

*Upper Copper River Personal Use and Subsistence*

**PROPOSAL 6**

**5 AAC 01.630. Subsistence fishing permits; 5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan; and 5 AAC 52.XXX. New section.**

Require inseason reporting of subsistence, sport fish, and personal use harvest and effort, as follows:

Daily harvest reporting is already required on the Copper River for all fisheries except sport. In-season reporting would be relatively simple and could be done using an online app.

Participants in this fishery are required to report their recorded daily harvests to the department within three (3) days of when those harvests occur. Participants must report harvest attempts for any days during which their fishing gear was in the water, even if these harvest attempts are unsuccessful.

Harvest reports can be made using an online app or a call-in number.

**What is the issue you would like the board to address and why?** Copper River fisheries managers currently rely on an abundance-based management model that does not collect in-season

harvest data and has very little empirical data about actual escapement onto the spawning grounds. This model assumes that escapement can be accurately estimated using on abundance at the Miles Lake sonar and harvests from previous years.

However, recent events suggest that the in-river harvest exceeds what can be biologically sustained and is not detected by our current harvest reporting system. The Gulkana hatchery has not been able to obtain its brood stock since 2015, while the 2018 sockeye run failure caught managers by surprise.

Obtaining accurate in-season harvest information would help to protect against the possibility of over harvest due to variable harvest levels and under reporting post-season.

**PROPOSED BY:** Karen Linnell (EF-F20-117, EF-F20-119, EF-F20-120)  
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**PROPOSAL 7**

**5 AAC 01.620. Lawful gear and gear specifications.**

Prohibit guiding in subsistence finfish fisheries, as follows:

5 AAC 01.620

e) The permit holder must personally operate the fish wheel or dipnet. A subsistence fish wheel or dipnet permit may not be loaned or transferred except as permitted under 5 AAC 01.011.

**NEW. (1). No guide or transport service shall charge a fee of a permit holder participating in fishery and no permit holder may give a fee to participate in the fishery.**

**What is the issue you would like the board to address and why?** Lack of clarity for commercial enterprises starting to capitalize on subsistence fisheries. There are regulations for no fees to be involved with community permits for subsistence game hunts reference 5 AAC 92.072. It seems counter intuitive then to allow commercial guide entry into a subsistence fishery who then in turn charge people to navigate the boat for them, show them how and where to fish, help them fish, land, and process the catch all for a widely advertised fee structure.

**PROPOSED BY:** Shawn Gilman (EF-F20-070)  
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**PROPOSAL 8**

**5 AAC 01.647. Copper River Subsistence Salmon Fisheries Management Plans; and 5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan.**

Prohibit dipnetting near tributary mouths of the Upper Copper River District, as follows:

No dip netting in the confluence 500 yards below and 100 yards above any river or stream in the upper Copper River.

**What is the issue you would like the board to address and why?** Dip netting in the upper Copper River. If we do nothing we will continue to see our wild stock and Gulkana Brood stock decline.

In some drainages that are very small we could lose that entire wild stock. Wild stocks are stopping and resting in these areas before continuing up river. The wild stocks are time sensitive and travel in small groups leaving them very vulnerable to over harvest in these areas. Remember these stocks are in some cases very small. There have been very little studies in these areas and there is virtually no data to support keeping these areas open until there is some kind of analysis. We already have an example of this that exists in the Gulkana confluence and 500 yards below that is fly fishing only. This only lets a sport fisher to take 3 reds and 1 king. The way the current dip net regulation reads, you can fish in the same area and the limit is 200 and in some cases more. This goes against the idea of trying to protect wild up river stocks and brood stock at the Gulkana hatchery. They have not met their goals at the hatchery in the past 5 years and in some cases very low. This is only one example of how we can start to bring back our brood stocks, both wild and Gulkana hatchery. Something needs to be done soon about this problem. I have done my best to write this proposal in laymen's terms. I could quote several sections from ANILCA that directly relate to this issue. Also there is very little scientific data on this issue.

