

Bristol Bay Board of Fisheries Adopted Proposal Summary

Approved Proposal Number	Applicable regulations	Language location	Brief Summary	Date and time of vote	Comments
14	5 AAC 01.320(b)	In the proposal	Corrects an error resulting from regulations adopted at the 2018 to reestablish the legal gear type as set net only in the Naknek, Alagnak and Wood River special harvest areas.	12/2 at 1:55pm	
16	5 AAC 01.330(d)	In the proposal	Repeals the provision stipulating that subsistence salmon fishing permits for the Naknek River will only be issued from the King Salmon ADF&G area office.	12/2 at 2:17pm	
24	5 AAC 67.022(d)(12)	RC107	Adds a special provision establishing the daily bag and possession limit for king salmon of three fish 20 inches or greater in length of which only one fish may be over 28 inches or greater in length and the annual limit for king salmon 20 inches or greater in length is five fish, only three of which may be 28 inches or greater in length.	12/2 at 4:21	
29	5 AAC 67.022(l)	RC 66	Adds a new subsection providing special provisions in the Togiak River drainage regarding the use of lure configuration, establishes a bag and possession limit for king salmon less than 20 inches of 10 fish, requires the immediate release of king salmon over 20 inches in length and closes all waters upstream of the confluence of the Togiak River and Gechiak Creek.	12/2 at 5:07pm	The language in RC 66 is further amended on the record to strike the word "barbless" from (l)(A) as it is written in the RC. AWT clarified to change Gechiak River to Gechiak Creek and off the record removes the coordinates and replaced with language specifying "above the confluence" of the two waterways to be more consistent with current regulatory language structure.
30	5 AAC 67.022(d)(4)(A); 5 AAC 67.022(d)(4)(A)(13)-(15)	RC 96	Establishes a youth only fishery in the Naknek River on June 7th. The second Sunday of July and the second Sunday of August. Bag and possession limits are not modified from existing provisions.	12/2 at 5:18pm	Verbal amendment to strike times from 5 AAC 67.022(d)(15)
31	5 AAC 06.377(c)	RC 105	Establishes reporting requirements for all commercial salmon permit holders in the Bristol Bay area to report all king salmon retained for personal use on a form provided by the department.	12/2 at 5:19pm	Language will be modified to include the trigger for instituting the reporting requirement as specified by Aaron Peterson on he record.
31	5 AAC 67.022(g)(7)	RC 105	A harvest reporting requirement in the sport fishery on the Nushagak River drainage is established for king salmon.	12/2 at 5:19pm	Language will be modified to include the trigger for instituting the reporting requirement as specified by Aaron Peterson on the record.
33	5 AAC 06.331(m)(8)	In the proposal	Increases maximum offshore operation distance for set gillnets from 600 to 800 feet in a portion of the east bank of the Ugashik River District.	12/3 at 8:47am	
41	5 AAC 06.331(n)(2)-(5)	RC 101	Modifies the area descriptions for operation of a commercial set gillnet in portions of the Nushagak District and adds a sunset clause to these modifications.	12/3 at 9:54am	Language in the new paragraph containing the sunset clause is further modified from the RC to further describe the sunset date.
48	5 AAC 06.370(k)(1)	RC 95	Removes language specifying a specific date and time as the criteria that allows a CFEC permit holder and a fishing vessel to transfer their registration from the Togiak District to other specified Districts and changes that requirement to the midpoint of the escapement goal range of the Togiak District.	12/3 at 10:52am	
48	5 AAC 06.370(k)(2)	RC 95	Removes language specifying a specific date and time as the criteria that allows a CFEC permit holder and a fishing vessel to transfer their registration from specified Districts to the Togiak District and changes that requirement to the midpoint of the escapement goal range of the Togiak District.	12/3 at 10:52am	
48	5 AAC 06.370(k)(3)	RC 95	Adds a new paragraph that requires the 48-hour district transfer notification period in Togiak District for CFEC permit holders and fishing vessels if the mid point of the escapement goal for the Togiak District has been achieved prior to 9:00am on July 17.	12/3 at 10:52am	
55	5 AAC 06.200(b)(1)	RC 41	Changes GPS coordinates in the Kvichak Section area description to move the Section line closer to the District line in the intersection of the Naknek-Kvichak southern boundary lines.	12/3 at 11:11am	
55	5 AAC 06.200(b)(2)	RC 41	Changes GPS coordinates in the Naknek Section area description to move the Section line closer to the District line in the intersection of the Naknek-Kvichak southern boundary lines.	12/3 at 11:11am	
58	5 AAC 06.360(i)	In the proposal with verbal amendment	Adds a new subsection to the Naknek River Sockeye Salmon Special Harvest Area Management Plan that allows commercial fishing to occur when escapement in the Naknek River exceeds the mid-point of the escapement goal range and is projected to exceed the upper end of the escapement goal range. Fishing periods and delivery requirements are established in subsequent paragraphs.	12/3 at 11:50am	Is a new subsection.
59	5 AAC 06.365(g)	In the proposal	Repeal provisions directing the department to avoid continuous fishing with set gillnet gear in the Egegik District Commercial Set and Drift Gillnet Sockeye Salmon Fisheries Management and Allocation Plan.	12/3 at 11:59am	Repeals (g)
60	5 AAC 06.320(c)(2)(C)	Intent is in the proposal	Removes the cross reference to (g) for the Ugashik District in the list of exceptions to established fishing periods in Bristol Bay.	12/3 at 12:02pm	
60	5 AAC 06.320(g)	Intent is in the proposal	Repeals the provision that establishes the fishing periods for the fall season in the Ugashik District.	12/3 at 12:02pm	Repeals (g)

