

## **PROPOSAL 92**

### **5 AAC 01.260. Fishing seasons and periods and 5 AAC 01.275. Waters closed to subsistence fishing.**

Increase subsistence opportunity before, during, and after commercial fishing periods set by emergency order, as follows:

5 AAC 01.260(c) is amended to read:

...

(c) In Districts 4 and 5, salmon may be taken at any time, except that **the commissioner may, by emergency order, close the subsistence fishing periods in the waters of Districts 4 or 5 and reopen those waters to commercial fishing.** [FROM JUNE 1 THROUGH SEPTEMBER 8, SALMON MAY NOT BE TAKEN FOR 16 HOURS BEFORE, DURING, AND SIX HOURS AFTER EACH COMMERCIAL SALMON FISHING PERIOD IN EACH DISTRICT].

...

5 AAC 01.275(b)-(d) are amended to read:

...

(b) The **commissioner may, by emergency order, close the** Goodnews River [IS CLOSED] to the subsistence taking of fish by nets east of a line between ADF&G regulatory markers placed near the mouth of the Ufigag River and an ADF&G regulatory marker placed near the mouth of the Tunulik River [16 HOURS] before, during, and [SIX HOURS] after each open commercial salmon fishing period.

(c) The **commissioner may, by emergency order, close the** Kanektok River [IS CLOSED] to the subsistence taking of fish by nets upstream of ADF&G regulatory markers placed near the mouth [16 HOURS] before, during, and [SIX HOURS] after each open commercial salmon fishing period.

(d) The **commissioner may, by emergency order, close the** Arolik River [IS CLOSED] to the subsistence taking of fish by nets upstream of ADF&G regulatory markers placed near the mouth [16 HOURS] before, during, and [SIX HOURS] after each open commercial salmon fishing period.

...

**What is the issue you would like the board to address and why?** Subsistence fishing closures surrounding commercial salmon fishing openings have been in place in the Kuskokwim Management Area since at least the early 1980s. The primary justification for such closures was to discourage the commercial sale of subsistence caught fish. Subsistence fishing closure times in all Kuskokwim Area commercial fishing districts have ranged from 24 to 16 hours before a commercial opening, during the commercial opening, and typically 6 hours after the opening. Between the mid-1990s and early 2000s, for Kuskokwim River commercial fishing Districts 1 and 2, exact closure times were removed from regulation in favor of closed subsistence fishing

periods being announced through emergency order. Currently, in Kuskokwim Bay commercial fishing Districts 4 and 5 and the Goodnews, Kanektok, and Arolik rivers, subsistence closure times remain at 16 hours before, during, and 6 hours after a commercial fishing period. This proposal seeks to align Districts 4 and 5 and the Goodnews, Kanektok, and Arolik rivers subsistence closure regulations with that of Districts 1 and 2.

Participation during the 2020 and 2021 commercial fishery in Districts 4 and 5 was smallest on record due to processing capacity and COVID-19 restrictions. During a year of low or high commercial participation and when escapement goals are expected to be met, the department needs greater flexibility in scheduling subsistence closures times around commercial openers. Establishing closure times through emergency order for Districts 4 and 5 would allow for a more adaptive management strategy benefitting fishery users.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F22-053)  
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