

# 2015–2017

## Federal Subsistence Fisheries Proposals



Stan Zuray

### **Comment period open through June 13, 2014**

Send your written comments on the enclosed proposals to:

Federal Subsistence Board  
Office of Subsistence Management  
1011 East Tudor Rd., MS-121  
Anchorage, Alaska 99503  
E-mail: [subsistence@fws.gov](mailto:subsistence@fws.gov)  
Fax: (907) 786-3898 (attn: Theo Matuskowitz)



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## INTRODUCTION

The Federal Subsistence Board invites your comments on the enclosed proposals to change Federal subsistence regulations for the harvest of fish and shellfish for the 2015–2017 regulatory years (April 1, 2015 to March 31, 2017). These proposals seek changes to existing regulations for the taking of fish and shellfish in waters on and adjacent to Federal public lands in Alaska.

Please mail your comments to the Federal Subsistence Board at the address shown on the front cover of this book, fax them to (907) 786-3898, or e-mail them to [subsistence@fws.gov](mailto:subsistence@fws.gov). Please refer to a specific proposal number in your comments. All comments received by June 13, 2014 will be considered for the meeting materials for the appropriate Subsistence Regional Advisory Council to discuss at its fall meeting and will be submitted to the Board at its winter meeting.

Before making decisions on these proposals, the Board considers technical analyses prepared by its staff, recommendations from the 10 Councils, comments from the State of Alaska, and any public comments or testimony it receives on the proposals. Once the Board makes its decisions, it will publish the changes as final regulations for the 2015–2017 regulatory years, effective April 1, 2015, and distribute the regulations book throughout Alaska.

If you have questions or need additional information, please call the Office of Subsistence Management at (800) 478-1456 or (907) 786-3888 or email: [subsistence@fws.gov](mailto:subsistence@fws.gov). Additional information on the Federal Subsistence Management Program is available at <http://www.doi.gov/subsistence/index.cfm>.

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## GENERAL INFORMATION

### Federal Subsistence Board

The Federal Subsistence Board oversees the Federal Subsistence Management Program. Board members include the Alaska directors of five Federal agencies: The U.S. Fish and Wildlife Service, National Park Service, Bureau of Land Management, Bureau of Indian Affairs, and U.S. Forest Service. The Chair is a public member who is appointed by the Secretaries of the Interior and Agriculture. Two additional public members are appointed by the Secretaries to represent rural subsistence users.

Federal Subsistence Regional Advisory Councils, State of Alaska representatives, and the general public play an active role in the regulatory process. You can find information about the Federal Subsistence Board by contacting the Office of Subsistence Management at (800) 478-1456 or (907) 786-3888 or on the Subsistence website at:

<http://www.doi.gov/subsistence/board/index.cfm>.

### Regional Advisory Councils

The Federal Subsistence Management Program has ten subsistence resource regions in Alaska, each represented by a Subsistence Regional Advisory Council. These ten Councils provide an opportunity for rural Alaskans to contribute to the management of subsistence resources. Resource users have the opportunity to comment and offer

input on subsistence issues at Council meetings. The Councils develop proposals to change Federal subsistence regulations and review proposals submitted by others. Regional Councils normally meet twice a year.

### Council membership

The Secretaries of the Interior and Agriculture appoint Council members. Members must reside in the area they wish to represent and have knowledge of subsistence uses and needs. Each year the Office of Subsistence Management accepts applications and nominations for membership during October–February. If you are interested in applying for membership, please contact Carl Johnson or the Council Coordinator for your region.

### Federal Subsistence Regional Advisory Council Coordinators

Regional Council Coordinators facilitate communication between the Subsistence Regional Advisory Councils and the Federal Subsistence Board. Each Council Coordinator is responsible for one to three regions and serves as a contact for the Councils, Federal agency staff, and the public. Contact a Council Coordinator for more information on the activities of each Council

#### Southeast Region

Robert Larson - Petersburg  
(907) 772-5930  
Fax: (907) 772-5995  
robertlarson@fs.fed.us

#### Bristol Bay and Southcentral Regions

Donald Mike - Anchorage  
(800) 478-1456  
or (907) 786-3629  
Fax: (907) 786-3898  
donald\_mike@fws.gov

#### Western Interior and Northwest Arctic Regions

Melinda Burke - Anchorage  
(800) 478-1456  
or (907) 786-3885  
Fax: (907) 786-3898  
melinda\_burke@fws.gov

#### Eastern Interior and North Slope Regions

Eva Patton – Anchorage  
(800) 478-1456  
or (907) 786-3358

#### Yukon-Kuskokwim Delta and Seward Peninsula Regions

Alex Nick - Bethel  
(800) 621-5804  
or (907) 543-1037  
Fax: (907) 543-4413  
alex\_nick@fws.gov

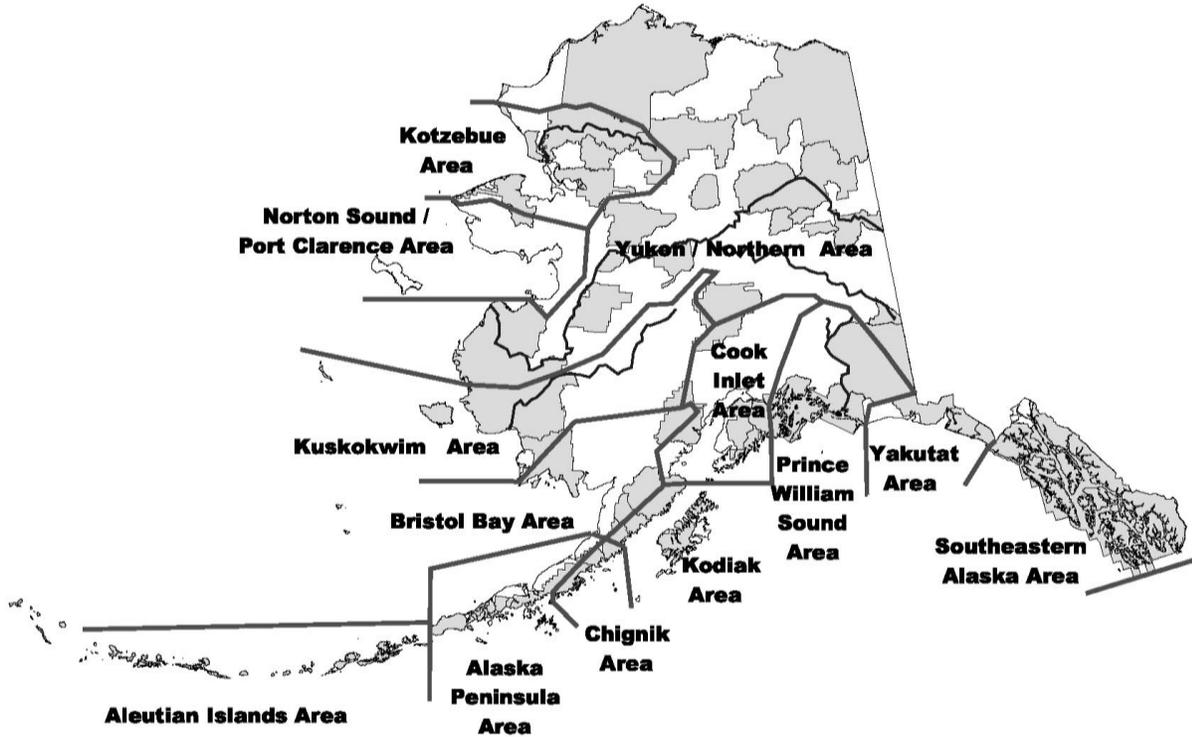
#### Kodiak/Aleutians Region

Carl Johnson, Acting - Anchorage  
(800) 478-1456  
or (907) 786-3676  
Fax: (907) 786-3898  
carl\_johnson@fws.gov

#### For information on Regional Advisory Council membership, contact:

Carl Johnson, Ph: (800) 478-1456 or (907) 786-3676, Fax: (907) 786-3898, E-mail: [carl\\_johnson@fws.gov](mailto:carl_johnson@fws.gov)

# FEDERAL SUBSISTENCE FISHERY MANAGEMENT AREAS



Ten Federal Subsistence  
Regional Advisory Councils  
represent the following  
regions:

1. Southeast
2. Southcentral
3. Kodiak/Aleutians
4. Bristol Bay
5. Yukon-Kuskokwim Delta
6. Western Interior
7. Seward Peninsula
8. Northwest Arctic
9. Eastern Interior
10. North Slope



