General Provisions

You may take shellfish for subsistence uses at any time in any area of Federal public waters by any method, unless restricted by this section or special action. Federal subsistence shellfish management includes Dungeness Crab, King Crab, Tanner Crab, shrimp, clams, abalone, sea cucumbers, sea peaches, and other shellfish or their parts. Many shellfish species are jointly regulated by the National Marine Fisheries Service and the State of Alaska under an agreement signed in the 1970s.

Licenses

You must be a rural Alaska resident, but no licenses are required to take shellfish for subsistence purposes.

Legal Size

You may not take or possess shellfish smaller than the minimum legal size limits.

Possession

You may not possess, transport, give, receive or barter shellfish or their parts taken in violation of Federal or State regulations.

Methods and Means

Harvest limit

The harvest limit for a subsistence season for a species and the State harvest limit set for a State season for the same species are not cumulative. This means you can take the harvest limit for a particular species under a Federal subsistence season, but may not take any additional shellfish of that species under any other State season harvest limit.

Gear

You may use the following gear for subsistence taking of shellfish:

- Abalone iron
- Diving gear
- Grappling hook
- Handline
- Hydraulic clam digger
- Mechanical clam digger
- Pot
- Ring net
- Scallop dredge
- Sea urchin rake
- Shovel
- Trawl

Purchase/sale

You are prohibited from buying or selling subsistence-taken shellfish, their parts, or their eggs, unless otherwise specified.

Explosives/chemicals

You may not use explosives and chemicals, <u>except</u> that you may use chemical baits or lures to attract shellfish.

Identification gear marking requirements

Marking requirements for subsistence shellfish gear are:

- Plainly and legibly inscribe your first initial, last name, and address on a keg or buoy attached to any unattended subsistence shellfish gear, except when fishing through the ice.
- For ice fishing, you may substitute for the keg or buoy, a stake inscribed with your first initial, last name, and address inserted into the ice near the hole.
- Subsistence shellfish gear may not display a permanent ADF&G vessel license number.
- Kegs or buoys attached to subsistence Crab pots also must be inscribed with the name or United States Coast Guard number of the vessel used to operate the pots.

Escape mechanism

All pots used to take fish or shellfish must have an escape mechanism as follows:

- All shellfish/bottomfish pot sidewalls (and the tunnel if included) must contain an opening at least 18 inches long and within 6 inches of the pot's bottom and parallel with it (except shrimp pots, where the opening must be at least 6 inches long). These openings must be laced, sewn, and secured together by a single length of untreated, 100% cotton twine (no larger than 30 thread; 36 thread for King or Tanner Crab pots). The cotton twine may only be knotted at each end, not tied or looped around the web bars.

- All pots may also use a galvanic timed-release device that must release in no more than 30 days in salt water. This device must be attached in a way that, when the device releases, the twine will no longer secure or obstruct the pot's opening. The twine may be knotted only at each end and at the attachment points on the galvanic timed-release device.
- Dungeness Crab pot lid tie-down straps must be secured to the pot at one end by a single loop of untreated, 100% cotton twine (no larger than 60 thread). The pot lid must be secured so that, when the twine degrades, the lid is no longer securely closed.

Size determination

You may not mutilate or otherwise disfigure a Crab in any manner that would prevent determination of the minimum size restrictions, until the Crab has been processed or prepared for consumption.

Designating Another Person to Harvest Shellfish

If you are a Federally qualified subsistence user (beneficiary), you may designate another Federally qualified subsistence user to take shellfish on your behalf. The designated fisher must possess a valid designated harvest permit when taking, attempting to take, or transporting shellfish taken on behalf of a beneficiary. Any species of shellfish that may be taken by subsistence fishing may be taken under a designated harvest permit.

- The designated fisher must get a designated harvest permit before attempting to harvest shellfish, and return a completed harvest report.
- The designated fisher may harvest for any number of beneficiaries, but must not have more than two harvest limits in his/her possession at any one time, or fish with more than one legal limit of gear.
- You may not designate more than one person to take or attempt to take shellfish on your behalf at one time. You may not personally take or attempt to take shellfish at the same time that a designated fisher is taking or attempting to take shellfish on your behalf.