**PROPOSED BY:** Kirk Wilson (EF-F20-008)  
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**PROPOSAL 9**

**5 AAC 01.620. Lawful gear and gear specifications.**

Prohibit dipnetting from a boat in the Glennallen Subdistrict, as follows:

Eliminate Dip netting from boats as a method to take from the Glennallen sub district (up-stream from the bridge at Chitina).

**What is the issue you would like the board to address and why?** A lot of dip netters take fish at the mouths of tributaries off the Copper River. Currently there are markers only on the mouth of the Gulkana River. There are already fish wheels north of the Bridge at Chitina. You can dip net below the bridge at Chitina as well, so there is opportunity to get fish dip netting. By not allowing dip netting above the bridge more fish will make it to spawning areas.

**PROPOSED BY:** Copper Basin Fish & Game Advisory Committee (EF-F20-031)  
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**PROPOSAL 10**

**5 AAC 01.620. Lawful gear and gear specifications; and 5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan.**

Prohibit dipnetting from a boat in the Upper Copper River District, as follows:

Dipnet fishers in the must harvest from shore, from islands in the river, or from stationary objects connected to shore. Dipnet fishing from boats or craft floating in the river is not permitted.

**What is the issue you would like the board to address and why?** Many Copper Basin residents with intensive local knowledge of salmon ecology have raised concerns about the health of Copper River salmon stocks. The Gulkana Hatchery has not had enough brood-stock to meet its egg-take goals since 2014. Although overall escapement levels have been reasonable in the Copper

drainage, very little tributary-by-tributary data are collected. Smaller stocks can easily be damaged by overharvest. Dipnetting from boats in the subsistence fishery raises some particular concerns. Wild salmon stocks tend to hole up in deep areas and rest on their way up the river, especially during high water. Fishermen who fish from boats are able to target salmon that are concentrated in these areas. The increased popularity of dipnetting from boats since 2010, combined with the high numbers of fish that each subsistence dipnetter can harvest, could be contributing to the depletion of some smaller stocks.

**PROPOSED BY:** Ahtna Tene Nene' (HQ-F20-001)  
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**PROPOSAL 11**

**5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan.**

Prohibit dipnetting from a moving boat in a portion of the Chitina Subdistrict, as follows:

Personal-use fishers who are fishing from boats between the mouths of O'Brien Creek and Haley Creek must be tied off to the riverbank, to an object on the riverbank, or to a stationary object in the river. (This does not apply to charter operators.)

**What is the issue you would like the board to address and why?** The recent trend of increased dip netting from boats presents some management challenges that demand sensible conservation measures. Wild salmon stocks tend to hole up in deep areas and rest on their way up the river, especially during high water. By dip netting from motorized boats, fishermen are able to target these stocks with a precision that other fishers lack. By motoring slowly while dip netting, fishers in boats can "trawl" slowly down the river, running more cubic feet of river water per minute through their nets than their counterparts on shore are able to.

If boat dipnetters were required to tie off to shore, it would help to level the playing field, and decrease some of the pressure on the resource. Fishers with boats would still have the advantage of being able to move around the river, quickly and easily, to different fishing spots.

There have also been some safety concerns about dip netters from boats in the Woods Canyon area. The current in this area is very strong, and there are very few beaches or banks suitable for landing a boat.

**PROPOSED BY:** Nicole Farnham (EF-F20-141)  
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**PROPOSAL 12**

**5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan.**

Prohibit dipnetting from a boat when within 50 feet of a person dipnetting from shore in the Chitina Subdistrict, as follows:

No personal-use fishing from boats is permitted within 50 feet of any personal-use fisher who is standing either on the riverbank, on a rock in the river, or on any permanent, immobile object connected to shore.

**What is the issue you would like the board to address and why?** With the increasing popularity of dip netting from boats, there have been some issues with user conflicts between dip netters who are using boats and those who are dip netting from the shore in the personal-use area. An increasing number of dip netters who dip net from the riverbanks have expressed concern that fishers in boats have been coming too close for comfort. This can be frustrating and encroach on those without boats, making it more difficult to harvest fish.

In the Woods Canyon area the banks are very steep, and the number of dip net sites is not unlimited. Also, it is much easier for a boat to move up or down the river (avoiding conflict) than for a dip netter on the riverbanks to move to another spot. For a shore dip netter to move, they usually must pack equipment and fish up a steep embankment.

