

Personal Use and Subsistence (5 proposals)

PROPOSAL 16

5 AAC 77.545. Kachemak Bay Personal Use Dip Net Fishery Management Plan.

Require a permit to participate in the China Poot Bay personal use dip net fishery, as follows:

(c) Salmon may be taken for personal use under this section only under a personal use permit issued under 5 AAC 77.015 and 5 AAC 77.525; in addition to the requirements under 5 AAC 77.015, a person

(1) shall, before a permit may be issued, show the person's resident sport fish license, or proof, satisfactory to the department, that the person is exempt from licensing under AS 16.05.400; the person's sport fish license number shall be recorded on the permit;

(2) shall record all fish harvested on the permit, in ink, immediately upon harvesting the fish; for the purpose of this paragraph, "immediately" means before concealing the salmon from plain view or transporting the salmon from the

(A) shoreline or streambank adjacent to waters open to personal use fishing where the salmon were removed from the water when fishing from shore; or

(B) waters open to personal use fishing when fishing from a boat;

What is the issue you would like the board to address and why? The China Poot Bay Personal Use Dipnet Fishery does not currently require a permit. The fishery appears to be growing in popularity and a permit requirement would allow ADF&G to track the effort and removals. A permit would also aid enforcement of bag limits and residency issues. Current estimates of the sockeye returns to China Poot Bay are poor and a permit would help quantify the run. Other dip net fisheries on the Kenai Peninsula require a permit.

PROPOSED BY: Cook Inlet Seiners Association

(EF-F19-084)

PROPOSAL 17

5 AAC 77.549. Personal Use Coho Salmon Fishery Management Plan.

Require that the permit holder be on site during the operation of personal use set gillnet gear, as follows:

5 AAC 77.549 is amended to read:

...

(f) the permit holder shall be physically present at the set gillnet at all times when it is being used to take fish;

What is the issue you would like the board to address and why? This proposal seeks to require that personal use set gillnet permit holders remain on site while fishing gear is in operation. Having this requirement in regulation will aid in enforcement and monitoring of this fishery. In recent years, this fishery has been closed by emergency order after only one fishing period. Requiring permit holder presence at the set gillnet site for this fishery has been one of the long-standing stipulations specified in the permit that has been required for this fishery.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F19-158)

PROPOSAL 18

5 AAC 01.560. Fishing seasons and daily fishing periods.

Extend the subsistence salmon fishery in Seldovia Bay through June 30, as follows:

5 AAC 01.560 (b) (8) (A) from April 1 through **June 30**[May 30], from 6:00 a.m. Monday until 6:00 a.m. Wednesday and from 6:00 a.m. Thursday until 6:00 a.m. Saturday; **and from June 1 through June 30, from 6:00 a.m. Saturday through 6:00 a.m. Monday and from 6:00 a.m. Wednesday through 6:00 a.m. Thursday.**

Changing the closing date to June 30 will allow Seldovia residents to engage in subsistence harvest for sockeye when fish are actually present in the area. Chinook salmon returning to Seldovia Harbor are not targeted in this fishery and we believe that the individual possession limit of 20 Chinook is not likely to be met or exceeded by people engaging in subsistence fishing for sockeye. Having the June subsistence fishing periods alternate with those of the commercial setnet fishery will allow both user groups to access the fishery without direct competition.

What is the issue you would like the board to address and why? The spring subsistence fishery period in Seldovia currently closes May 30. Sockeye either are not yet present at this time or have just begun to return. Closing the fishery May 30 deprives most Seldovia residents of the opportunity to engage in traditional subsistence activities during the part of the sockeye season when their efforts are most likely to be successful.

PROPOSED BY: Seldovia Village Tribe (EF-F19-062)

PROPOSAL 19

5 AAC 01.566. Customary and traditional subsistence uses of fish stocks and amounts necessary for subsistence uses.

Extend the boundary in Seldovia Bay where salmon are customarily and traditionally taken or used for subsistence, as follows:

5 AAC 01.566 (a)(1)(B) salmon, except enhanced salmon, in the waters along the eastern shoreline of Seldovia Bay from **59 24.90' N lat., 151 41.94' W long.** [Seldovia Point at 59_ 28.22' N. lat., 151_ 42.37' W. long.], to an ADF&G regulatory marker located at **59 28.78' N lat., 151 39.49' W long.**[59_ 24.90' N]. lat., **except for the area excluded in 5 AAS 01.560 (b) (8), and from an ADF&G regulatory marker located at 59 26.47' N. lat, 151 47.47W long** along the shoreline **to a point at the latitude of an unnamed creek at 59 25.19'N. lat, 151 44.05' W. long.**[from an ADF&G regulatory marker located approximately 1,000 feet southwest of Naskowhak Point at 59_ 27.10' N. lat., 151_ 44.70' W. long., to an ADF&G regulatory marker located on an unnamed point at 59_ 26.87' N. lat., 151_ 46.42' W. long] .

This proposal will add additional beach area just outside of Seldovia Bay and along the western shore of the Bay. Fishing periods that do not conflict with commercial setnet periods are included in a separate proposal. These beaches are clear of fouling hazards and not heavily used for

recreation or intertidal subsistence harvesting. Expansion of the boundaries would allow more people to participate in the traditional subsistence fishery, thus preserving Seldovia's cultural traditions and improving local food security.

What is the issue you would like the board to address and why? Much of the coastline allotted for subsistence fishing in Seldovia Bay consists of cliff faces. The only beach in this section large enough to operate a setnet site has large kelp patches offshore, and is often exposed to heavy surf. The rocky, kelp-covered intertidal area is poorly suited for boat landings or set net operations. Set nets also interfere with other important and common uses of the beach, including recreation, camping, tide pooling and gathering subsistence foods. Waters within Seldovia Bay are generally considered unsuitable for setnet fishing due to high levels of algae and debris within the bay. To avoid fouling gear, subsistence efforts are concentrated in the clearer waters between Point Naskowhak and a point approximately 1000 feet SE. This, combined with the regulation requiring 600 feet between nets, mean that at most, three people can fish this section.

PROPOSED BY: Seldovia Village Tribe (EF-F19-063)

PROPOSAL 20

5 AAC 01.570. Lawful gear and gear specifications.

Allow set gillnets to be operated for subsistence purposes within 300 feet of each other in the Cook Inlet Area, as follows:

5 AAC 01.570 (b) (3) no part of a set gillnet may be set or operated within 300[600] feet of any part of another set gillnet;

Reducing the required minimum lineal distance between setnets would allow more people to participate in the traditional subsistence fishery, thus preserving Seldovia's cultural traditions and improving local food security. The total number of setnets would still be quite limited, and it is our belief that this change in regulations would not significantly impact the salmon returns for other local fisheries or for escapement goals.

What is the issue you would like the board to address and why? The area available for subsistence fishing in the Seldovia area is quite limited, and much of the designated area consists of cliff faces, areas with large kelp patches, areas with heavy surf, and areas important for other subsistence uses such as gathering food in the intertidal zone, which makes these areas poor locations for subsistence setnets. The small geographic area conducive to set netting, compounded by the regulation requiring 600 lineal feet between nets, means that some people who would like to participate in the fishery are precluded from doing so because there is insufficient area to accommodate all would-be participants.

PROPOSED BY: Seldovia Village Tribe (EF-F19-061)