ADF&G/Susan Kilka 1977

Shellfish Permits and Reports

If a subsistence shellfish permit is required, these conditions apply:

- You may not take more shellfish for subsistence than the limits set out in the permit, unless a different limit is specified in this section.
- You must get a permit before subsistence fishing.
- You must have the permit in your possession and readily available for inspection while taking or transporting the species for that permit.
- The permit may include the species and numbers of shellfish to be harvested, time and area of fishing, the type and amount of fishing gear and other conditions necessary for management or conservation purposes.
- If specified on the permit, you need to keep accurate daily catch records. You need to show the number of shellfish taken by species, location, and date of the catch, and any other information required for management or conservation purposes.
- You must complete and submit subsistence fishing reports at a time specified for each particular area and fishery. The return of catch information is often necessary for management and conservation purposes. If you ignore the reporting requirements or fail to correctly follow reporting procedures, you will be ineligible to receive a subsistence permit for that activity during the following regulatory year. Should that happen, you may appeal your ineligibility. You would need to demonstrate that your failure to report was due to unavoidable circumstances, such as loss in the mail, accident, or sickness.

Subsistence Take by Commercial Vessels

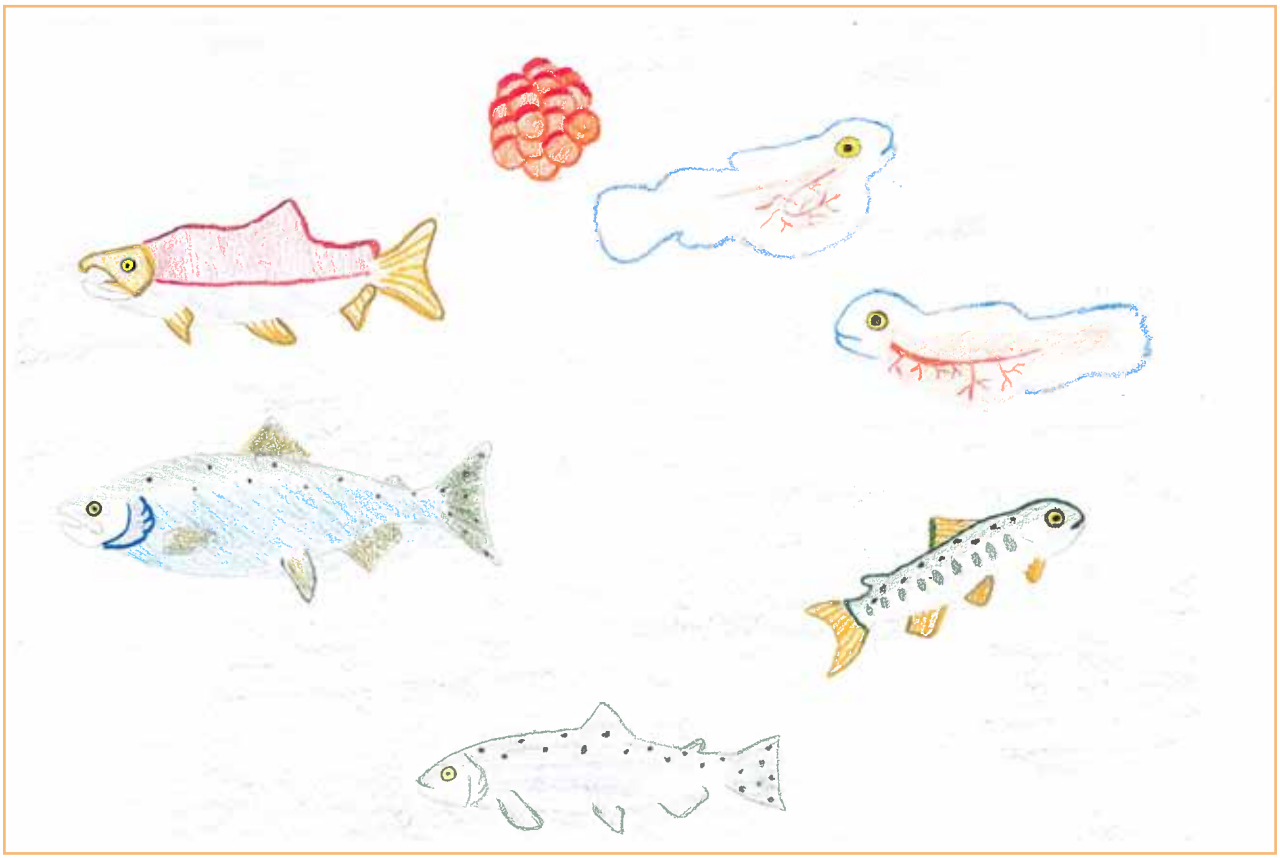
No commercially registered and licensed fishing vessel for shrimp pot, shrimp trawl, King Crab, Tanner Crab, or Dungeness Crab fishing may be used for subsistence take during the period 14 days before, during, and 14 days after the closure of a respective open season in the area or areas for which the vessel is registered. However, if you are a commercial fisher, you may keep shellfish for your own use from your lawfully taken commercial catch.

