

CHANGE IN LANGUAGE FOR PC 29 ON YDFDA RECOMMENDATION TO OPPOSE
PROPOSAL 80**PROPOSAL 80****5 AAC 01.220. Lawful gear and gear specifications.****PROPOSED BY: John H. Lamont****YDFDA RECOMMENDATION: OPPOSE**

The proposer seems to be identifying a perceived enforcement issue and proposes to solve this issue through restricting harvest. Although the proposer wants the BOARD to restrict king salmon subsistence harvest in the middle and upper Yukon River, the proposer does not propose a method to restrict harvest. Currently, in areas of the Yukon River drainage in Alaska where a permit is not required, there is not a daily or annual limit on the number of salmon that a subsistence fisherman could harvest. A permit system could be initiated with the intent to restrict harvest, but YDFDA does not believe a permit system restricting harvest will solve the perceived issue of regulation noncompliance associated with the sale of subsistence-caught salmon. YDFDA believes that any noncompliance of regulations should ~~be addressed through enforcement of current regulations~~ **NOT BE ADDRESSED** through adopting more restrictive regulations.

Under state regulations, it is generally illegal to sell subsistence-caught fish. However, sale of subsistence-caught fish is allowed for small amounts of cash but the subsistence fisher would need to sell the fish under a regulation as through a permit system, as in Norton Sound. There is no regulatory method to sell subsistence caught fish under state regulations within the Yukon Area. Under no circumstances processed fish could be sold under state and federal regulations without a permit from the Alaska Department of Environmental Conservation. Under federal regulations, the sale of subsistence-caught fish is legal under the customary trade regulations. However, the fish must be caught within waters where the federal government claim a federal water reserve right and must be sold to other federally qualified subsistence users. Fish sold other than in the round would necessitate a permit from The Alaska Department of Environmental Conservation. Lacking such a permit would necessitate the federally-qualified subsistence user to only sell the legally caught fish in the round.

ADF&G and USFWS recognize that there may be “missing fish” between the mainstem sonar at Pilot Station and the U.S./Canada border passage and escapements throughout the Yukon River drainage above the sonar site. A tagging study will commence in 2023 to investigate what maybe happening to these “missing fish”. Note also that ichthyophonous has been documented in Yukon River Chinook salmon and may be contributing to the perceived problem.