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62.5 AAC 27.865(b)(3)

In the proposal

Repeals provision that prohibits all commercial gear types from fishing simultaneously in a commercial herring fishery in Bristol Bay.

12/2 at 5:59pm

Title 5. Fish and Game.

Part 1. Commercial and Subsistence Fishing and Private Nonprofit Salmon Hatcheries.

Chapter 01. Subsistence Finfish Fishery.

Article 6. Bristol Bay Area.

The introductory language of 5 AAC 01.320(b) is amended to read:

(b) Outside the boundaries of any district and within the Naknek, Alagnak, and Wood River special harvest areas, salmon may only be taken by set gillnet, except that salmon may also be taken by dip nets in the waters described in 5 AAC 01.310(d) if fishing other than from a vessel, and salmon may also be taken as follows:

...

(In effect before 1982; am 4/14/82, Register 82; am 4/16/83, Register 86; am 4/2/88, Register 105; am/readopt 5/15/93, Register 126; am 4/14/95, Register 134; am 5/14/98, Register 146; am 5/31/98, Register 146; am 6/17/2001, Register 158; am 6/22/2001, Register 158; am 3/30/2007, Register 181; am 8/23/2009, Register 191; am 4/9/2010, Register 194; am 4/16/2016, Register 218; am 5/31/2019, Register 230; am 4 / 16 / 2023, Register 246)

Authority: AS 16.05.251 AS 16.05.258

5 AAC 01.330(d) is repealed:

(d) Repealed 4 / 16 / 2023.

(In effect before 1982; am 4/14/82, Register 82; am 4/2/88, Register 105; readopt 5/15/93, Register 126; am 4/9/2004, Register 170; am 4 / 16 / 2023, Register 246)

Authority: AS 16.05.251 AS 16.05.258

Chapter 06. Bristol Bay Area.

Article 2. Fishing Districts and Sections.