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**PROPOSED BY:** Nicole Farnham (EF-F20-139, EF-F20-142)  
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**PROPOSAL 13**

**5 AAC 01.620. Lawful gear and gear specifications.**

Prohibit dipnetting from a boat within 75 feet of an operating fish wheel in the Glennallen Subdistrict, as follows:

Subsistence fishing from boats may not occur within 75 feet of any fishwheel in operation.

**What is the issue you would like the board to address and why?** With the increasing popularity of dip netting from boats, there have been some reports of user conflicts between dip netters and fish wheel operators. A number of fish wheel owners have expressed concern that they have had dip net fishers come too close for comfort. This can encroach on the fish wheel operators' ability to harvest fish.

Fish wheels are stationary, so their operators cannot simply go elsewhere to avoid encroachment or conflict. Moreover, there are only a limited number of fish wheel sites on many sections of the river.

**PROPOSED BY:** Faye Ewan (HQ-F20-039)

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**PROPOSAL 14**

**5 AAC 01.620. Lawful gear and gear specifications.**

Prohibit the use of gillnet mesh in dip nets, as follows:

Dip nets rigged with monofilament and multifilament mesh may not be used before August 15. Before this date only dip nets rigged with branded, inelastic mesh are permitted.

**What is the issue you would like the board to address and why?** Recent Copper River abundance and escapement estimates have raised concern about the drainage-wide health of Chinook salmon populations. For this reason, fishers have been permitted to keep only 5 Chinook salmon per year. However, the use of dip nets with monofilament or multifilament mesh (i.e. Gill-net material) has raised concern about survival rates of Chinooks that are caught and released. Compared with braided inelastic mesh nets (I.e. seine-style), salmon tend to become far more entangled in monofilament-type nets. It can take as long as ten minutes to untangle and release a salmon from such a net. Salmon experience stress and increased mortality rates in proportion to the length of time they are out of the water. Additionally, these entanglements frequently cause injuries, such as split tail-fins, which further increase their mortality.

**PROPOSED BY:** Kirk Wilson (EF-F20-011)

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**PROPOSAL 15**

**5 AAC 01.620. Lawful gear and gear specifications; and 5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan.**

Prohibit the use of gillnet mesh in dip nets, as follows:

Eliminate Monofilament/Multifilament/web gill net material on dip nets on the Copper River.

**What is the issue you would like the board to address and why?** When you catch fish in multifilament dip nets it is really hard to get fish out. When you do finally get fish out of the net if you have a King and have to release they will probably die when you release. The advantage of monofilament/multifilament nets is that the nets glide in the water easier than other material

**PROPOSED BY:** Copper Basin Fish and Game Advisory Committee (EF-F20-032)

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**PROPOSAL 16**

**5 AAC 01.620. Lawful gear and gear specifications; and 5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan.**

Prohibit the use of depth or fish finders on boats in the Upper Copper River District, as follows:

No electronic devices that indicate bathymetry and/or fish locations are permitted on boats while they are participating in this fishery in the upper Copper River drainage from June 1 to September 30.

**What is the issue you would like the board to address and why?** The use of electronic devices that indicate bathymetry and/or fish locations (i.e. fish finders) is contributing to unsustainable harvest practices on the upper Copper River. These devices enable fishers to locate and target specific holding areas in the river. Wild stocks are very vulnerable in these areas. These stocks are very time-sensitive and probably travel in small groups and use these areas to hold before continuing upriver. If we do not address this issue, we will continue to see our wild stocks and Gulkana brood-stocks not meet their objectives. The Gulkana Hatchery has not met their brood-stock goals for the past five years, and this is surely also the case for some wild stocks.