## 2015–2017 FISHERIES PROPOSALS

Proposal Number	Species	General Description	Page
<b>Statewide</b>			
FP15-01	General Regulations	Define “hooks”, to allow with or without barbs	5
<b>Yukon-Northern Area</b>			
FP15-02	Salmon	Allow two 48 hours periods per week for subsistence fishing in district 5C of the Yukon River	7
FP15-03	Chinook Salmon	Restrict the use of drift nets in Yukon districts Y1-Y6 to the take of Chinook salmon	8
FP15-04	Chinook Salmon	Delegate authority to the in-season manager to restrict drift gill net gear by time and area, and allowing set net use for subsistence purposes by time and area	10
<b>Kuskokwim Area</b>			
FP15-05	Unit Specific Regulations	Allow 24/7 subsistence fishing in sub-district 1B of the Kuskokwim River during the month of June	12
FP15-06	Salmon	Authorize dip nets in Federal subsistence fishery	13
FP15-07	Salmon	Authorize dip nets in Federal subsistence fishery	14
<b>Chignik Area</b>			
FP15-08	Salmon	Authorize the use of seines in Chignik River	16
<b>Cook Inlet Area</b>			
FP15-09	Salmon	Define area specific regulations for customary trade of salmon taken from the Kenai River	18
FP15-10	Salmon	Authorize gill nets on Kenai River	20
FP15-11	Salmon	Authorize gill nets on Kasilof River	24
<b>Southeast Alaska Area</b>			
FP15-12	Salmon	Allow the use of bow and arrow to take salmon	28
FP15-13	Salmon	Revise Stikine River subsistence fishery annual limits with roll over penalty for exceeding harvest limits, revise permit recording requirement, and institute daily hours.	30
FP15-14	Salmon	Revise Stikine River subsistence fishery annual limits with roll over penalty for exceeding harvest limits, revise permit recording requirement, and institute daily hours.	32
FP15-15	Sockeye Salmon	Prohibit the use of seines and gill nets on the Klawock River during the months of July and August.	34
FP15-16	Steelhead	Require immediate recording of harvested steelhead in POW fisheries for spring and winter seasons	35
FP15-17	Herring	Close Makhnati Island herring fishery to commercial fishing	37

*Note:* The proposals are published as submitted by the proponents and vary in format

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**FP15-01**
**2015-2017 Federal Subsistence Fish and Shellfish Proposal**
**Name:****Organization:** Southcentral Regional Subsistence Advisory Council**Address: Office of Subsistence Management****1011 East Tudor Road MS 121, Anchorage AK, 99503-6199****Phone: 907-786-3888****Fax: 907-786-36123****E-mail: George\_Pappas@fws.gov****This proposal suggests a change to**

- Harvest season
- Method and means of harvest
- Harvest limit
- Customary and traditional use determination

**1) What regulation do you wish to change?**

Add fishing hook, with or without a barb, in the statewide methods and means definitions.

**2) How should the new regulation read?**

This would be an addition to existing regulations under the [reserved] section of §100.25 Subsistence taking of fish, wildlife, and shellfish: general regulations.

(a) *Definitions.* The following definitions apply to all regulations contained in this part:

*Hook means a single shanked fish hook with a single eye constructed with 1, 2, or 3 points with or without barbs.*

**3) Why should this regulation change be made?**

The Alaska Board of Fisheries recently adopted a regulation which prohibits the use hooks with barbs in the Kenai River Chinook salmon sport fishery when the sport fishery is restricted to catch and release only. Federal subsistence regulations authorize use of multiple hooks and bait for Chinook salmon in the Kenai River and it assumed Federal regulations authorizing the use of hooks include hooks with barbs.

Many Federal subsistence fisheries in Alaska allow the use of fishing hooks as a legal means of harvesting fish. Current Federal subsistence fisheries regulations reference allowing the use of a hook with a handline, jigging gear, long line, mechanical jigging gear, troll gear, hook and line attached to a rod or pole, and rod and reel. Though the use of fishing hooks is

authorized, Federal subsistence regulations do not define a fishing hook and do not clearly indicate whether or not fishing hooks require a barb or not.

Additionally, many Federal subsistence fisheries in Alaska do not have standalone Federal regulations which superseded State of Alaska regulations. In these situations, State of Alaska sport fishing regulations are adopted by reference for management of the Federal subsistence fisheries. Adopting a definition of a fishing hook, which includes allowance of barbs, will clarify the intent of Federal regulation authorizing federally-qualified users to choose between using a barbed or barbless in subsistence fisheries which allow the use of hooks.

Adoption of this proposal will provide regulatory clarity to all Federal subsistence users who choose to fish with a hook in Federal subsistence fisheries where use of hooks is authorized. The intent of this proposal is to establish a Federal subsistence fishery regulation defining fishing hooks and if adopted, the regulation will supersede State of Alaska regulations statewide. If this proposal as adopted, future State of Alaska regulations restricting fishermen to the use of barbless hooks will not impact Federal subsistence users.

**4) What impact will this change have on fish or shellfish populations?**

Adoption of this proposal will not change the methods or means used in Federal subsistence fisheries and thus no change in impacts on the fish populations is expected.

**5) How will this change affect subsistence uses?**

Adoption of this regulation will not change the way Federal subsistence fishermen harvest fish because use of barbed hooks is currently authorized.

**6) How will this change affect other uses, i.e., sport/recreation and commercial?**

Adoption of this proposed regulation will not impact other users.

**7) Which communities have used this resource?**

No change to a C&T determination is proposed as this is a statewide proposal.

**8) Where has this resource been harvested?**

This is a statewide proposal.

**9) In what months has this resource been harvested?**

This is a statewide proposal to include all calendar year when fishing is allowed.

## FP15-02

2015-2017 Federal Subsistence Fish and Shellfish Proposal	
(Attach additional pages as needed).	
Name: <u>Floyd Green</u>	<b>Submit proposals by March 28, 2014</b>  <b>Questions?</b> Call: (800) 478-1456 or (907) 786-3888 E-mail: subsistence@fws.gov  Information on submitting proposals is also available on the Office of Subsistence Management website: <a href="http://www.doi.gov/subsistence/index.cfm">http://www.doi.gov/subsistence/index.cfm</a>
Organization: <u>Rampart Village Council</u>	
Address: <u>PO Box 29</u> <u>Rampart AK 99767</u>	
Phone: <u>907-358-3312</u> Fax: <u>907-358-3115</u>	
E-mail: <u>rvc.irc@gmail.com</u>	
This proposal suggests a change to (check all that apply):	
<input type="checkbox"/> Harvest season <input type="checkbox"/> Method and means of harvest <input checked="" type="checkbox"/> Harvest limit <input type="checkbox"/> Customary and traditional use determination	
<p>1 <b>What regulation do you wish to change?</b> Include management unit number and species. Quote the current regulation if known. If you are proposing a new regulation, please state "new regulation."  <u>New regulation</u>  <u>fishing periods (LONGER)</u></p>	
<p>2 <b>How should the new regulation read?</b> Write the regulation the way you would like to see it written.  <u>Fishing Periods per week. 2-48 hour periods per week</u></p>	
<p>3 <b>Why should this regulation change be made?</b>  <u>Our community relies on Subsistence fish in the summer to have food throughout the winter</u></p>	
<p>4 <b>What impact will this change have on fish or shellfish populations?</b>  <u>There will be more food for families</u></p>	
<p>5 <b>How will this change affect subsistence uses?</b>  <u>we will have a easier winter with food security</u></p>	
<p>6 <b>How will this change affect other uses, i.e., sport/recreational and commercial?</b>  <u>Every Subsistence fisherman/woman will support this idea</u></p>	
— Please attach any additional information that would support your proposal. —	

Note: The applicant was contacted by the Office of Subsistence Management and clarified that the regulatory change was proposed for District 5C of the Yukon River.



The population of Chinook will have a better chance to recover and meet escapement needs

**5) How will this change affect subsistence uses?**

In the short-term it could reduce Federal subsistence user harvest efficiency of Chinook salmon and other fishes during times of Chinook salmon conservation needs; however, over the long-term, anticipated improvements in Chinook salmon escapement as a result of this regulation could mean more Chinook salmon may be available for continuance of subsistence uses.

**6) How will this change affect other uses, i.e., sport/recreation and commercial?**

Harvest efficiency of other species such as chum could be reduced, however, if the anticipated reduction in incidental catch of Chinook salmon is realized, the total harvest of other species such as chum could potentially increase.



abundant and usually smaller jacks. The use of set nets in place of drift nets may improve the quality of Chinook salmon escapement due to the incidental harvest of Chinook salmon being located closer to shore where smaller Chinook salmon tend to run. Avoiding mid-river deep drifts, which tend to catch larger more fecund Chinook salmon, should improve escapement for larger more fecund Chinook salmon.

**5) How will this change affect subsistence uses?**

In the short-term, adoption of this proposal could reduce Federal subsistence user harvest efficiency of Chinook salmon and other fishes during times of Chinook salmon conservation needs; however, over the long-term, anticipated improvements in Chinook salmon quantity and quality of escapement, as a result of this regulation, could mean more Chinook salmon may be available for continuance of subsistence uses, and rebuilding of Chinook Salmon will occur faster, due to more large fecund salmon reaching spawning grounds. It may also provide for greater opportunity for summer chum harvest by subsistence fishers.