Lodges, Charters, Guides

An owner, operator, or employee of a lodge, charter vessel, or other enterprise that furnishes food, lodging, or guide services may not furnish subsistence taken shellfish to a client or guest of that enterprise, unless:

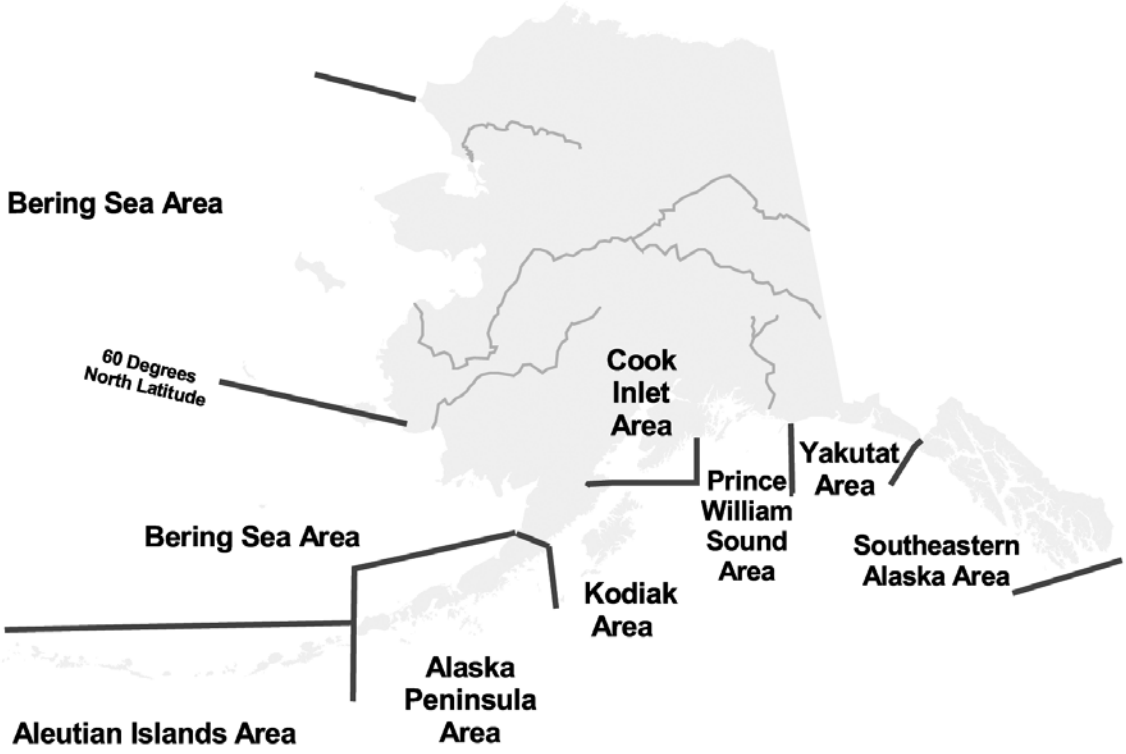
- The shellfish was taken with gear deployed and retrieved by the client or guest who is a Federally qualified subsistence user;
- The gear was marked with the client's or guest's name and address; and,
- The shellfish is to be consumed by (or in the presence of) the client or guest.

The captain and crew members of a charter vessel may not deploy, set, or retrieve their own gear in a subsistence shellfish fishery when that vessel is being chartered.



