

Comment to the Board of Fish

By Dan Dunaway  
Dillingham Alaska

Comments for proposals 18, 19, 20, 21 and any other proposals that are likely to impact Bristol Bay Rainbow trout fisheries.

I support the Department's positions on these proposals.

I would like to add some information:

The Bristol Bay rainbow trout sport fisheries have been considered a crown jewel of Alaska. Since early statehood the fishery has had some special protections or status. It was a Trophy Management area for a while and had other special status. In the late 1980s, the Division of Sport Fish embarked on a planning process. It vigorously solicited input from all stakeholders through mail out surveys as well as extensive local outreach through the Advisory Committees. This resulted in the South West Alaska Rainbow Trout Management Plan offered to the BOF in 1990.

The Plan brought together effective biological management actions, and considered diverse public interests to develop a process to identify and suggest an array of coherent sport fishing regulations distributed across the area. In a few waters like the Naknek River, remedial regulations were adopted that have since restored that fish population to more historical abundance and size composition. In other waters, regulations were balanced to accommodate anglers who wanted harvest opportunities as well as other users who desired more restrictive tackle and harvest regulations such as fly fishing only catch and release, or single hook no bait waters. There is room for all users who fish in the Bay.

Note, in 1990, the Board never adopted the SWAK Rainbow Plan (Plan) as a regulation. Instead they used the Plan as a guide to adopt various regulations implementing the recommendations of the Plan. In subsequent Board cycles, the regulations have seen some modifications and in 1998 the Board adopted into regulation, guiding regulations titled: **5AAC 75.210** Special Management Areas and Liberal Harvest Opportunities for Trout. In 2003/ 2004 the Board further adopted **5AAC 75.220**: Statewide management standards for wild trout. The full texts of these two guiding regulations can be found below.

I encourage the Board to review these guiding regulations before acting on the current set proposals addressing Bristol Bay rainbow trout; this would include proposals number 18,19, 20, 21.

Thank You

Full text of 5AAC 75.210 and 5AAC 75.220 are below.

### **5AAC 75.210 Special Management Areas and Liberal Harvest Opportunities for Trout:**

- (a) The Board of Fisheries (board) may consider proposed regulatory changes dealing with
- (1) special management areas for bodies of water that would diversify sport fishing opportunity, such as catch-and-release, fly-fishing only, or trophy designation, for populations of wild trout;
  - (2) liberalization of harvest opportunities for trout in bodies of water.
- (b) When the board considers proposed regulatory changes for a special management area under (a) of this section, the board will consider the changes in accordance with the following criteria:
- (1) stock status: the body of water must contain trout populations that are naturally reproducing and possess some unique characteristic; the trout populations must have retained historical size and age composition, and numbers of trout or the area must have retained the habitat attributes necessary to allow these population characteristics to return to historic proportions if regulations dealing with establishment of a body of water as a special management area are adopted;
  - (2) history of special management: a body of water that the public perceives as having provided "quality" trout fishing in the past is preferred over a water that does not have a history of "quality" trout fishing;
  - (3) proximity to a community: to avoid conflict with traditional consumptive use patterns by local residents, a body of water is preferred if it is not located near enough to a permanent community to be commonly used or visited by local residents, unless the regulations dealing with establishment of the body of water as a special management area are requested or supported by the community;
  - (4) legal access: a body of water with more than 50 percent of its banks or shores publicly owned, or a navigable designation, is preferred;
  - (5) conflict with freshwater net fisheries: a body of water that is seasonally or spatially segregated from subsistence, personal use, and commercial net fisheries is preferred;
  - (6) abundance and size of the trout population: a body of water with unusually high numbers of trout, with uniquely large trout, or documented as having trout that have been entered in the department's program giving public recognition to anglers who take fish that meet minimum weight or length standards within a given species, identified in department publications as its "trophy fish program," is preferred;
  - (7) clear geographical boundaries: a body of water with clearly distinguishable legal regulatory boundaries is preferred;
  - (8) relative economic importance of the wild trout fishery: a body of water with high economic value to the state is preferred;
  - (9) geographical distribution of special management waters: this criterion considers the proximity of a body of water to other special management waters and the availability of alternative locations not designated for special management; and
  - (10) research, educational, or unique considerations: a body of water may be designated for special management for research or educational reasons.
- (c) The board may provide harvest opportunities for trout more liberal than the standards provided for in [5 AAC 75.220](#) if the department has sufficient biological information to ensure that a more liberal harvest will not jeopardize the objectives of optimal sustained yield for a particular body of water.

#### **Notes**

5 AAC 75.210  
Eff. 4/23/98, Register 146; am 11/19/2003, Register 168

Effective 11/19/2003, Register 168, the substance of [5 AAC 75.210](#) was relocated from [5 AAC 75.013](#). The history note for [5 AAC 75.210](#) carries forward the history of [5 AAC 75.013](#).

**Authority:**AS 16.05.251

## **5 AAC 75.220 - Statewide management standards for wild trout**

- (a) The Board of Fisheries (board) recognizes the current lack of stock status information for many wild trout stocks, the potential for increased angler effort on wild trout stocks throughout Alaska, the potential for loss of fishing opportunity, and the potential for over-exploitation of wild trout stocks. The board intends to maintain quality fisheries and habitat for wild trout stocks throughout this state by following, to the extent practicable, the standards set out in this section.
- (b) The board finds that wild trout stocks should be managed for optimal sustained yield, based on management objectives that maximize benefits of the fisheries while maintaining genetic diversity, biologically desirable size composition, and abundance levels that do not require stocking to enhance or supplement the wild stocks.
- (c) Based on the concerns and management objectives specified within this section, the board intends to manage wild trout stocks conservatively. The standards for conservative management are as follows:
- (1) in the Southeast Alaska Area, conservative management for
- (A) wild rainbow trout and cutthroat trout, in combination, means a bag and possession limit of two fish, no less than 11 inches and no greater than 22 inches in length;
- (B) steelhead trout means a bag limit of one fish, no less than 36 inches in length, with a possession and annual limit of two fish;
- (2) in areas other than the Southeast Alaska Area, conservative management for wild rainbow trout, cutthroat trout, and steelhead trout, in combination, means a bag and possession limit of two fish, of which only one may be 20 inches or greater in length, with an annual limit of two fish 20 inches or greater in length.
- (d) The standards established in this section for conservative management do not apply to any area for which the board has established a regional trout management plan and adopted provisions of the plan as regulations. Areas for which the board has established a regional trout management plan and adopted provisions of the plan as regulations include the Southeast Alaska Area, the Copper River Basin, Cook Inlet, and the Southwest Alaska area.
- (e) The board may adopt regulatory measures that deviate from the conservative management standards of this section as necessary to address sustainability or optimal sustained yield issues, or to establish special management areas or liberalize harvest in areas under [5 AAC 75.013](#).
- (f) Nothing in this section establishes a bag limit, possession limit, size limit, or annual limit.
- (g) In this section, "optimal sustained yield" has the meaning given that term in [5 AAC 75.222\(f\)](#).

### **Notes**

5 AAC 75.220  
Eff. 11/19/2003, Register 168; am 3/13/2004, Register 169  
**Authority:**AS 16.05.251