**6) How will this change affect other uses, i.e., sport/recreation and commercial?**

Harvest efficiency of other species such as chum could be reduced, however, if the anticipated reduction in incidental catch of Chinook salmon is realized, the total harvest of other species such as chum could potentially increase.

FP15-05

2015-2017 Federal Subsistence Fish and Shellfish Proposal

(Attach additional pages as needed).

Name: NICK CARTER  
Organization: NATIVE VILLAGE OF EEK  
Address: Box 89  
EEK AK 99578  
Phone: 536-5128 Fax: 536-5711  
E-mail: ETLHOW@YAHOO.COM

Submit proposals by  
March 28, 2014

Questions?  
Call: (800) 478-1456 or (907) 786-3888  
E-mail: subsistence@fws.gov

Information on submitting proposals is also available on the Office of Subsistence Management website: <http://www.doi.gov/subsistence/index.cfm>

This proposal suggests a change to (check all that apply):

- Harvest season
- Method and means of harvest
- Harvest limit
- Customary and traditional use determination

1. What regulation do you wish to change? Include management unit number and species. Quote the current regulation if known. If you are proposing a new regulation, please state "new regulation."

NEW REGULATION. HOWEVER, WE ALL KNOW IT IS TRADITION

2. How should the new regulation read? Write the regulation the way you would like to see it written.

"NEW REGULATION"

KUSKOKWIM RIVER, LOWER SECTION OF SUBDISTRICT L-B. SUBSISTENCE FISHING WILL OCCUR WITHOUT INTERUPTION THE MONTH OF JUNE

3. Why should this regulation change be made?

IT IS TRADITION

4. What impact will this change have on fish or shellfish populations?

NONE

5. How will this change affect subsistence uses?

IT WILL PROVIDE UNPOOLED FISH FOR CONSUMPTION

6. How will this change affect other uses, i.e., sport/recreational and commercial?

SUBSISTENCE FISHING IS A PRIORITY

— Please attach any additional information that would support your proposal. —

**FP15-06**



**United States Department of the Interior**

FISH AND WILDLIFE SERVICE  
Yukon Delta National Wildlife Refuge  
P.O. Box 346  
Bethel, Alaska 99559



IN REPLY REFER TO:

Fisheries Proposals  
[Robert.Sundown@fws.gov](mailto:Robert.Sundown@fws.gov)  
907-543-3151 Office

**Fisheries Management Area:** Kuskokwim **Season and Bag:** Yes **Method and Means:** No

***1. What regulations do you wish to change?***

50 CFR 100.27 (e)(4)(ix)

***2. How should the new regulation read?***

§100.27(e)(4)(ix) Add "**dipnets**" to the current list of legal gear types.

***3. Why should this regulation change be made?***

The Kuskokwim Salmon Management Working group and the State of Alaska successfully petitioned the Alaska Board of Fishery to implement dipnets as a legal gear type in the Kuskokwim management area. This proposal if passed would make permanent the allowance of dipnets in the Kuskokwim management area.

***4. What impact will this change have on wildlife populations?***

None, it would allow the use of dipnets as a legal gear type.

***5. How will this change affect subsistence uses?***

This proposal if adopted would give subsistence fisherman on the Kuskokwim another option to fish when gillnet restrictions are in place.

***6. How will this change affect other uses, such as sport/recreational and commercial?***

The proposal for the State of Alaska has passed allowing fisherman in other groups to use dipnets.

**FP15-07**

Name:	Lisa Feyereisen
Organization:	Native Village of Chuathbaluk/Chuathbaluk Traditional Council
Address:	#1 Teen Center Trail Chuathbaluk, AK 99557-8999
Phone:	(907) 467-2120 & 467-4313
Fax:	
Email:	crowvillage@gmail.com

This proposal suggests a change to (Place an 'x' for all that apply):

<input type="checkbox"/>	Harvest season(s)	<input checked="" type="checkbox"/>	Methods and means of harvest
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<input type="checkbox"/>	Harvest limit(s)	<input type="checkbox"/>	Customary and traditional use determination(s)
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1. **What regulation do you wish to change?** (Include fisheries district, area, and species, and, if possible, quote the current regulation.) The current regulation for the Kuskokwim River states: *You may take salmon only by gillnet, beach seine, fish wheel, or rod and reel, subject to the restrictions in these regulations.*

2. **How should the new regulation read?** (Write the regulation the way you would like to see it written.) You may take salmon only by gill net, beach seine, dip net, fish wheel, or rod and reel, subject to the restrictions in these regulations. All king salmon captured with a dip net must be immediately released alive back to the water.

3. **Why should this regulation change be made?**

Restrictions to conserve kings salmon will burden local fishers by limiting the amount of time that gill nets can be used, thereby reducing the opportunity to catch other important subsistence salmon species like chum and sockeye. The addition of dip nets as a gear option would broaden fishers' opportunity to provide for their families by allowing subsistence activities to proceed without severely impacting the king run.

4. **What impact will this change have on fish or shellfish populations?** There should be no impact to salmon populations other than the likelihood of allowing for improved king salmon escapement needs while allowing some fishing during the implementation of critical king salmon conservation measures. Dip nets will likely only be used when restrictions for king salmon are implemented; consequently, the harvest of chum and sockeye salmon with dip nets will be much lower than in typical years when gill nets are the preferred method because dip nets are a very inefficient means of fishing.

5. **How will this change affect subsistence uses?**

It will benefit subsistence users greatly by giving them an opportunity to feed their families during times when food security issues are only increasing.

6. **How will this change affect other uses, i.e. sport/recreational and commercial?**

This will not affect sport, recreational or sport fishing.

Answer questions 7-9 ONLY if you are proposing a change to a customary and traditional use determination, otherwise go to 10.

7. Which communities have used this resource?
8. Where has the resource been harvested? (Indicate specific areas if possible.)
9. In what months has the resource been harvested?
10. Please provide any additional information that would support your proposal.

On March 22nd of 2014 the Alaska Board of Fisheries (BOF) approved an emergency petition submitted by the Kuskokwim Salmon Management Working Group that requested allowing dip nets to be legal gear during the 2014 season. Upon approving the emergency petition, the BOF gave the Commissioner of the Department of Fish and Game the authority to make this regulation permanent.

## FP15-08

- Name Alvin Boskofsky, on behalf of the
- Organization Chignik Lake Traditional Council
- Address P.O. Box 48024 Chignik Lake, AK 99548
- Phone, and Email 907-435-7355 alboskofsky@hotmail.com
- What your proposal suggests a change to (indicate all that apply)
  - Harvest season
  - Harvest limit
  - Method and means of harvest
  - Customary and traditional use determination

Your proposal should also answer the following questions:

1. What regulations do you wish to change? Include management unit number and species. Quote the current regulation if known. If you are proposing a new regulation, please state "new regulation."

New regulation for Alaska Peninsula and Chignik Areas subsistence fishing.

2. How should the new regulation read? Write the regulation the way you would like to see it written in the regulations.

### Special Provisions

You may take salmon by seine, gillnet, and rod and reel, or with gear specified on a subsistence fishing permit.

### New regulations:

§100.27 Subsistence taking of fish.

*(e)(8) (ii) You may take salmon in the Chignik River, with rod and reel **or seine**, from a point 300 feet upstream of the ADF&G weir to Chignik Lake from January 1 through August 9, with no daily harvest or possession limit under the authority of a Federal subsistence fishing permit. You may take salmon by gillnet in Black Lake or any tributary to Black or Chignik Lakes with a Federal subsistence fishing permit. You may take salmon in the waters of Clark River and Home Creek from their confluence with Chignik Lake upstream 1 mile. In the open waters of Clark River and Home Creek you may take salmon by snagging (handline or rod and reel), spear, bow and arrow, or capture by hand without a permit. The daily harvest and possession limits using these methods are five per day and five in possession.*

3. Why should this regulation change be made?

Allow for additional subsistence harvest opportunities of Chinook salmon for local rural residents. Seining for Chinook salmon above the fish weir will allow the release of non-target finfish species.

4. What impact will this change have on fish or shellfish populations?

Minimal. Currently, the Federal and State in-season managers have the ability to close or open fishing based on estimated run abundance timing and weir counts to protect escapement goals set for the system.

5. How will this change affect subsistence users?

New method and means will provide additional subsistence opportunities to harvest Chinook salmon more efficiently in the Chignik River.

6. How will this change affect other users, i.e., sport/recreational and commercial?

None. Currently, sport fishers are allowed to harvest Chinook salmon in the Chignik River from January 1 through August 9.

After answering these questions, you are encouraged to attach any additional information that would support your proposal.