5 AAC 06.200(b)(1) is amended to read:

(1) Kvichak Section: all waters of Kvichak Bay enclosed by a line from 58° 43.73' N. lat., 157° 42.71' W. long., to 58° 38.455' [58° 38.50'] N. lat., 157° 22.331' [157° 22.23'] W. long., to the outer end of Libbyville Dock at 58° 46.76' N. lat., 157° 03.57' W. long., then along the dock to the shore at 58° 46.61' N. lat., 157° 03.25' W. long.;

5 AAC 06.200(b)(2) is amended to read:

(2) Naknek Section: all waters of Kvichak Bay enclosed by a line from 58° 36.77' N. lat., 157° 15.82' W. long., to 58° 38.455' [58° 38.50'] N. lat., 157° 22.331' [157° 22.23'] W. long., to the outer end of Libbyville Dock at 58° 46.76' N. lat., 157° 03.57' W. long., then along the dock to the shore at 58° 46.61' N. lat., 157° 03.25' W. long.

(In effect before 1982; am 4/14/82, Register 82; am 5/11/85, Register 94; am 4/2/88, Register 105; am 6/10/90, Register 114; am 6/19/92, Register 122; am 5/14/98, Register 146; am 6/3/2001, Register 158; am 4/9/2004, Register 170; am 3/30/2007, Register 181; am 5/4/2007, Register 182; am 6/13/2007, Register 182; am 9/12/2008, Register 187; am 4/9/2010, Register 194; am 4/16/2016, Register 218; am 5/31/2019, Register 230; am 4/16/2023, Register 246)

Authority: AS 16.05.251

Article 3. Salmon Fishery.

5 AAC 06.320(c)(2)(C) is amended to read:

(C) Ugashik District in 5 AAC 06.366(d)(4) [AND (g) OF THIS SECTION].

5 AAC 06.320(g) is repealed:

(g) Repealed 4 / 16 / 2023. (In effect before 1985; am 5/11/85, Register 94; am 4/2/88, Register 105; am 6/10/90, Register 114; am 6/19/92, Register 122; am 4/9/95, Register 134; am 5/24/96, Register 138; am 5/14/98, Register 146; am 6/3/2001, Register 158; am 4/9/2010, Register 194; am 2/23/2014, Register 209; am 5/31/2019, Register 230; am 4 / 16 / 2023, Register 246)

Authority: AS 16.05.060 AS 16.05.251

5 AAC 06.331(m)(8) is amended to read:

(8) in the Ugashik District, in that portion of the east bank of the Ugashik River from a point at 57° 30.74' N. lat., 157° 24.10' W. long. to 57° 32.27' N. lat., 157° 24.36' W. long., no part of a set gillnet may be more than **800** [600] feet from the 18-foot high tide mark.

The introductory language of 5 AAC 06.331(n) is amended to read:

(n) in the Nushagak District, **and subject to (v) of this section,** a CFEC salmon interim-use or entry permit holder may not set or operate a set gillnet seaward of set gillnets operated by another CFEC salmon interim-use or entry permit holder. In addition, no part of a set gillnet,

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anchor, peg, stake, buoy, or other device used to set the gillnet may be seaward of the following offshore locations:

5 AAC 06.331(n)(2) is amended to read:

(2) from the cannery dock at Clark's Point to **Range Marker at 58° 47.929' N. lat., 158° 33.539' W. long., to 58° 47.572' N. lat., 158° 32.883' W. long., to 58° 47.447' N. lat., 158° 32.510' W. long., to 58° 47.232' N. lat., 158° 31.657' W. long., to First Creek at 58° 47.057' N lat., 158° 30.743' W. long., approximately 600** [FIRST CREEK AT 58° 47.15' N. LAT., 158° 30.57' W. LONG., 500] feet from the mean high tide mark [, OR THE MINUS THREE FOOT LOW TIDE MARK, WHICHEVER LOCATION IS CLOSER TO THE MEAN HIGH TIDE MARK; EXCEPT THAT FROM 58° 50.10' N. LAT., 158° 33.52' W. LONG. TO 58° 49.29' N. LAT., 158° 33.10' W. LONG., 750 FEET FROM THE MEAN HIGH TIDE MARK, OR THE MINUS THREE FOOT LOW TIDE MARK, WHICHEVER LOCATION IS CLOSER TO THE MEAN HIGH TIDE MARK];

