W. long. to a point at Red Bluff on the west shore of Wood River at 59_E09.58' N. lat., 158_E32.36' W. long., and upstream in the Nushagak River to Black Point subsistence fishing may be conducted with a drift gill net.

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Drift netting would spread out effort reducing controversies, require less preparation and allow fishers to quickly catch the fish needed. The nature of drifting would require operators to be "on-the-net" while its fishing - avoiding some of the problems with set nets.

Boundaries are selected to reduce avoid conflicts with other vessel traffic, sport fisheries etc. Some language may be needed to address proximity to set subsistence nets. Contingency language for addressing subsistence fishing in the Wood River when the commercial fishery is opened in the Wood River Special Harvest Area.

What is the issue you would like the board to address and why? Existing regulatory language that may apply:

5 AAC 01.320:

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(b) Outside the boundaries of any district, salmon may only be taken by set gillnet, except that salmon may also be taken as follows:

.....

(c) Except as specified in (b) of this section, the maximum lengths for gillnets and beach seines used to take salmon are as follows:

(1) set gillnets may not exceed 10 fathoms in length in

(A) the Naknek, Egegik, and Ugashik Rivers;

(B) the Nushagak District during the emergency order subsistence openings described in 5 AAC 01.310(b);

(C) all waters of Nushagak Bay upstream of a line from a point approximately two miles south of Bradford Point at 58_E58.63' N. lat., 158_E33.62' W. long. to Snag Point at 59_E03.18' N. lat., 158_E25.59' W. long.;

(D) repealed 5/31/98;

(2) in the remaining waters of the Wood River and Nushagak River not described in (c)(1)(C) of this section, set gillnets may not exceed 25 fathoms in length;

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Currently subsistence salmon fishing in Nushagak Bay near Dillingham is only allowed with the use of set gillnets. Available sites for subsistence nets is very limited in the Dillingham area and competition for space can be very aggressive and sometimes contentious. Instances of unauthorized "borrowing" or even misuse of sites and gear such as anchors and running lines and stakes causes controversy every year. In addition it is a lot of time consuming work to set up a good set net site requiring anchors, lines, stakes or other on shore anchor points. Access to some sites is often limited by tide levels or weather making them harder to access and much harder to deploy, pick or to inactivate the gear.

PROPOSAL 21

5 AAC 01.320. Lawful gear and gear specifications.

Allow subsistence fishing with hook and line attached to rod or pole in Six Mile Lake, as follows:

5 AAC 01.320. Lawful gear and gear specifications.

(b) **(8) by hook and line attached to a rod or a pole in Six Mile Lake and within 1/2 mile of the outlet, as specified in (1) of this section**

(1) Subsistence fishing by the use of a hook and line attached to a rod or pole is prohibited, except

(1) when fishing through the ice

(2) when fishing by hook and line attached to a rod or a pole in Six Mile Lake and within 1/2 mile of the outlet, the following provisions apply:

(a) limits as specified in 5 AAC 67.020

(b) permits as specified in 5 AAC 01.330

(c) a person may not sport fish for salmon and take salmon under a subsistence permit on the same day.

What is the issue you would like the board to address and why? There isn't opportunity to harvest fish from the beach for subsistence with a fishing pole during periods of subsistence fishing.

PROPOSAL 22

5 AAC 01.310. Fishing seasons and periods.

Allow subsistence fishing for salmon in the Egegik District at any time from May 1 through September 30, as follows:

5 AAC 01.310 Fishing seasons and periods

(a) Unless restricted in this section and 5 AAC 01.325, or unless restricted under the terms of a subsistence fishing permit, fish, other than rainbow trout, may be taken at any time in the Bristol Bay Area.

(b) IN EGEKIK COMMERCIAL SALMON DISTRICT, SUBSISTENCE FISHING FOR FISH, INCLUDING SALMON, IS ALLOWED AT ANY TIME, UNLESS CLOSED OR RESTRICTED BY EMERGENCY ORDER. FROM MAY 1 THRU SEPTEMBER 30.