**How to Submit Your Proposal**

**By mail [theo\\_matuskowitz@fws.gov](mailto:theo_matuskowitz@fws.gov) or hand delivery**

Federal Subsistence Board  
Office of Subsistence Management  
Attn: Theo Matuskowitz  
1011 E. Tudor Rd., MS-121  
Anchorage, AK 99503

**At any Federal Subsistence Regional Advisory Council meeting**

**On the Web at <http://www.regulations.gov>**

**Questions?** Call (800) 478-1456 or (907) 786-3888

All proposals and comments, including personal information provided, are posted on the Web at <http://www.regulations.gov>

## FP15-09

### Fisheries Proposal to the Federal Subsistence Board

Name: Courtney Larsen

Date: March 21<sup>st</sup>, 2014

Organization: N.A.

Address: P.O. Box 584, Cooper Landing, Alaska, 99572

Contact: Courtney Larsen

Phone: 907-740-1855

1: What Regulation do you wish to change?

No existing regulation.

2: How would the new regulation read?

*50 CFR Ch. 1, U.S. Fish and Wildlife Serv., Interior*

*§100.27 Subsistence taking of fish*

*(c) Methods, means and general restrictions.*

*(12) Transactions between a rural resident and others.* In customary trade, a rural resident may exchange fish, their parts, or their eggs, legally taken under the regulations in this part, for cash from individuals other than rural residents if the individual who purchases the fish, their parts, or their eggs uses them for personal or family consumption. If you are not a rural resident, you may not sell fish, their parts, or their eggs taken under the regulations in this part. The Board may recognize regional differences and regulates customary trade differently for separate regions of the State.

*(i) Bristol Bay Fisher Management Area*—The total cash value per household of salmon taken within Federal jurisdiction in the Bristol Bay Fishery Management Area and exchanged in customary trade to rural residents may not exceed \$500.00 annually.

*(ii) Upper Copper river District*—The total number of salmon per household taken within the Upper Copper River District and exchanged in customary trade to rural residents may not exceed 50 percent of the annual harvest of salmon by the household. No more than 50 percent of the annual household limit may be sold under paragraphs (b)(11) and (12) of this section when taken together. These customary trade sales must be immediately recorded on a customary trade recordkeeping form. The recording requirement and the responsibility to ensure the household limit is not exceeded rests with the seller.

*(iii) Cook Inlet Area, Kenai River District—Definition of Non-Significant Commercial Event:* The total cash value per household of salmon taken within the Kenai River District and exchanged in customary trade between rural residents and individuals other than rural residents may not exceed \$1,000.00 annually. These customary trades for cash must be immediately recorded on a customary trade recordkeeping form and submitted to the federal agency. The recording requirement and the responsibility to ensure the annual cash limit is not exceeded rest with the seller.

***Publicizing a Non-Significant Commercial Event:***

Rural residents may advertise in public postings, paper circulations, and internet media venues. Any publication must always disclose verbiage (in readable font type and size) that states that fish are federally subsistence caught and that the fish are for personal consumption only and are not to be resold (with CFR regulation section number cited).

*(13) No sale to, nor purchase by, fisheries businesses.*

(i) You may not sell fish, their parts, or their eggs taken under the regulations in this part to any individual, business, or organization required to be licensed as a fisheries business under Alaska Statute AS 43.75.011 (commercial limited-entry permit or crew license holders excluded) or to any other business as defined under Alaska Statute 43.70.110(1) as part of its business transactions.

(ii) If you are required to be licensed as a fisheries business under Alaska Statute AS 43.75.011 (commercial limited-entry permit or crew license holders excluded) or are a business as defined under Alaska Statute 43.70.110(1), you may not purchase, receive, or sell fish, their parts, or their eggs taken under the regulations in this part as part of your business transactions.

**3: Why should this regulation change be made?**

There are many year-round permanent residents here in the Cooper Landing area that could optimize earning additional alternative sources of income to provide for expensive rural living. One potential source is trading natural aquatic fish resources in exchange for cash, in order to purchase other necessities such as gas (for transportation), oil (for heat), non-locally grown food products, and other items. Currently, permanent residents are already allowed by federal regulations (above) to conduct trade of fish for cash. This is an opportunity not yet conducted but potentially economically viable for many Cooper Landing families. Other regions of Alaska have already received more specific guidelines in executing the fish-for-cash opportunity. These include Bristol Bay and Upper Copper River. Nevertheless, there are no written guidelines or greater specificity regarding the Cooper Landing-Upper Kenai River area.

Word-of-mouth publicizing is probably the more traditional method of setting up customary trades for fish in many areas of Alaska. It is becoming more common, however, for people to communicate electronically, and other types of communicating the availability of fish for sale should be explicitly mentioned in the regulations so that there is no question that people may use these methods.

**4: What impact will this change have on wildlife populations?**

None are anticipated.

**5: How will this change affect subsistence uses?**

Individuals living in Copper Landing, Hope, or Ninilchik will not be able to collect more than \$1,000.00 by trading fish for cash with people other than rural residents of the Alaska. This limit applies only to the fish they harvest from the Kenai River drainage.

**6: How will this change affect other uses, such as sport/recreational and commercial?**

None are anticipated.

# FP15-10

## 2015–2017 Federal Subsistence Fish and Shellfish Proposal

*(Attach additional pages as needed).*

Name: Ninilchik Traditional Council

Organization: Tribe

Address: Po Box 39070  
Ninilchik Alaska 99639

Phone: 907-567-3313 Fax: 907-567-3308

E-mail: Ivan@ninilchiktribe-nsn.gov

**Submit proposals by  
March 28, 2014**

Questions?  
Call: (800) 478-1456 or (907) 786-3888  
E-mail: subsistence@fws.gov

Information on submitting proposals is also available on the Office of Subsistence Management website: <http://www.doi.gov/subsistence/index.cfm>

This proposal suggests a change to (check all that apply):

- Harvest season
- Method and means of harvest
- Harvest limit
- Customary and traditional use determination

1. What regulation do you wish to change? Include management unit number and species. Quote the current regulation if known. If you are proposing a new regulation, please state "new regulation."

New Regulation:

Cook Inlet Area

**" .....Kenai Peninsula District, waters north of and including the Kenai River drainage within the Kenai National Wildlife Refuge and the Chugach National Forest.**

**All Fish- Federal subsistence fishing permit required for salmon, trout, and Dolly Varden/char.**

*Residents of the communities of Cooper Landing, Hope and Ninilchik*

Seasons, harvest and possession limits, and methods and means are the same as for the taking of those species under Alaska sport fishing regulations (5 AAC 56 and 5 AAC 57) in effect at the time you are fishing, unless otherwise modified in this section. ....

**Kenai River Salmon- Dip Net....."**

2. How should the new regulation read? Write the regulation the way you would like to see it written.

Cook Inlet Area (Additions indicated by underlining)

“... Kenai Peninsula District, waters north of and including the Kenai River drainage within the Kenai National Wildlife Refuge and the Chugach National Forest.

All Fish- Federal subsistence fishing permit required for salmon, trout, and Dolly Varden/char.

*Residents of the communities of Cooper Landing, Hope and Ninilchik*

Seasons, harvest and possession limits, and methods and means are the same as for the taking of those species under Alaska sport fishing regulations (5 AAC 56 and 5 AAC 57) in effect at the time you are fishing, unless otherwise modified in this section. ....

- ◆ No Federal open season for grayling and burbot.

#### **Kenai River Salmon- Gillnet**

**Location:** All open Federal public waters in the Kenai River drainage

- ◆ Only residents of Ninilchik may harvest Salmon from the Kenai River under Federal subsistence fishing regulations using a gillnet.
- ◆ Only residents of Ninilchik may retain resident species including lake trout, rainbow trout, and Dolly Varden/Arctic char harvested incidentally from the Kenai River while salmon fishing under Federal subsistence regulations. Rainbow trout and Dolly Varden 18 inches or longer taken in the Kenai River gillnet fishery must be released if it has a reasonable chance of survival.
- ◆ Fishing for sockeye, Chinook, coho, or pink salmon will close by Special Action prior to regulatory end dates if the annual total harvest limit for that species is reached or for other reasons as required.
- ◆ Only one gillnet for the community of Ninilchik will be allowed in the open Federal public waters in the Kenai River drainage. The gillnet cannot be over 10 fathoms in length to take salmon, and may not obstruct more than half of the river width with stationary fishing gear. Subsistence stationary gillnet gear may not be set within 200 feet of other subsistence stationary gear. An operating plan must be submitted by an organization regarding who is responsible for the implementation, operation and use of the community gillnet. The plan must be approved by the in-season fishery manager, in consultation with the Kenai NWR manager, and must also include how fishing time and fish will be offered and distributed among households and residents of Ninilchik. For more information on submitting a plan for gillnet use contact the Federal in-season manager, at 907-262-9863 or toll-free at 800-822-6550.
- ◆ Salmon taken in the Kenai River gillnet fishery by Ninilchik households will be included as part of those households' annual limits for the Kasilof River.