**PROPOSED BY:** Kirk Wilson (EF-F20-014), Copper Basin Fish and Game Advisory Committee (EF-F20-033), Karen Linnell (EF-F20-121)

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### **PROPOSAL 17**

5 AAC 01.645. Subsistence bag, possession, and size limits; annual limits.

Establish specific permit and bag limits when dipnetting from a boat in the Glennallen Subdistrict, as follows:

If using a standard subsistence permit, dipnet fishers in the Glennallen subdistrict must harvest from shore, from islands in the river, or from stationary objects connected to shore. Upon request, subsistence fishers may obtain a supplemental permit to dipnet harvest salmon from boats, with the following limits applying to boat-caught salmon:

(A) no more than a total of 30 salmon for a permit issued to a household with one person, of which no more than five may be king salmon;

(B) no more than a total of 60 salmon for a permit issued to a household with two or more persons, of which no more than five may be king salmon.

**What is the issue you would like the board to address and why?** Many Copper Basin residents with intensive local knowledge of salmon ecology have raised concerns about the health of Copper River salmon stocks. The Gulkana Hatchery has not had enough brood-stock to meet its egg-take goals since 2014. Although overall escapement levels have been reasonable in the Copper drainage, very little tributary-by-tributary data are collected. Smaller stocks can easily be damaged by overharvest.

Dipnetting from boats in the subsistence fishery raises some particular concerns. Wild salmon stocks tend to hole up in deep areas and rest on their way up the river, especially during high water. Fishermen who fish from boats are able to target salmon that are concentrated in these areas. The increased popularity of dipnetting from boats since 2010, combined with the high numbers of fish that each subsistence dipnetter can harvest, could be contributing to the depletion of some smaller stocks.

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**PROPOSAL 18**

**5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan.**

Extend the lower boundary of the Chitina Subdistrict downstream ½ mile, as follows:

Currently in regulation 5 AAC 77.591(h), the Chitina Personal Use Dipnet Fishery (CPUDF) boundary consists of all mainstream waters of the Copper River from the downstream edge of the Chitina McCarthy Bridge downstream to an east west line crossing the Copper River approximately 200 yards upstream of Haley Creek.

Our proposed remedy for the hazard of so many boats fishing in a small area is for the BOF to approve extending the CPUDF lower boundary approximately ½ mile downstream from the existing CPUDF lower boundary. This would allow boat dipnetters a longer continuous drift, allowing more spacing between boats, and alleviate the dangerous congestion of boats that occurs now.

New wordage in 5 AAC 77.591(h) would read **“For the purposes of this section, the Chitina Subdistrict consists of all waters of the mainstream Copper River from the downstream edge of the Chitina-McCarthy Bridge downstream to a line crossing the Copper River from a point just downstream of Canyon Creek on the east (lat. 61 deg. 24'30.00”N -- lon. 144 deg. 28'39.00”W) to a point directly across the Copper River on the west (lat. 61 deg. 24'37.00”N—lon. 144 deg. 29'3.00”W)**

This small increase in size of the Chitina Sub-district is unlikely to result in increased harvests, since the fishery is managed by emergency order to stay within the allocation contained in the management plan.

The Chitina Dipnetters Association in its public comments will include a map identifying the existing and proposed lower boundaries.

**What is the issue you would like the board to address and why?** In the last 10 years, drift dipnetting from personal boats has substantially increased as a method of harvesting salmon in the CPUDF. This is in large part due to the very limited number of suitable sites available for shore based dipnetting. Because much of the CPUDF lies within the deep turbulent waters of Woods Canyon on the Copper River, productive areas to dip from boats are very limited. A favorable and high use area for drift dipnetting from boats lies at the downstream end of Woods Canyon, on the east side of the Copper River, just upstream of the lower boundary of the CPUDF. This short drift area is only approximately 250 yards long, has a gravel bottom and stays relatively snag free saving the loss of \$150+ dipnets. This short drift area has become the go-to spot for boat dipnetters and often becomes very congested with up to and over 15 boats drifting the same area. This congestion of boats has created a very dangerous navigation hazard for these boaters within the swift waters of the Copper River.



**PROPOSED BY:** The Chitina Dipnetters Association and Fairbanks Fish and Game Advisory Committee (EF-F20-044)

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**PROPOSAL 19**

5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan.

Reduce the maximum harvest level in the Chitina Subdistrict Personal Use Fishery when the Copper River commercial fishery harvest is 50% below the 10-year average on June 1, as follows:

Amend the Copper River Personal Use Dipnet Salmon Fishery Management Plan to factor in the effect of a below-average run on projected in-river numbers and availability for harvest by the personal use fishery.

