

PROPOSAL 88

5 AAC 05.331. Gillnet specifications and operations.

Repeal and replace Yukon Area commercial salmon fishing gear specifications, as follows:

5 AAC 05.331 is amended to read:

(a) Set gillnet gear may not exceed 150 fathoms in aggregate length;

(b) Drift gillnet gear may not exceed 50 fathoms in length;

(c) Salmon may be taken only with gillnets of six-inch or smaller mesh during periods established by emergency order.

(d) No gillnet gear may be operated in a manner to obstruct more than one-half the width of any waterway. In the intertidal zone, this restriction applies at all stages of the tide.

(e) In Districts 1 - 3, gillnets with

(1) greater than six-inch mesh may not be more than 45 meshes in depth;

(2) six-inch or smaller mesh may not be more than 50 meshes in depth.

(f) In Districts 4 - 6, gillnets with

(1) greater than six-inch mesh may not be more than 60 meshes in depth;

(2) six-inch or smaller mesh may not be more than 70 meshes in depth.

(g) Notwithstanding any other provision of this section, during times when the commissioner determines it to be necessary for the conservation of a salmon species, the commissioner, by emergency order, may close the fishing season in Districts 1 - 6 and immediately reopen the season during which a person may take salmon with a gillnet that has a mesh size of seven and one-half inches.

(h) Notwithstanding any other provision of this section, in Districts 1 - 3, during times when the commissioner determines that it is necessary for the conservation of king salmon, the commissioner may, by emergency order, close the fishing season and immediately reopen the season during which a person may take salmon only with a gillnet that has a mesh size of five and one-half inches or less and that is not more than 30 meshes in depth.

(i) Notwithstanding any other provision of this section and in provisions 5 AAC 01.249 and 5 AAC 05.359-5 AAC 05.369, during times when the commissioner determines that it is necessary for the conservation of a salmon species, the commissioner may, by emergency order, close the fishing season and immediately reopen the season specifying the area in which one or more of the following gears may be allowed;

(1) all salmon species caught by the gear types specified by the commissioner must be released to the water alive unless retention is allowed by the emergency order;

(A) for fish wheels (5 AAC 05.333): the operator must closely attend the fish wheel while it is in operation, and all salmon species specified for release must bypass any livebox;

(B) dip nets may be used as described in 5AAC 05.362(k)(1)(A);

(C) a beach seine may be used as described in 5AAC 05.362(k)(1)(B).

- [(a) A PERSON MAY NOT OPERATE
- (1) SET GILLNET GEAR THAT EXCEEDS 150 FATHOMS IN AGGREGATE LENGTH;
 - (2) DRIFT GILLNET GEAR THAT EXCEEDS 50 FATHOMS IN LENGTH.
- (b) IN DISTRICTS 1 AND 2, SALMON MAY BE TAKEN ONLY WITH GILLNETS OF SIX-INCH OR SMALLER MESH DURING PERIODS ESTABLISHED BY EMERGENCY ORDER.
- (c) IN DISTRICT 3, SALMON MAY BE TAKEN ONLY WITH GILLNETS OF SIX-INCH OR SMALLER MESH DURING PERIODS ESTABLISHED BY EMERGENCY ORDER.
- (d) IN DISTRICTS 4 AND 6, SALMON MAY BE TAKEN ONLY WITH GILLNETS OF SIX-INCH OR SMALLER MESH DURING PERIODS ESTABLISHED BY EMERGENCY ORDER.
- (e) NO GILLNET GEAR MAY BE OPERATED IN A MANNER TO OBSTRUCT MORE THAN ONE-HALF THE WIDTH OF ANY WATERWAY. IN THE INTERTIDAL ZONE, THIS RESTRICTION APPLIES AT ALL STAGES OF THE TIDE.
- (f) IN DISTRICTS 4 - 6, GILLNETS WITH
- (1) GREATER THAN SIX-INCH MESH MAY NOT BE MORE THAN 60 MESHES IN DEPTH;
 - (2) SIX-INCH OR SMALLER MESH MAY NOT BE MORE THAN 70 MESHES IN DEPTH.
- (g) IN DISTRICTS 1 - 3, GILLNETS WITH
- (1) GREATER THAN SIX-INCH MESH MAY NOT BE MORE THAN 45 MESHES IN DEPTH;
 - (2) SIX-INCH OR SMALLER MESH MAY NOT BE MORE THAN 50 MESHES IN DEPTH.
- (h) NOTWITHSTANDING (b) - (d) OF THIS SECTION, DURING TIMES WHEN THE COMMISSIONER DETERMINES IT TO BE NECESSARY FOR THE CONSERVATION OF CHUM SALMON, THE COMMISSIONER, BY EMERGENCY ORDER, MAY CLOSE THE FISHING SEASON IN DISTRICTS 1 - 6 AND IMMEDIATELY REOPEN THE SEASON DURING WHICH A PERSON MAY NOT TAKE SALMON WITH A GILLNET THAT HAS A MESH SIZE OF LESS THAN EIGHT INCHES.
- (i) IN THE YUKON AREA, NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION THAT ALLOWS A PERSON TO TAKE SALMON WITH A GILLNET THAT HAS A MESH SIZE GREATER THAN SEVEN AND ONE-HALF INCHES, A PERSON MAY

NOT TAKE SALMON WITH A GILLNET THAT HAS A MESH SIZE GREATER THAN SEVEN AND ONE-HALF INCHES.

(j) NOTWITHSTANDING THE OTHER PROVISIONS OF THIS SECTION, IN DISTRICTS 1 - 3, DURING TIMES WHEN THE COMMISSIONER DETERMINES THAT IT IS NECESSARY FOR THE CONSERVATION OF KING SALMON, THE COMMISSIONER MAY, BY EMERGENCY ORDER, CLOSE THE FISHING SEASON AND IMMEDIATELY REOPEN THE SEASON DURING WHICH A PERSON MAY TAKE SALMON ONLY WITH A GILLNET THAT HAS A MESH SIZE OF FIVE AND ONE-HALF INCHES OR LESS AND THAT IS NOT MORE THAN 30 MESHES IN DEPTH.]

What is the issue you would like the board to address and why? Current commercial gillnet specifications and operation requirements in the Yukon Area contain inconsistencies and do not provide for selective gear options that allows for the harvest or live release of all salmon species. These changes include aligning District 5 with all other Yukon districts to include a maximum mesh size of six-inch gillnets and removes outdated instances of eight-inch or larger mesh gillnets in the Yukon Area. Additionally, selective gear used during times of conservation of salmon species is stated in the individual salmon management plans for chum and king salmon; however, the department would like the ability to use these live-release gears for all salmon species to harvest abundant salmon species that have overlapping run timings. Stating conservation gear regulations in this commercial section simplifies the regulations and will allow for a more adaptive management strategy benefitting commercial users.

PROPOSED BY: Alaska Department of Fish and Game

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