- ◆ All fish harvested as part of the household limit in the gillnet fisheries in the Kenai River must be reported within 72 hours to the Federal fisheries manager upon leaving the fishing location, and permits must be returned to the manager by the due date listed in the permit. Call (907) 262-9863 or (800) 822-6550 to report your harvest.
- ◆ Failure to respond to reporting requirements or return this completed harvest permit by the due date listed on the permit may result in issuance of a violation notice and will make you ineligible to receive a subsistence permit during the following regulatory year.

**Kenai River Salmon- Dip Net.....”**

3. Why should this regulation change be made?

Previous efforts to establish a meaningful subsistence fishery on the Kenai River have not been successful. The original proposals for a meaningful fishery, as requested by the subsistence users, was to use nets as the primary gear type to harvest fish in the specified federal areas based on the local knowledge of the area and experience of the users. Interim measures were provided through the federal subsistence process on the Kasilof river, which were not customary or traditional for the lower Cook Inlet because they simply never worked well enough to be used as a traditional gear type. As an effort of good faith, the users have attempted to prepare and launch a fish wheel, requested special permits, prepared work plans, provided insurance, and prepared and submitted final reports as part of the requirements to operate a fish wheel in order to establish a meaningful subsistence fishery and test the interim gear type declared by the federal subsistence process. The administrative tasks for subsistence users have proven to be unusually scrutinizing while other state fisheries, federal fisheries, and recreational groups do not have to meet these requirements. The annual operation of the fish wheel on the Kasilof river has harvested zero (0) fish. A meaningful harvest method is necessary on the Kenai river.

Allowing a single community gillnet will have a remarkable positive impact on the subsistence user’s ability to harvest fish. In addition, conservation concerns are addressed in the fact that only one (1) community gillnet will be utilized in the Kenai River. The precedence has been set for a community approach to allowing an operational plan for the fish wheel and the same concept would be utilized in order to reduce the possibility of everyone using gillnets, therefore the proliferation of nets is not an issue.

In addition, the State of Alaska utilizes a gillnet in the Kenai River almost every day in order to coincide with sonar data collection in order to verify salmon escapement. It seems highly hypocritical that the State of Alaska can use a gillnet every day while the federally qualified subsistence user who has absolute preference under the law is derided for wanting to use the same method.

- ◆ All fish harvested as part of the household limit in the gillnet fisheries in the Kenai River must be reported within 72 hours to the Federal fisheries manager upon leaving the fishing location, and permits must be returned to the manager by the due date listed in the permit. Call (907) 262-9863 or (800) 822-6550 to report your harvest.
- ◆ Failure to respond to reporting requirements or return this completed harvest permit by the due date listed on the permit may result in issuance of a violation notice and will make you ineligible to receive a subsistence permit during the following regulatory year.

**Kenai River Salmon- Dip Net.....”**

3. Why should this regulation change be made?

Previous efforts to establish a meaningful subsistence fishery on the Kenai River have not been successful. The original proposals for a meaningful fishery, as requested by the subsistence users, was to use nets as the primary gear type to harvest fish in the specified federal areas based on the local knowledge of the area and experience of the users. Interim measures were provided through the federal subsistence process on the Kasilof river, which were not customary or traditional for the lower Cook Inlet because they simply never worked well enough to be used as a traditional gear type. As an effort of good faith, the users have attempted to prepare and launch a fish wheel, requested special permits, prepared work plans, provided insurance, and prepared and submitted final reports as part of the requirements to operate a fish wheel in order to establish a meaningful subsistence fishery and test the interim gear type declared by the federal subsistence process. The administrative tasks for subsistence users have proven to be unusually scrutinizing while other state fisheries, federal fisheries, and recreational groups do not have to meet these requirements. The annual operation of the fish wheel on the Kasilof river has harvested zero (0) fish. A meaningful harvest method is necessary on the Kenai river.

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In addition, the State of Alaska utilizes a gillnet in the Kenai River almost every day in order to coincide with sonar data collection in order to verify salmon escapement. It seems highly hypocritical that the State of Alaska can use a gillnet every day while the federally qualified subsistence user who has absolute preference under the law is derided for wanting to use the same method.

# FP15-11

## 2015–2017 Federal Subsistence Fish and Shellfish Proposal

(Attach additional pages as needed).

Name: Ninilchik Traditional Council  
 Organization: Tribe  
 Address: Po Box 39070  
Ninilchik Alaska 99639  
 Phone: 907-567-3313 Fax: 907-567-3308  
 E-mail: Ivan@ninilchiktribe-nsn.gov

**Submit proposals by  
March 28, 2014**

**Questions?**

Call: (800) 478-1456 or (907) 786-3888

E-mail: subsistence@fws.gov

Information on submitting proposals is also available on the Office of Subsistence Management website: <http://www.doi.gov/subsistence/index.cfm>

This proposal suggests a change to (check all that apply):

- Harvest season
- Method and means of harvest
- Harvest limit
- Customary and traditional use determination

1. What regulation do you wish to change? Include management unit number and species. Quote the current regulation if known. If you are proposing a new regulation, please state "new regulation."

New Regulation:

Cook Inlet Area

**“Waters within the Kasilof River drainage within the Kenai National Wildlife Refuge All Fish — Federal subsistence fishing permit required for salmon, trout, and Dolly Varden/char.**

*Residents of the community of Ninilchik.*

Seasons, harvest and possession limits, and methods and means are the same as for the taking of those species under Alaska sport fishing regulations (5 AAC 56 and 5 AAC 57) in effect at the time you are fishing, unless otherwise modified in this section. ....

**Kasilof River Salmon- Dip Net/Fish Wheel/Rod and Reel.....”**

2. How should the new regulation read? Write the regulation the way you would like to see it written.

Cook Inlet Area -(Additions indicated by underlining)

**“Waters within the Kasilof River drainage within the Kenai National Wildlife Refuge**

**All Fish — Federal subsistence fishing permit required for salmon, trout, and Dolly Varden/char.**

*Residents of the community of Ninilchik.*

Seasons, harvest and possession limits, and methods and means are the same as for the taking of those species under Alaska sport fishing regulations (5 AAC 56 and 5 AAC 57) in effect at the time you are fishing, unless otherwise modified in this section. ....

**Kasilof River Salmon- Dip Net/Gillnet/Fish Wheel/Rod and Reel**

- ◆ Only residents of Ninilchik may harvest Salmon from the Kasilof River under Federal subsistence fishing regulations.
- ◆ Only one fish wheel will be allowed in the upper mainstem of the Kasilof River. An operating plan must be submitted by an organization regarding who is responsible for the construction, installation, operation, use, and removal of the fish wheel. The plan must be approved by the in-season fishery manager, in consultation with the Kenai NWR manager, and must also include how fishing time and fish will be offered and distributed among households and residents of Ninilchik. For more information on submitting a plan for fish wheel use contact the Federal in-season manager, at 907-262-9863 or toll-free at 800-822-6550.
- ◆ Only one gillnet will be allowed in the upper mainstem of the Kasilof River. The gillnet cannot be over 10 fathoms in length to take salmon, and may not obstruct more than half of the river width with stationary fishing gear. Subsistence stationary gillnet gear may not be set within 200 feet of other subsistence stationary gear. An operating plan must be submitted by an organization regarding who is responsible for the implementation, operation and use of the community gillnet. The plan must be approved by the in-season fishery manager, in consultation with the Kenai NWR manager, and must also include how fishing time and fish will be offered and distributed among households and residents of Ninilchik. For more information on submitting a plan for gillnet use contact the Federal in-season manager, at 907-262-9863 or toll-free at 800-822-6550.
- ◆ Fishing for sockeye, Chinook, coho, pink salmon will close by Special Action prior to regulatory end dates if the annual total harvest limits for that species is reached or suspended by other Federal Special Action.
- ◆ Salmon taken in the Kasilof River dip net, gillnet, or fish wheel fisheries will be included as part of each household's annual limit for the Kenai River.
- ◆ After 200 rainbow/steelhead trout have been taken in the dip net and gillnet fishery, or after August 15, all rainbow/steelhead trout must be released unless otherwise provided. Rainbow/steelhead trout cannot be kept in the fish wheel fishery.
- ◆ All fish harvested as part of the household limit in the dip net, gillnet, or fish wheel fisheries in the Kasilof River must be reported to the in-season manager within 72 hours

of leaving the fishing location. Call (907) 262-9863 or (800) 822-6550 to report your harvest.

- ◆ Failure to respond to reporting requirements or return this completed harvest permit by the due date listed on the permit may result in issuance of a violation notice and will make you ineligible to receive a subsistence permit during the following regulatory year.

**Location:** Kasilof River from the outlet of Tustumena Lake to Silver Salmon Rapids.

Note: Rod and reel with up to .....