Add a new section under 5 AAC 77.591 to read:

If the Copper River District commercial harvest is 50% below the 10 year average by June 1 the maximum harvest level in the Chitina subdistrict will be reduced to 50,000 sockeye.

**What is the issue you would like the board to address and why?** In years of low abundance, the commercial fishery typically bears the burden of conservation and sees significant reductions, but other user groups do not. In an effort for this burden of conservation to be shared amongst all user groups, we propose adopting a triggered regulation for conservation purposes.

**PROPOSED BY:** Cordova District Fishermen United (HQ-F20-022)

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**PROPOSAL 20**

5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan.

Amend the annual limit for salmon in the Chitina Subdistrict, as follows:

The total annual limit for each personal use salmon fishing permit is 15 for a household of one and 30 for a household of more than one.

Supplemental permits for 10 additional sockeye shall be available when ADFG determines that a weekly harvestable surplus of 50,000 salmon or greater will be present in the Chitina Subdistrict. An additional supplemental permit may be issued to a permittee who has met the limits of a previously issued supplemental permit.

**What is the issue you would like the board to address and why?** In 2014, the Board of Fish (BOF) increased the limits for the Chitina Personal-use (PU) dipnet fishery. It is now 25 sockeye for a head of household and 10 additional for each additional member. Previously, the limit was 15 sockeye for a household of one and 30 for a household of more than one, with the possibility for the Alaska Department of Fish & Game (ADF&G) to permit an additional 10 sockeye per household when there was a weekly surplus of 50,000 or more.

The previous limits were more conservative, as well as more adaptive to the in-season realities of salmon abundance. Several signs indicate that the sockeye fishery on the Copper River is currently experiencing strain. In 2018, the fishery was unable to meet its sockeye escapement goals, even after commercial fisheries remained closed for almost the entire season. For the past five years, the Gulkana hatchery has been unable to obtain sufficient brood-stock to meet its egg-take goals. A return to these previous limits would help to address these issues.

At the time this regulatory change was adopted, the justification given was that it would standardize regulations, bringing the Chitina PU fishery into line with the limits of the Kenai PU fishery. However, the Copper and Kenai are two very different river systems, with different ecological characteristics as well as different patterns of fisheries participation.

**PROPOSED BY:** Kirk Wilson (EF-F20-023)  
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**PROPOSAL 21**

**5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan.**

Amend the opening date of the Chitina Subdistrict personal use fishery from June 7 to June 1, as follows:

Change June 7 personal use season opener to June 1.

**What is the issue you would like the board to address and why?** The June 7 start date was enacted many years ago as part of an effort for every user group to bear a perceived King salmon conservation burden, but because the personal use (PU) fishery is set by sonar numbers, and because some years there are strong early runs, and King has been generally restricted from PU harvest in recent years, the rationale no longer applies. The department can still push back the opener for biological reasons. It would not result in increased allocation, just an early start if conditions dictate.

**PROPOSED BY:** Fairbanks Fish and Game Advisory Committee (HQ-F20-036)  
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**PROPOSAL 22**

**5 AAC 01.616. Customary and traditional subsistence uses of fish stocks and amounts necessary for subsistence uses.**

Reverse the positive customary and traditional subsistence use determination for freshwater finfish within the Chitina Subdistrict, as follows:

Subsistence C&T findings within the Chitina subdistrict. Other freshwater finfish, negative.

**What is the issue you would like the board to address and why?** We are asking that you remove the positive finding of C&T on freshwater finfish other than salmon within the Chitina Subdistrict (PU fishery). The BOF has found a negative finding of C&T on all salmon within the Chitina subdistrict, but never addressed the other freshwater finfish. If salmon (the most desirable and sought fish to fulfill subsistence needs) cannot meet the eight criteria for C&T in the Chitina

subdistrict then how can other freshwater finfish within the Chitina subdistrict have a positive finding? Other freshwater finfish in the Chitina subdistrict do not meet the eight criteria for a positive finding of C&T.

**PROPOSED BY:** Fairbanks Fish and Game Advisory Committee (HQ-F20-037)

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