5 AAC 06.331(n)(3) is amended to read:

(3) from First Creek at **58° 47.057'** [58° 47.15'] N. lat., **158° 30.743'** [158° 30.57'] W. long., to **58° 46.991' N. lat., 158° 30.559' W. long., to 58° 46.866' N. lat., 158° 29.795' W. long., to** Third Creek, at **58° 46.629'** [58° 46.81'] N. lat., **158° 28.155'** [158° 28.10'] W. long., **approximately 800** [700] feet from the mean high tide mark;

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5 AAC 06.331(n)(4) is amended to read:

(4) from Third Creek at 58° 46.629' [58° 46.81'] N. lat., 158° 28.155' [158° 28.10'] W. long., to 58° 46.469' N. lat., 158° 27.054' W. long., to 58° 45.748' N. lat., 158° 24.570' W. long., to 58° 45.283' N. lat., 158° 23.470' W. long., to 58° 44.711' N. lat., 158° 22.545' W. long., to 58° 43.417' N. lat., 158° 21.171' W. long., to 58° 41.972' N. lat., 158° 20.579' W. long., to 58° 40.503' N. lat., 158° 20.270' W. long., to 58° 40.156' N. lat., 158° 20.444' W. long., to 58° 39.765' N. lat., 158° 20.273' W. long., to a point offshore of Etolin Point at 58° 39.299' [58° 39.37'] N. lat., 158° 19.661' [158° 19.31'] W. long., approximately 1,100 [1,000] feet from the mean high tide mark; [.]

5 AAC 331 is amended by adding a new subsection to read:

(v) The provisions of (n) of the section do not apply after May 31, 2026. (In effect before 1984; am 4/28/84, Register 90; am 5/11/85, Register 94; am 7/14/85, Register 95; am 4/18/86, Register 98; am 4/2/88, Register 105; am 6/10/90, Register 114; am 5/15/91, Register 118; am 6/19/92, Register 122; am 7/12/92, Register 123; am 6/24/93, Register 126; am 6/5/94, Register 130; am 4/9/95, Register 134; am 5/24/96, Register 138; am 6/21/97, Register 142; am 5/14/98, Register 146; am 6/22/2001, Register 158; am 4/9/2004, Register 170; am 6/13/2004, Register 170; am 12/1/2004, Register 172; am 5/26/2006, Register 178; am 3/30/2007, Register 181; am 4/9/2010, Register 194; am 4/4/2013, Register 206; am 5/18/2014, Register 210; am 5/24/2015, Register 214; am 4/16/2016, Register 218; am 6/26/2016, Register 218; am 7/15/2016, Register 219; add'l am 7/15/2016, Register 219; am 5/31/2019, Register 230; am 9/24/2021, Register 239; am 4 /16 / 2023, Register 246)

Authority: AS 16.05.060 AS 16.05.251

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5 AAC 06.360 is amended by adding a new subsection to read:

(i) The commissioner may, by emergency order, open the NRSHA when the Naknek River escapement exceeds the mid-point of the escapement goal range and is projected to exceed the upper end of the escapement goal range; in the event of an emergency opening of the NRSHA

(1) fishing periods may open concurrently with fishing periods in the Naknek Section and the Naknek-Kvichak District, except that drift gillnet fishing periods may close one hour before high tide;

(2) fish harvested in the NRSHA shall be delivered before fishing the Naknek Section or the Naknek-Kvichak District; and

(3) fish harvested in the Naknek Section or the Naknek-Kvichak District shall be delivered before fishing in the NRSHA. (Eff. 4/18/86, Register 98; am 5/21/87, Register 102; am 6/19/92, Register 122; am 4/9/95, Register 134; am 5/14/98, Register 146; am 6/3/2001, Register 158; am 4/9/2004, Register 170; am 4/21/2004, Register 170; am 5/26/2006, Register 178; am 8/14/2006, Register 179; am 3/30/2007, Register 181; am 4/9/2010, Register 194; am 4/4/2013, Register 206; am 5/31/2019, Register 230; am 9/24/2021, Register 239; am 4 / 16 / 2023, Register 246)