3. Why should this regulation change be made?

Previous efforts to establish a meaningful subsistence fishery on the Kasilof River have not been successful. The original proposals for this fishery, as requested by the subsistence users, was to use nets as the primary gear type to harvest fish in the specified federal areas based on the local knowledge of the area and experience of the users. Interim measures were provided through the federal subsistence process, which were not customary or traditional for the lower Cook Inlet because they simply never worked well enough to be used as a traditional gear type. As an effort of good faith, the users have attempted to prepare and launch a fish wheel, requested special permits, prepared work plans, provided insurance, and prepared and submitted final reports as part of the requirements to operate a fish wheel in order to establish a meaningful subsistence fishery and test the interim gear type declared by the federal subsistence process. The administrative tasks for subsistence users have proven to be unusually scrutinizing while other state fisheries, federal fisheries, and recreational groups do not have to meet these requirements. The annual operation of the fish wheel has harvested zero (0) fish.

Allowing a single community gillnet will have a remarkable positive impact on the subsistence user's ability to harvest fish. In addition, conservation concerns are addressed in the fact that only one (1) community gillnet will be utilized in the Kasilof River. The precedence has been set for a community approach to allowing an operational plan for the fish wheel and the same concept would be utilized in order to reduce the possibility of everyone using gillnets, therefore the proliferation of nets is not an issue.

In addition, the State of Alaska utilizes a gillnet in the Kenai River almost every day in order to coincide with sonar data collection in order to verify salmon escapement. It seems highly hypocritical that the State of Alaska can use a gillnet every day while the federally qualified subsistence user who has absolute preference under the law is derided for wanting to use the same method.

Furthermore, resident fish species are now harvestable under the customary and traditional use determination for the community of Ninilchik. Any resident fish species harvested incidentally

through a gillnet would no longer be by-catch, as resident fish are allowable for subsistence users. Mesh size targeting larger fish such as coho, sockeye and Chinook would minimize resident fish species harvest.

4. What impact will this change have on fish or shellfish populations?

None. Conservation is addressed through bag limits, annual and seasonal household limits. Additionally, short reporting requirements allow for accurate and up to date harvests, thereby allowing special action to be taken in instances where seasonal limits are close to being met.

5. How will this change / affect subsistence uses?

These changes will profoundly and positively establish a harvestable fishery for subsistence users. This method and mean of harvest will finally provide a meaningful preference and harvest opportunity for Ninilchik subsistence users.

6. How will this change affect other uses, i.e., sport / recreational and commercial?

This is not applicable under section 804 of ANILCA. (Why is this question still on here?) There will be no impact to other users as federal subsistence is the absolute priority under ANILCA.

- Please attach any additional information that would support your proposal. -

## FP15-12

### 2015–2017 Federal Subsistence Fish and Shellfish Proposal

*(Attach additional pages as needed).*

Name: MARK A KRUSE

Organization: \_\_\_\_\_

Address: PO BOX 263 CRAIG, AK 99921

Phone: 907-401-0120 Fax: \_\_\_\_\_

E-mail: makruse2369@gmail.com

**Submit proposals by  
March 28, 2014**

**Questions?**

Call: (800) 478-1456 or (907) 786-3888

E-mail: [subsistence@fws.gov](mailto:subsistence@fws.gov)

Information on submitting proposals is also available on the Office of Subsistence Management website: <http://www.doi.gov/subsistence/index.cfm>

This proposal suggests a change to (check all that apply):

- |   |   |
|---|---|
| <input type="checkbox"/> Harvest season | <input checked="" type="checkbox"/> Method and means of harvest                 |
| <input type="checkbox"/> Harvest limit  | <input checked="" type="checkbox"/> Customary and traditional use determination |

1 What regulation do you wish to change? Include management unit number and species. Quote the current regulation if known. If you are proposing a new regulation, please state "new regulation."  
See attachments.

2 How should the new regulation read? Write the regulation the way you would like to see it written.  
See attachments.

3 Why should this regulation change be made?  
See attachments.

4 What impact will this change have on fish or shellfish populations?  
None

5 How will this change affect subsistence uses?  
It will allow another opportunity for subsistence harvest of salmon in a customary and traditional method.

6 How will this change affect other uses, i.e., sport/recreational and commercial?  
None

— Please attach any additional information that would support your proposal. —

1 What regulation do you wish to change?

Southeastern Alaska Area under Special Provisions for salmon.

§\_\_\_\_.27(i)(13)(iv)(B) Unless otherwise specified in this paragraph (e)(13) of this section, allowable gear for salmon or steelhead is restricted to gaffs, spears, gillnets, seines, dip nets, cast nets, handlines, or rod and reel.

And

§\_\_\_\_.27(i)(13) (xiv) You may take coho salmon with a Federal salmon fishing permit. There is no closed season. The daily harvest limit is 20 coho salmon per household. Only dip nets, spears, gaffs, handlines, and rod and reel may be used. There are specific rules to harvest any salmon on the Stikine River, and you must have a separate Stikine River subsistence salmon fishing permit to take salmon on the Stikine River.

2 How should the new regulation read?

Southeastern Alaska Area under Special Provisions for salmon.

§\_\_\_\_.27(i)(13)(iv)(B) Unless otherwise specified in this paragraph (e)(13) of this section, allowable gear for salmon or steelhead is restricted to gaffs, spears, gillnets, seines, dip nets, cast nets, handlines, bow and arrow, or rod and reel.

And

§\_\_\_\_.27(i)(13)(xiv) You may take coho salmon with a Federal salmon fishing permit. There is no closed season. The daily harvest limit is 20 coho salmon per household. Only dip nets, spears, gaffs, handlines, bow and arrow, and rod and reel may be used. There are specific rules to harvest any salmon on the Stikine River, and you must have a separate Stikine River subsistence salmon fishing permit to take salmon on the Stikine River.

3. Why should this regulation change be made?

The precedence has been made in other areas of the state (Alaska Peninsula and Chignik Areas). Under special provisions for these areas within Federal regulation, it says "You may take salmon without a permit by snagging (by handline or rod and reel), using a spear, bow and arrow, or capturing by hand". In order to accommodate this gear type in Southeast Alaska for sockeye, pink, chum and coho salmon, both provisions listed above will need to be revised.

## FP15-13

### Petersburg Fish and Game Advisory Committee Proposal to Southeast RAC

March 20, 2014

Federal Subsistence Board  
Office of Subsistence Management  
Atten: Theo Matuskowitz  
3601 C Street Ste. 1030  
Anchorage, AK 99503

1. The regulation you wish to change, including management area and species. Existing regulation:

Stikine River subsistence Chinook, Sockeye and Coho Salmon regulations. Currently regulations on this fishery include annual limit, seasons, net length and mesh size. We are not proposing to change these.

2. Proposed regulation:

We would propose that the additional regulations be placed on this fishery:

- Up to 2,000 Sockeye may be harvested annually, up to 400 Coho may be harvested annually and up to 125 Chinook may be harvested annually.
- If these caps are exceeded in any year the number of fish per permit will be reduced for the next year. This reduction in fish allowed per permit is meant to keep the Subsistence fishery within its Guideline Harvest Level.
- Before any fish, or part of a fish is removed from the fishing site they must be recorded on the Federal Subsistence permit. Number of fish caught by species, day of catch, and location of catch must be recorded.
- Nets shall only be in the water from 4:00 am until 9:00 pm daily.
- All nets must be closely attended while they are in the water. Either the permit holder or a member of their household shall do this. While a net is in the water the Subsistence permit must be available for inspection by law enforcement personnel. [Closely attended is meant to be: A member of a household with permits must be available within two (2) hours.]

3. Why the regulation change should be made.

The current regulations need to be strengthened to discourage predation on fish in the set gillnets and to encourage full accountability of the fish harvested. This fishery is unique in that it operates on a river that is subject to review and regulation by the Pacific Salmon Treaty. One of the tenets of the Pacific Salmon Treaty is that all measures should be taken to ensure accurate catch reporting and these changes will help to ensure that the catch reported more accurately reflects the impact on the resource.

The Petersburg Fish and Game Advisory Committee feels that these additional restrictions are warranted to maximize the full utilization of the fish by the permit holders during the conduct of the fishery.

4. The impact of the change on Stikine Salmon.

This should lower the impact on the Stikine Salmon while still allowing for the use of this resource by qualified users that has developed over the past 10 years since this fishery was implemented.

5. The effect on subsistence users.

Nets will now need to be attended while fishing and overnight fishing will not be allowed. This may have the effect of lowering productivity since night fishing is not allowed, however it may also increase productivity while fishing since predation will be lowered.

6. The effect on other users, such as sport/recreational and commercial.

These regulation changes should have little impact on other users as these Sockeye are counted as part of 50/50 harvest sharing with Canada on the Stikine. It is not anticipated that internal Alaska sharing would need to be addressed unless the subsistence harvest becomes significantly larger.

