



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Public Safety

DIVISION OF ALASKA WILDLIFE TROOPERS
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Chairwoman Carlson-Van Dort
Alaska Board of Fish
P.O. Box 115526
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Madam Chair and Board of Fish Members:

AWT recognizes that regulations are developed by the Alaska Boards of Fish and Game through the public process to support management plans. Further, all management plans rely upon public compliance with regulations to achieve success. Enforcement is a crucial element needed to ensure long-term compliance with regulations by the public. The Alaska Wildlife Troopers request the board recognize that the division has limited resources and manpower and any new regulation scheme or area restrictions may place an additional burden on AWT.

The following comments give a brief description of the positions that the Department of Public Safety, Division of Alaska Wildlife Troopers have on the proposals that are up for consideration at the November 2022 Bristol Bay Finfish meeting in Anchorage.

Thank you for your time,

Aaron Frenzel

Captain Aaron Frenzel
Alaska Wildlife Troopers

Proposal 65 and 86: These proposals would require the retention of sport caught salmon in the Tanana and Yukon Rivers if removed from the water.

AWT opposes this proposal as written due to providing a defense for retention of fish unlawfully taken since this proposal would require every salmon removed from the water to be retained. If passed as written a person that removes a snagged salmon from the water would be in violation if they kept or returned the fish to the water. If the board chooses to adopt this proposal AWT recommends drafting language that makes it only unlawful for a person to remove a salmon from the water before releasing the fish.

Proposal 67: This proposal seeks to prohibit the retention of northern pike caught on set lines in the Tanana River.

AWT recommends the board take no action on this proposal as it is already unlawful to retain northern pike on set lines.

Proposal 76: This proposal seeks to create a new regulation under 5AAC 03.XXX to allow Kotzebue District commercial salmon permit holders additional exceptions to the locations they may be at while their set gillnet gear is being operated during commercial fishing periods. This proposal would also require all Kotzebue District permit holders to be physically present at their net when being deployed, retrieved, and while fish are picked.

AWT is neutral on this proposal but recommends the board consider all points of the proposed language and what is being requested. Several items in the proposed language submitted are either already in regulation or are making some practices unlawful. 5AAC 39.107(d) requires a permit holder to be physically at the beach or riparian fishing site during operation but allows for exceptions when the permit holder is away to sell fish or attend to other stationary gear of the permit holder. In addition, 5AAC 39.107(e) requires a permit holder to be within a reasonable distance of the gear when in operation. These regulations do not require the permit holder to be physically present at the net when fish are being picked by crewmembers, as long as they are at one of the locations they are permitted to be.

The board should look at what the intent of this proposal is, if it is solely to allow the permit holder to return to their homes in Kotzebue or another community, AWT recommends mirroring similar language to what is seen in 5AAC 39.107(g) for parts of the Yakutat District. In this regulation, the board included a permanent home in Yakutat to be part of the fishing site. For these Yakutat District permit holders on top of the exceptions listed in 5AAC 39.107(d) they are additionally allowed to return to their home in Yakutat during the operation of gear. They are not allowed to go to a place of business in Yakutat and work a second job. If the intent of the proposal is to allow permit holders to work other jobs or be at places other than their permanent home, then language should be drafted to allow for them to be at these other locations.

Currently, regulations allow permit holders to be at any of the permitted locations while crewmembers operate the gear. For example, if a permit holder has two nets out, the permit holder could be at one net, while the crew works the other net. If the board chooses to require the permit holder as proposed to be physically present at the net at the “beginning of the commercial fishing period, during any and all working of fishing gear and harvesting of fish from the gear; and at the end of the commercial fishing period to terminate operation of the gear” then language should be drafted to be similar to what is seen for the Yukon Area in 5AAC 39.107(f).

The final item the board should consider with this proposal is whether this should be allowed for the entire Kotzebue District, certain subdistricts, or areas close to specific communities. The language in this needs to be clear as the Kotzebue District is large and if not written correctly a person could travel a considerable distance

while gear is in the water, and still be within the regulation. The Yakutat regulation for example does not allow all Yakutat District permit holders to return to their homes in Yakutat, rather it is an exception for only those that have gear set relatively close to Yakutat.

Proposal 82: This proposal seeks to modify the dates allowed for the sinking of gillnets in the Yukon Area.

AWT supports this proposal as it is written. During both aircraft and vessel patrols visible floats aid in identifying where gear is located during open periods. Further, when fishing periods are closed it assists AWT in locating gear that should be removed from the water. There is also a safety concern when gear is not seen on the surface, as vessels could inadvertently run over a net that is sunk just below the waterline. It is AWT's understanding that 5AAC 39.250 pertains to commercial fishing only, if adopted for subsistence and personal use then AWT recommends similar language be added to 5AAC 01.220 and 5AAC 77.171.