Authority: AS 16.05.060 AS 16.05.251

5 AAC 06.365(g) is repealed:

(g) Repealed 4 / 16 / 2023. (Eff. 6/10/90, Register 114; am 3/1/92, Register 122; am 6/19/92, Register 122; am 5/14/98, Register 146; am 6/3/2001, Register 158; am 4 / 16 / 2023, Register 246)

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Authority: AS 16.05.060 AS 16.05.251

5 AAC 06.366(d)(4) is amended to read:

(4) may establish, after 9:00 a.m. July 17, that salmon be taken only from 9:00 a.m. Monday to 9:00 a.m. Sunday

(A) if the minimum escapement goal in the Ugashik District has been achieved, or

(B) during fishing periods established [MAY ESTABLISH] by emergency order [, FISHING PERIODS OTHER THAN THE FISHING PERIODS SPECIFIED IN 5 AAC 06.320(c)(2) DURING WHICH THE REGISTRATION, REREGISTRATION, AND THE 48-HOUR NOTIFICATION PERIOD SPECIFIED IN 5 AAC 06.370 WILL APPLY].

(Eff. 6/10/90, Register 114; am 3/1/92, Register 122; am 6/19/92, Register 122; am 5/14/98, Register 146; am 6/3/2001, Register 158; am 9/12/2008, Register 187; 4 / 16 / 2023 Register 246)

Authority: AS 16.05.060 AS 16.05.251

5 AAC 06.370(k)(1) is amended to read:

(1) Togiak District may not take salmon or be used to take salmon in the Nushagak, Naknek-Kvichak, Egegik, or Ugashik district from 9:00 a.m. June 1 until the midpoint of the escapement goal range is achieved in the Togiak District as specified by commissioner's announcement; if the midpoint of the escapement goal is achieved before

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9:00 a.m. July 17, the provisions set out in (b) of this section are in effect [TO 9:00 A.M. JULY 27];

5 AAC 06.370(k)(2) is amended to read:

(2) Nushagak, Naknek-Kvichak, Egegik, or Ugashik District may not take salmon or be used to take salmon in the Togiak District from 9:00 a.m. June 1 **until the midpoint of the escapement goal range is achieved in the Togiak District as specified by commissioner's announcement; if the midpoint of the escapement goal is achieved before 9:00 a.m. July 17, the provisions set out in (b) of this section are in effect** [TO 9:00 A.M. JULY 27].

(In effect before 1983; am 4/16/83, Register 86; am 5/11/85, Register 94; am 4/18/86, Register 98; am 7/12/86, Register 99; am 4/2/88, Register 105; am 6/10/90, Register 114; am 6/19/92, Register 122; am 4/9/95, Register 134; am 5/24/96, Register 138; em am 5/30/97-9/26/97, Register 142; am 5/14/98, Register 146; am 6/23/99, Register 150; am 6/22/2001, Register 158; am 4/9/2004, Register 170; am 6/21/2009, Register 190; am 4/9/2010, Register 194; am 7/13/2012, Register 203; am 4/4/2013, Register 206; em am 7/26/2015 - 11/22/2015, Register 215; am 4/16/2016, Register 218; am 4 / 16 / 2023, Register 246)

Authority: AS 16.05.251

5 AAC 06.377 is amended by adding new subsections to read:

(c) if the department adopts a reporting requirement, an S03T or S04T CFEC permit holder shall report, on a form provided by the department, the total number of king salmon that were harvested in a commercial fishery and retained for personal use annually as follows:

(1) CFEC permit number;

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- (2) statistical area of harvest;
- (3) the permanent ADF&G vessel license plate number; if applicable
- (4) date of harvest;
- (5) number of king salmon greater than 28 inches in length;
- (6) number of king salmon between 20 and 28 inches in length;

(d) A report described in (c) of this section must be submitted to the department not later than November 30, by means specified by the department. (Eff. 4/2/88, Register 105; am 6/19/92, Register 122; am 12/1/2004, Register 172; am 4/9/2010, Register 194; am 4 / 16 / 2023, Register 246)

Authority: AS 16.05.251

Chapter 27. Herring Fishery.