2015 Student Art Contest Honorable Mention: Theresa Ivan, 12, Akiak

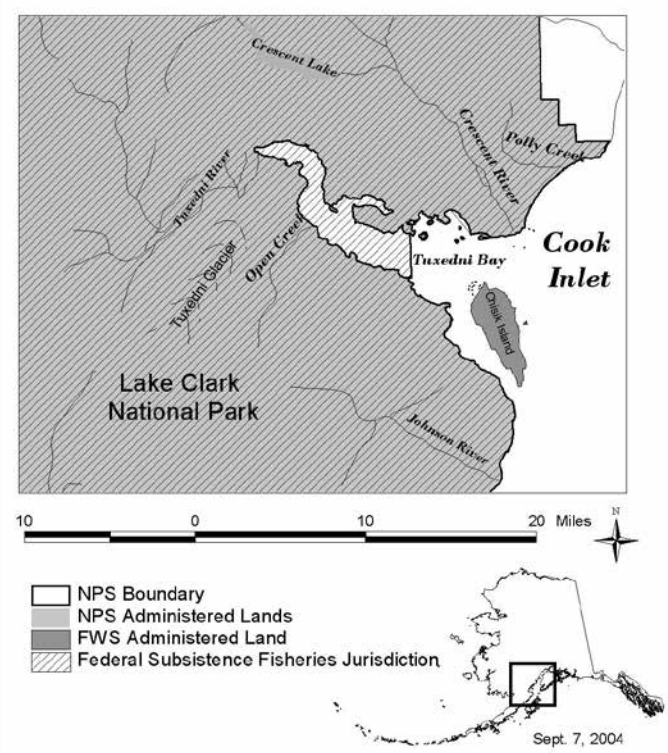
Shellfish Management Areas



Cook Inlet Area — Tuxedni Bay and Chisik Island

The Department of the Interior Solicitor's Office has reviewed jurisdictional issues related to Chisik Island and determined that no pre-Statehood Federal withdrawals included the marine submerged lands around Chisik Island.

Federal subsistence jurisdiction does not extend to the marine waters around Chisik Island; nor are submerged lands below the mean high tide line within the boundaries of the unit.



SHELLFISH

Southeastern Alaska-Yakutat Area

No marine waters are currently identified under Federal subsistence management jurisdiction, except the marine waters occurring in the vicinity of Makhnati Island (see page 6 of these regulations). Currently there are no existing Federal subsistence shellfish regulations specific to the Southeastern Alaska-Yakutat Area.

Prince William Sound Area

No marine waters are currently identified for Federal subsistence management jurisdiction.

Cook Inlet Area

- You may take shellfish for subsistence purposes. Federal subsistence jurisdiction in marine waters is very limited, occurring in the vicinity of Tuxedni Bay (see previous map). Availability of shellfish species within this area of Federal jurisdiction is uncertain.
- You may not take King Crab, Dungeness Crab, or shrimp for subsistence purposes.

Customary and Traditional Use Determinations		
Area	**Species**	**Determination**
Federal public waters in the Tuxedni Bay Area within the boundaries of Lake Clark National Park & Preserve	Shellfish	• *Residents of Tuxedni Bay, Chisik Island, and Tyonek.*

Tanner Crab

- You may take male Tanner Crab only from July 15–March 15.
- Harvest limit: The daily harvest and possession limit is five male Tanner Crab.
- You may take or possess only male Tanner Crab with a shell width of 5½ inches or greater.
- Crab pot limit: No more than two pots per person, regardless of type, with a maximum of two pots per vessel, regardless of type, may be used to take Tanner Crab.

Littleneck Clams

- **Harvest limits:** The daily harvest and possession limit for littleneck clams is 1,000 and the minimum size is 1.5 inches across the widest part of the shell.

Butter Clams

- **Harvest limits:** The daily harvest and possession limit for butter clams is 700 and the minimum size is 2.5 inches across the widest part of the shell.

Other Shellfish

Other than specified above, there are no harvest, possession, or size limits for other shellfish in the Cook Inlet Area, and the season is open all year.

Kodiak Area

- **ADF&G Crab permit required.** You may take Crab for subsistence purposes only with a subsistence Crab fishing permit issued by the ADF&G.

- **ADF&G shrimp permit required.** The operator of a commercially licensed and registered shrimp fishing vessel must obtain a subsistence fishing permit from the ADF&G before subsistence shrimp fishing during a closed State commercial shrimp fishing season (or within a closed commercial shrimp fishing district, section or subsection). The permit must specify the area and the date the vessel operator intends to fish. No more than 500 pounds (227 kg) of shrimp may be in possession aboard the vessel.

Customary and Traditional Use Determinations

Area	Species	Determination
Kodiak Area	Shrimp, Dungeness, and Tanner Crab	• *Residents of the Kodiak Area*
Kodiak Area, except for the Semidi Island, the North Mainland, and the South Mainland Sections	King Crab	• *Residents of the Kodiak Island Borough, except those residents on the Kodiak Coast Guard Base.*

Dungeness Crab

- **Harvest limit:** The daily harvest and possession limit is 12 male Dungeness Crab per person. Only male Dungeness Crab with a shell width of 6½ inches or greater may be taken or possessed.
- Taking of Dungeness Crab is prohibited in water 25 fathoms or more in depth during the 14 days immediately before the State opening of a commercial King or Tanner Crab fishing season in the location.

King Crab

- **Harvest limit:** The annual harvest and possession limit is three Crabs per household. Only male King Crab with a shell width of 7 inches or greater may be taken or possessed.
- **All Crab pots** used for subsistence fishing and left in saltwater unattended longer than a two-week period must have all bait and bait containers removed and all doors secured fully open.
- **Crab pot limit:** You may use only one Crab pot of any size to take King Crab.
- **Season:** You may take King Crab only from June 1 – January 31, except you cannot take King Crab for subsistence in waters 25 fathoms or greater in depth during the period 14 days before and 14 days after open State commercial fishing seasons for Red King Crab, Blue King Crab, or Tanner Crab in these locations.