What is the issue you would like the board to address and why? Current regulations restrict subsistence fishing for salmon in the Bristol Bay Area, particularly the Egegik Salmon District, and do not allow ample opportunity for subsistence fishers to harvest enough salmon for their

home use. This proposal would allow subsistence fishing for salmon in the Egegik Salmon District at all times, unless closed by emergency order.

Subsistence is the priority consumptive use of the resource. However, current regulations severely restricts subsistence fishing opportunity in commercial salmon districts during the months when salmon are most abundant: (b) From June 1 through September 30, within the waters of a commercial salmon district, salmon may be taken only during open commercial fishing periods. We believe this level of subsistence fishing does not provide reasonable opportunity for Alaskan residents to meet their subsistence needs, particularly in the Egegik Salmon District. Residents who either live or have fish camps adjacent to waters of the Egegik Salmon District must travel upriver by boat, beyond the upper District boundaries, to subsistence fish for salmon when commercial fishing is closed. Resident subsistence fishers are displaced by this regulation and are no longer able to fish in their traditional fishing locations, except during commercial fishing periods. My Mother and Father moved to this location on the beach in 1947-and I am still there-same location. However during commercial fishing periods, competition with commercial fishers is extreme and this competition severely hampers their opportunity to harvest fish for subsistence. The subsistence fisher should not be in direct competition with the commercial fishers. The subsistence fishery should be treated as a PRIORITY fishery.

* As written in the ADFG Subsistence Regulation- Alaska state law directs the Board of Fisheries to provide a reasonable opportunity for subsistence users FIRST, BEFORE providing for other uses of any harvestable surplus of a fish or game population [AS 16.05.258 (b)] This is often referred to as the "subsistence preference " or sometimes the " subsistence priority." While it's true that subsistence fishers have the option of traveling upriver beyond the commercial salmon district boundaries to subsistence fish when commercial fishing is closed within the district, traveling by boat is hazardous, because of numerous sandbars in the river, and is also extremely time consuming. Additionally, the upriver fishing locations are not traditional locations for subsistence fishing. Even the Elders of the City of Egegik fish on their local beach in front of town-they do not boat up to the end of the district. Subsistence fishers should be able to fish in their traditional fishing grounds unimpeded by competition from commercial fishers. Because of the consumptive priority designation of subsistence, subsistence fishing should be given the Priority. Currently, it is not. We are not asking to change the commercial fishing schedule, we are requesting that subsistence fishing be allowed before, during, and after commercial fishing periods within commercial salmon district waters. The relatively small amount of subsistence sockeye salmon taken within this District, less than 1,000 fish in several surveys, should not warrant such extreme current restrictions on subsistence fishing.

If nothing is done, subsistence fishers who wish to fish their traditional fishing grounds within the Egegik commercial salmon district must compete with commercial fishers for their subsistence. One viable alternative would be to allow subsistence fishing at anytime throughout Bristol Bay, by repealing 5 AAC 01.3109 (b). This would prioritize the subsistence fishery over the commercial fishery in all commercial salmon fishing districts by allowing subsistence fishing for fish at any time in the Bristol Bay Area, as stipulated in 5 AAC 01.3109 (a). We believe that this may be the proper approach but we are hesitant to propose an Area-wide proposal since we are only concerned with our subsistence in the Egegik Salmon District. We understand that enforcement may be a problem with subsistence-caught salmon being sold commercially if this proposal is passed. In the

Egegik District we have State Troopers stationed on the North Shore, having access to 4x4 truck-4 wheeler-boats-airplanes and helicopter. They are very visible-and jog in the evenings. But we are not opposed to marking subsistence caught salmon some way- caudal lobe (one of the fins) cut to identify subsistence caught salmon from commercial caught salmon.

PROPOSED BY: Eddie Clark

(EF-F18-036)