Article 12. Bristol Bay Area.

5 AAC 27.865(b)(3) is repealed:

(3) repealed 4 / 16 / 2023;

(In effect before 1982; am 4/14/82, Register 82; am 4/28/84, Register 90; am 4/2/88, Register 105; am 4/7/90, Register 114; am 4/2/92, Register 122; am 4/5/2001, Register 158; am 6/22/2001, Register 158; am 4/9/2004, Register 170; am 4/21/2004, Register 170; am 3/30/2007, Register 181; am 4/16/2016, Register 218; am 5/31/2019, Register 230; am 3/27/2022, Register 241; am 4 / 16 / 2023, Register 246)

Authority: AS 16.05.060 AS 16.05.251

Part 2. Sport Fishing and Personal Use Fishery.

Chapter 67. Bristol Bay Area.

5 AAC 67.022(d)(4)(A) is amended to read:

(A) April 10 through June 7, all sport fishing is closed, **except as provided in 5 AAC 67.022(d)(13);**

5 AAC 67.022(d) is amended by adding new paragraphs to read:

(12) the bag and possession limit for king salmon is three fish 20 inches or greater in length, of which only one fish may be over 28 inches or greater in length; the annual limit for king salmon 20 inches or greater in length is five fish, only three of which may be 28 inches or greater in length;

(13) a person 16 years of age or older may not sport fish in the Naknek River during the designated youth fishery day, which occurs on June 7; bag, possession, and size limits for rainbow trout are provided in (1)(A) of this subsection; for species other than rainbow trout, provisions under 5 AAC 67.020 apply;

(14) a person 16 years of age or older may not sport fish in the Naknek River from Rapids Camp above the ADF&G regulatory marker at 58° 37.42' N. lat., 156° 31.47' W. long., to 58° 37.37 N. lat., 156° 31.22' W. long., during the designated youth fishery day, which occurs on the second Sunday of July;

(15) a person 16 years of age or older may not sport fish in the Naknek River between the ADFG markers above and below King Salmon Creek, including King Salmon Creek, during the designated youth fishery day, which occurs on the second Sunday of August.

((Publisher – please change period at the end of 5 AAC 67.022(d)(11) to a semicolon)))

5 AAC 67.022(g) is amended by adding a new paragraph to read:

(7) if the department adopts a reporting requirement, a harvest reporting form will be provided by the department to report the total number of king salmon harvested in the Nushagak River drainage for the current calendar year; if required, the report shall be submitted to the department by means specified by the department not later than November 30 of that year containing the following information:

- (A) number of king salmon harvested;
- (B) number of king salmon released;
- (C) number of king salmon harvested greater than 28 inches in length;
- (D) number of king salmon harvested between 20 and 28 inches in length.

((Publisher – please change the period at the end of 5 AAC 67.022(d)(6) to a semicolon)))

5 AAC 67.022 is amended by adding a new subsection to read

(I) In the Togiak River Drainage the following special provisions apply:

- (1) only unbaited, single-hook artificial lures or flies may be used;
- (2) the bag and possession limit for king salmon less than 20 inches in length is 10 fish;
- (3) any king salmon caught that are 20 inches or greater in length must be immediately released; and
- (4) upstream of the confluence of Gechiak Creek and the Togiak River, sport fishing for king salmon is closed year round. (Eff. 3/24/95, Register 133; am 5/24/96, Register

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138; am 4/23/98, Register 146; am 6/14/2001, Register 158; am 4/9/2004, Register 170; am 3/30/2007, Register 181; am 11/28/2009, Register 192; am 2/28/2010, Register 193; am 4/4/2013, Register 206; am 5/8/2013, Register 206; am 5/18/2014, Register 210; am 4/16/2016, Register 218; am 8/27/2016, Register 219; am 5/31/2019, Register 230; am 4/16/2023, Register 246)

Authority: AS 16.05.060 AS 16.05.251

((Note to Publisher: please change period at the end of 5 AAC 67.022(d)(11) to a semicolon))