The following areas are closed to the harvest of King Crab, except by Federally qualified subsistence users harvesting under these regulations:

- The waters of the Pacific Ocean enclosed by the boundaries of Womens Bay, Gibson Cove, and an area defined by a line ½ mile on either side of the mouth of the Karluk River, and extending seaward 3,000 feet.
- **Afognak Island area.** All waters within 1,500 feet seaward of the shoreline of Afognak Island.

Tanner Crab

- **Harvest limit:** The daily harvest and possession limit is 12 male Tanner Crabs per person. Only Crabs with a shell width of 5½ inches or greater may be taken or possessed.
- **Crab pot limit:** You may not use more than five Crab pots to take Tanner Crab.
- **Season limit:** You may not take Tanner Crab for subsistence in waters 25 fathoms or greater in depth during the 14 days immediately before the opening of a State commercial King or Tanner Crab fishing season in the location.

Alaska Peninsula-Aleutian Islands Area

- You may take shellfish for subsistence purposes. Federal subsistence jurisdiction in marine waters is very limited, occurring in the vicinity of Simeonof Island. Availability of shellfish species within this area of Federal jurisdiction is uncertain.

Customary and Traditional Use Determinations		
Area	**Species**	**Determination**
Alaska Peninsula-Aleutian Islands Area	Shrimp; Dungeness, King, and Tanner Crab	• *Residents of the Alaska Peninsula-Aleutian Islands Area*

Shrimp

- **Shrimp vessels—ADF&G permit required:** The operator of a commercially licensed and registered shrimp fishing vessel must obtain a subsistence fishing permit from the ADF&G prior to subsistence shrimp fishing during a closed State commercial shrimp fishing season or within a closed commercial shrimp fishing district, section, or subsection. The permit must specify the area and the date the vessel operator intends to fish. No more than 500 pounds (227 kg) of shrimp may be in possession aboard the vessel.

Dungeness Crab

- **Harvest limit:** The daily harvest and possession limit is 12 male Dungeness Crabs per person. You may take or possess Crabs only with a shell width of 5½ inches or greater.

King Crab

- **Harvest limit:** The daily harvest and possession limit is six male King Crabs per person. You may take or possess Crabs only with a shell width of 6½ inches or greater.
- **Unattended pots:** All Crab pots used for subsistence fishing and left in saltwater unattended longer than a two-week period, must have all bait and bait containers removed and all doors secured fully open.
- **Season limit:** You may take Crabs only from June 1–January 31.

Tanner Crab

- **Harvest limit:** The daily harvest and possession limit is 12 male Tanner Crabs per person. You may take or possess only Crabs with a shell width of 5½ inches or greater.

Bering Sea Area

- You may take shellfish for subsistence purposes. Federal subsistence jurisdiction in marine waters is very limited, occurring in the vicinity of Nunivak Island. Availability of shellfish species within this area of Federal jurisdiction is uncertain.
- **Gear:** In that portion of the area north of the latitude of Cape Newenham, shellfish may only be taken by shovel, jigging gear, pots and ring net.

Species / *Customary and Traditional Use Determinations*	Harvest Limits	Open Season
North of Cape Newenham and south of 60⁰ N. Lat.		
King Crab		
• *Residents of the Bering Sea Area.*	6 males/person/day (shell width of 6½ inches or greater)	Open June 1–January 31
Dungeness and Tanner Crab		
• *Residents of the Bering Sea Area.*	12 males/person/day (of each species)	Year round
All Other Invertebrates		
• *Residents of the Bering Sea Area.*	No Limit	Year round
60⁰ N. Lat. to the Lat. of Point Hope		
King Crab — Permit required in Norton Sound Section		
• *Residents of the Bering Sea Area.*	No Limit	Year round
All Other Invertebrates		
• *Residents of the Bering Sea Area.*	No Limit	Year round

Shrimp

- **Shrimp vessels—ADF&G permit required:** The operator of a commercially licensed and registered shrimp fishing vessel must obtain a subsistence fishing permit from ADF&G before subsistence shrimp fishing during a closed commercial shrimp fishing season or within a closed commercial shrimp fishing district, section, or subsection. No more than 500 pounds (227 kg) of shrimp may be in possession aboard the vessel.

King Crab

- **Unattended pots:** All Crab pots used for subsistence fishing and left in saltwater unattended longer than a two-week period must have all bait and bait containers removed and all doors secured fully open.