Arnold M. Enge, Chair  
Petersburg Fish and Game Advisory  
PO Box 2113  
Petersburg, AK 99833

## FP15-14

### Wrangell Fish and Game Advisory Committee Proposal to the Subsistence Board Stikine River Subsistence Fishery

Name: Chris Guggenbickler, Chair  
Organization: Wrangell Fish and Game Advisory Committee  
Address: P.O. Box 1491, Wrangell, AK 99929  
Phone: 874-2015 cell 305-0531 Fax: \_\_\_\_\_  
E-mail: ccgugg@qci.net

This proposal suggests a change to (check all that apply):

- Harvest season
- Method and means of harvest
- Harvest limit
- Customary and traditional use determination

1 What regulation do you wish to change? Include fishing district, area, species, and current regulation if known. If you are proposing a new regulation, please state "new regulation."

Stikine River subsistence Chinook, Sockeye and Coho regulations. Currently regulations on this fishery include annual limit, seasons, net length and mesh size. We are not proposing to change these.

2 How should the new regulation read? Write the regulation the way you would like to see it written.

We would propose that the additional regulations be placed on this fishery:

- Up to 2,000 Sockeye may be harvested annually, up to 400 Coho may be harvested annually and up to 125 Chinook may be harvested annually.
- If these caps are exceeded in any year the number of fish per permit will be reduced for the next year. This reduction in fish allowed per permit is meant to keep the Subsistence fishery within its Guideline Harvest Level.
- Before any fish, or part of a fish, is removed from the fishing site they must be recorded on the Federal Subsistence permit. Number of fish caught by species, day of catch, and location of catch must be recorded.
- Nets shall only be in the water from 4:00 AM until 9:00 PM daily.
- All nets must be closely attended while they are in the water. Either the permit holder or a member of their household shall do this. While a net is in the water the Federal Subsistence permit must be available for inspection by law enforcement personnel.

3 Why should this regulation change be made?

The current regulations need to be strengthened to discourage predation on fish in the set gillnets and to encourage full accountability of the fish harvested. This fishery is unique in that it operates on a river that is subject to review and regulation by the Pacific Salmon Treaty. One of the tenets of the Pacific Salmon Treaty is that all measures should be taken to ensure accurate catch reporting and these changes will help to ensure that the catch reported more accurately reflects

the impact on the resource. The Wrangell Advisory Committee feels that these additional restrictions are warranted to maximize the full utilization of the fish by the permit holders during the conduct of the fishery. This proposal was developed by the Wrangell Fish and Game Advisory Committee over the course of 4 public meetings from January 2013 to February 2014.

**4 What impact will this change have on fish populations?**

These changes should lower the impact on the Stikine salmon while still allowing for the use of this resource by qualified users that has developed over the past 10 years, since this fishery was implemented.

**5 How will this change affect subsistence uses?**

Nets will now need to be attended while fishing and overnight fishing will not be allowed. This may have the effect of lowering productivity since night fishing is not allowed, however it may also increase productivity while fishing since predation will be lowered.

**6 How will this change affect other uses, such as sport/recreational and commercial?**

None The proposed changes should not affect other sport/recreational and commercial uses of Stikine River salmon.

Answer questions 7–9 only if you are proposing a change to a customary and traditional use determination.

**7 Which communities have used this resource?** No change to a C&T determination is proposed.

**8 Where has this resource been harvested?** Indicate specific areas if possible. No change to a C&T determination is proposed.

**9 In what months has this resource been harvested?** No change to a C&T determination is proposed.

— Please attach any additional information to support your proposal. —

**Submission deadline: March 28, 2014**

**Submit proposals to:**

Federal Subsistence Board  
Office of Subsistence Management  
Attn: Theo Matuskowitz  
3601 C Street, Suite 1030  
Anchorage, AK 99503  
**E-mail:** subsistence@fws.gov  
**Fax:** (907) 786-3898

**Questions?** Call (800) 478-1456 or (907) 786-3888

## FP15-15

Name: Southeast Alaska Subsistence Regional Advisory Council  
Address: Box 1328, Petersburg, AK 99833  
Phone: 907-772-5930 Fax: 907-772-5995  
Email: robertlarsen@fs.fed.us

This proposal suggests a change to (check all that apply):

Harvest season **Method and means of harvest**  
Harvest limit Customary and traditional use determination

1. What regulation do you wish to change?

This proposal would close the Klawock River drainage to use of seines and gillnets during the period when sockeye salmon are targeted (July and August).

2. How should the new regulation read?

*§ \_\_.27(i)(13) (xix) The Klawock River drainage is closed to the use of seines and gillnets during July and August.*

3. Why should this regulation change be made?

This restriction is necessary for conservation of sockeye salmon in the Klawock River. The sockeye salmon population in the Klawock River is at a very low level. The use of seine and gillnet gear poses an unacceptable management risk of overharvesting this resource.

4. What impact will this change have on wildlife populations?

This restriction will reduce the potential opportunity by a few fishers to harvest large numbers of sockeye salmon where they are most vulnerable. The action will assist in obtaining escapements necessary for the recovery of the population.

5. How will this change affect subsistence uses?

There will be a minimal effect as it will preserve the traditional methods of harvesting sockeye salmon in the stream. Opportunities to harvest Klawock River sockeye in the State marine fishery would remain.

6. How will this change affect other uses, i.e., sport/recreational and commercial?

There will be no effect to sport or commercial users.

## FP15-16

Name: Southeast Alaska Subsistence Regional Advisory Council  
 Address: Box 1328, Petersburg, AK 99833  
 Phone: 907-772-5930 Fax: 907-772-5995  
 Email: robertlarsen@fs.fed.us

This proposal suggests a change to (check all that apply):

Harvest season            Method and means of harvest  
 Harvest limit            Customary and traditional use determination

1. What regulation do you wish to change?

This proposal would amend the Prince of Wales/Kosciusko Island winter and spring subsistence steelhead fisheries by adding a requirement to immediately record the harvest of steelhead.

2. How should the new regulation read?

*§ \_\_.27(i)(13) (xix) You may take steelhead trout on Prince of Wales and Kosciusko Islands in streams designated under the terms of Federal subsistence fishing permits. You must obtain a separate permit for the winter and spring seasons.*

*A) The winter season is December 1 through the last day of February, with a harvest limit of two fish per household. However, only 1 (one) steelhead may be harvested by a household from a particular drainage. **Any steelhead taken must be immediately recorded on the Federal subsistence fishing permit.** You may use only a dip net, handline, spear, or rod and reel. You must return your winter season permit within 15 days of the close of the season and before receiving another permit for a Prince of Wales/Kosciusko steelhead subsistence fishery. The permit conditions and systems to receive special protection will be determined by the local Federal fisheries manager in consultation with ADF&G.*

*(B) The spring season is March 1 through May 31, with a harvest limit of five fish per household. However, only 2 (two) steelhead may be harvested by a household from a particular drainage. **Any steelhead taken must be immediately recorded on the Federal subsistence fishing permit.** You may use only a dip net, handline, spear, or rod and reel. You must return your spring season permit within 15 days of the close of the season and before receiving another permit for a Prince of Wales/Kosciusko steelhead subsistence fishery. The permit conditions and systems to receive special protection will be determined by the local Federal fisheries manager in consultation with ADF&G.*

3. Why should this regulation change be made?

This regulation change would alleviate the concern from both State and Federal law enforcement that some steelhead may not be recorded under the requirement of "recording harvest before leaving the fishing location".

4. What impact will this change have on wildlife populations?

The proposal should not impact steelhead populations. It will enhance accountability of harvest.

5. How will this change affect subsistence uses?

The proposal will require recording of the harvest immediately upon the taking of the steelhead. The low harvest limits within these two fisheries should not make this action an undue burden for Federally-qualified subsistence users.

6. How will this change affect other uses, i.e., sport/recreational and commercial?

There would be no effect on other user groups.

## FP15-17

## 2015-2017 Federal Subsistence Fishery Proposal

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This proposal suggests a change to (check all that apply):

- Harvest season                       Method and means of harvest  
 Harvest limit                               Customary and traditional use determination

1. **What regulation do you wish to change?** Include fishing district, area, species, and current regulation if known. If you are proposing a new regulation, please state "new regulation."

Fishing District 13, Makhnati Island area as defined in 50 CFR 100.3(b)(5). There are no current fisheries regulations regarding this area. This would be a new regulation.

2. **How should the new regulation read?** Write the regulation the way you would like to see it written.

**Proposed regulation:**                      **Southeastern Alaska Area – Herring**

***§ .27(i)(13)(xxv) The Federal public waters in the Makhnati Island area, as defined in 36 CFR 242.3(b)(5) and 50 CFR §100.3(b)(5) are closed to the harvest of herring and herring spawn except for sport and subsistence herring harvest and subsistence herring spawn harvest.***

3. **Why should this regulation change be made?**

A closure of these waters to commercial herring and herring spawn fisheries is necessary to provide a more reasonable opportunity for subsistence needs to be met and to protect the depleted Sitka Sound herring stock. This proposal is intended to close these waters to commercial herring and herring spawn fisheries **only** and is not intended restrict the harvest of herring and herring spawn by other harvester groups whose impact on federally qualified subsistence harvesters and the depleted Sitka Sound herring stock is negligible.

