

## **PROPOSAL 91**

### **5 AAC 01.270. Lawful gear and gear specifications and operation.**

Modify Kuskokwim Area lawful gear and gear specifications and operation to provide greater opportunity to harvest salmon other than king salmon, during times of salmon conservation, as follows:

5 AAC 01.270(m) is amended to read:

...

(m) Notwithstanding (b) and (j) of this section, during times when the commissioner determines it to be necessary for the conservation of [CHUM] salmon **other than king salmon**, the commissioner, by emergency order, may close the fishing season in any portion of the Kuskokwim Area and immediately reopen the season in that portion during which the following gear limitations apply:

(1) a gillnet used to take fish

(A) must be of seven and one-half inch or greater mesh or four-inch or less mesh;

(B) for a gillnet of four-inch or less mesh, may not exceed the length specified by the commissioner in the emergency order;

(C) for a gillnet of seven and one-half inch or greater mesh, may not exceed the length specified **by the commissioner in the emergency order** [IN (b) AND (j) OF THIS SECTION];

**(D) mesh size may not exceed six inches;**

**(E) for a gillnet of six-inch or less mesh, may not exceed the length specified by the commissioner in the emergency order;**

**(F) mesh size must be seven and one-half inch or greater mesh and the gillnet may only be operated as a set gillnet; no part of a set gillnet may be more than 100 feet from the ordinary high water mark;**

**(G) mesh size may not exceed four inches and the gillnet may only be operated as a set gillnet; no part of a set gillnet may be more than 100 feet from the ordinary high water mark;**

**(H) mesh size may not exceed six inches and the gillnet may only be operated as a set gillnet; no part of a set gillnet may be more than 100 feet from the ordinary high water mark;**

(2) for fish wheels:

(A) **except as provided in (B) of this paragraph**, a fish wheel used to take fish must be equipped with a livebox that is constructed so that it contains no less than 45 cubic feet of water volume while it is in operation; **the livebox of a fish wheel must be checked at least once every six hours while the fish wheel is in operation and all salmon other than king salmon that are specified by the commissioner that are in the livebox must be returned alive to the water** ;

(B) **a person may operate a fish wheel without a livebox only if**

**(i) the fish wheel is equipped with a chute that returns fish captured by the fish wheel to the water alive;**

**(ii) the person closely attends the fish wheel while it is in operation; and**

**(iii) the person returns all salmon specified by the commissioner caught to the water alive** [THE LIVEBOX OF A FISH WHEEL MUST BE CHECKED AT LEAST ONCE EVERY 12 HOURS WHILE THE FISH WHEEL IS IN OPERATION, AND ALL CHUM SALMON IN THE LIVEBOX MUST BE RETURNED ALIVE TO THE WATER];

(C) repealed 6/17/2001;

(3) beach seine gear: any [CHUM] salmon **specified by the commissioner** taken in beach seine gear must be returned alive to the water;[.]

**(4) for dip nets: a person may fish for salmon with a dip net, as defined in 07.365(e)(11)(A), and all salmon specified by the commissioner caught in a dip net must be released immediately and returned alive to the water.**

**What is the issue you would like the board to address and why?** The Kuskokwim Area currently has several management actions available for the protection of king salmon, while still being able to provide harvest opportunity on more abundant salmon species that have overlapping run timings. The number of management actions available for chum salmon conservation is inadequate and non-existent for sockeye or coho salmon. Furthermore, current regulations are not aligned with specific gear operation for chum and king salmon. For example, restrictions on fish wheel operations are not aligned between king and chum salmon. This creates serious confusion when conservative management actions are needed for both king and chum salmon simultaneously to meet escapement goals. The department needs greater flexibility to be able to provide subsistence harvest opportunity on abundant salmon species while providing protections to less abundant salmon species. This proposal would establish fishing gear alternatives and align gears during times of chum, sockeye, or coho salmon conservation which would allow for a more adaptive management strategy benefitting subsistence fishery users.

**PROPOSED BY:** Alaska Department of Fish and Game

(HQ-F22-052)

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