The Sitka Tribe of Alaska (STA), in conjunction with the Alaska Department of Fish and Game's (ADF&G) Division of Subsistence has been conducting subsistence herring egg harvest surveys, from 2002 to present for the purpose of monitoring various aspects of the subsistence harvest. ADF&G's analyses of the survey data<sup>1</sup> shows that in the thirteen year life of the project the amount necessary for subsistence<sup>2</sup> (ANS) was met less than 50% of the time with subsistence needs only being met twice in the last seven years. This pattern is destined to repeat itself with

<sup>1</sup> ADF&G Technical Papers 237, 243, 369, and 392

<sup>2</sup> 5 AAC 01.716(b) – "The board finds that 136,000 - 227,000 pounds of herring spawn are reasonably necessary for subsistence uses in Section 13-A, and Section 13-B north of the latitude of Aspid Cape."

the refusal of the local area management biologist to change the way he manages the fishery over space and time to insure a more reasonable opportunity exists for subsistence needs to be met<sup>3</sup>.

In 2012, STA submitted a proposal to ADF&G's Board of Fisheries to close the waters of the core subsistence herring egg harvest area to the commercial sac roe fishery (Attachment A). The purpose of this closure was to allow herring to spawn un-harassed by the commercial fishery to provide a greater opportunity for subsistence needs to be met. A significantly smaller closure area supported by ADF&G staff was approved by the Board<sup>4</sup> (Attachment B). The closure requested in this proposal would be contiguous with and would augment the closure enacted by the Board of Fisheries.

Documented traditional ecological knowledge<sup>5</sup>, herring tagging studies<sup>6</sup>, and archeological evidence<sup>7</sup> corroborate the fact that herring populations in Southeast Alaska, including Sitka, were much larger prior to the onslaught of commercial herring fishing in the late 19<sup>th</sup> century. ADF&G's refusal to acknowledge the true historic population levels of herring in the Sitka area has resulted in it managing the species under a shifted baseline and in a depleted state. This closure would create a conservation zone that would aid in the rebuilding of the local herring population to its true historic level.

#### **4. What impact will this change have on fish populations?**

Closure of the Makhnati Island federal waters would only have a positive impact on rebuilding the depleted herring populations in the Sitka area

#### **5. How will this change affect subsistence uses?**

This change would have a positive impact ALL on subsistence users. An area will be set aside for subsistence use only.

#### **6. How will this change affect other uses, such as sport/recreational and commercial?**

This closure would have a positive impact on sport fishers by increasing prey populations (herring) to feed prized upper trophic level species like salmon and halibut. The impact to the commercial sac roe fishery is negligible and inconsequential considering the subsistence priority under Title VIII of ANILCA.

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<sup>3</sup> 5 AAC 27.19 (a)(2) – Requires managers to “distribute the commercial harvest by fishing time and area if the department determines that it is necessary to ensure that subsistence users have a reasonable opportunity to harvest the amount of herring spawn necessary for subsistence uses”.

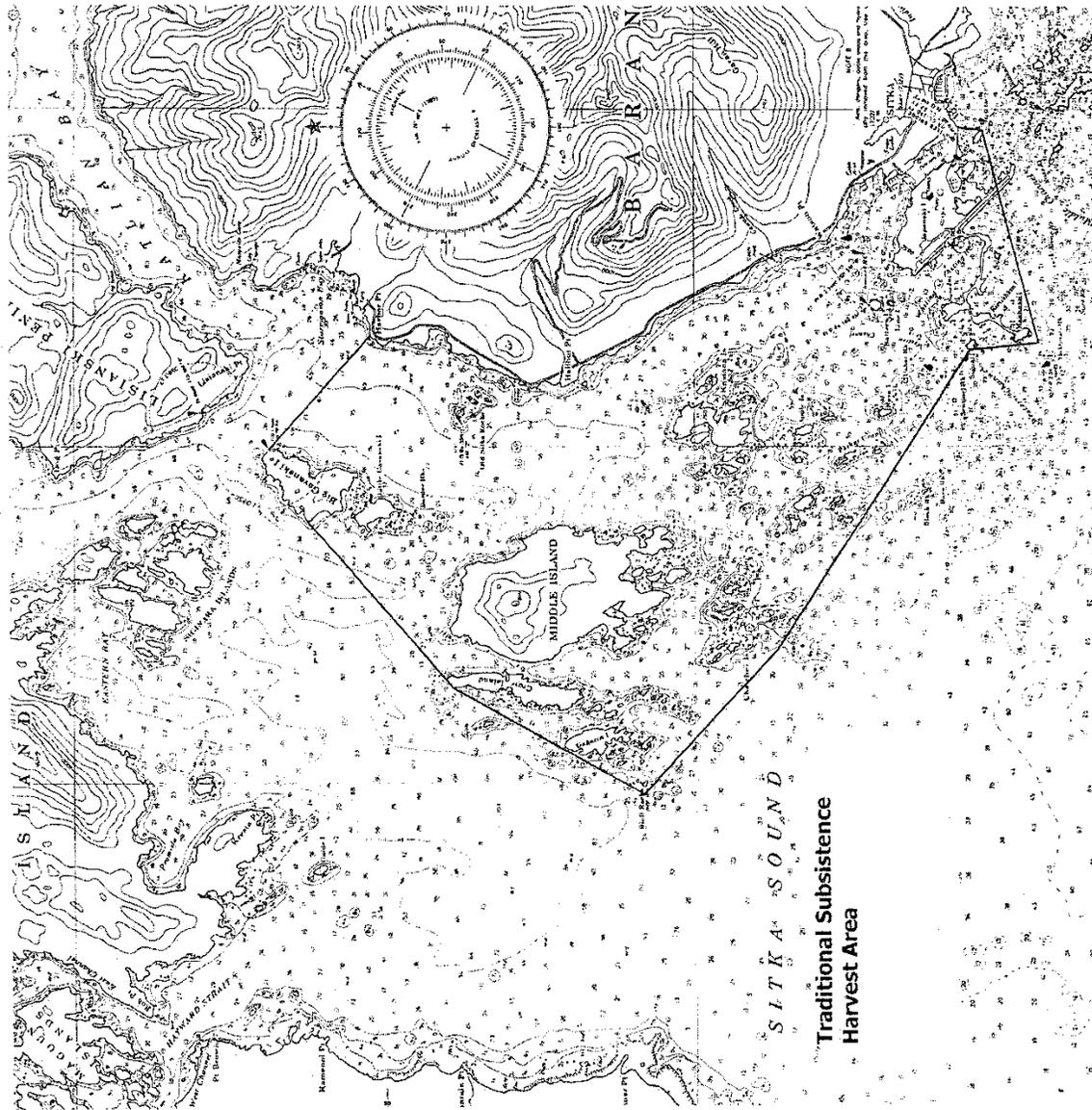
<sup>4</sup> 5 AAC 27.150 (7) – “District 13, in the waters north and west of the Eliason Harbor breakwater and Makhnati Island Causeway from the westernmost tip of Makhnati Island to the easternmost point on Bieli Rock to the southernmost tip of Gagarin Island to a point on the eastern shore of Crow Island at 57° 06.43' N. lat., 135° 28.27' W. long. to a point on the western shore of Middle Island at 57° 06.41' N. lat., 135° 28.11' W. long. to a point on the southeastern shore of Middle Island at 57° 05.56' N. lat., 135° 26.23' W. long. to the green navigation marker northeast of Kasiana Island, to the Baranof Island shore at 57° 05.26' N. lat., 135° 22.95' W. long.

<sup>5</sup> Thornton, T. F., V. Butler, F. Funk, M. Moss, J. Hebert, and T. Elder. 2010. Herring synthesis: Documenting and modeling herring spawning areas within socio-ecological systems over time in the Southeastern Gulf of Alaska. North Pacific Research Board, Project No. 728.

<sup>6</sup> Skud, B. E. 1961. Herring tagging experiments in Southeastern Alaska. Fishery Bulletin: 63:1.

<sup>7</sup> McKechnie, I., D. Lepofsky, M. L. Moss, V. L. Butler, T. J. Orchard, G. Coupland, F. Foster, M. Caldwell, and K. Lertzman. 2014. Archaeological data provide alternative hypotheses on Pacific herring (*Clupea pallasii*) distribution, abundance, and variability. PNAS 2014; published ahead of print February 18, 2014, doi:10.1073/pnas.1316072111

# Attachment A



# Attachment B

Submitted by ADF&G at the request of Board Member Webster

February 27, 2012

RC ?? RC90  
AB

