

## **PROPOSAL 48**

### **5 AAC 01.620. Lawful gear and gear specifications.**

Repeal the prohibition of subsistence guide services in the Glennallen Subdistrict, as follows:

Remove prohibition on subsistence guide services in the Glennallen subdistrict. Allow for subsistence guide services in the Glenallen subdistrict notwithstanding the prohibition

#### 5 AAC 01.620 Lawful gear and gear specifications

[(L) SUBSISTENCE FISHING GUIDE SERVICES ARE PROHIBITED IN THE GLENNALLEN SUBDISTRICT. FOR THE PURPOSES OF THIS SUBSECTION,

(1) "SUBSISTENCE FISHING GUIDE SERVICES" MEANS ASSISTANCE, FOR COMPENSATION OR WITH THE INTENT TO RECEIVE COMPENSATION, TO A SUBSISTENCE FISHERMAN TO TAKE OR TO ATTEMPT TO TAKE FISH FROM A VESSEL BY ACCOMPANYING OR PHYSICALLY DIRECTING THE SUBSISTENCE FISHERMAN IN SUBSISTENCE FISHING ACTIVITIES DURING ANY PART OF A SUBSISTENCE FISHING TRIP;

(2) "COMPENSATION" MEANS DIRECT OR INDIRECT PAYMENT, REMUNERATION, AND OTHER BENEFITS RECEIVED IN RETURN FOR SERVICES, REGARDLESS OF THE SOURCE; IN THIS PARAGRAPH, "BENEFITS"

(A) INCLUDES

(I) WAGES AND OTHER EMPLOYMENT BENEFITS GIVEN DIRECTLY OR INDIRECTLY TO AN INDIVIDUAL OR ORGANIZATION; AND

(II) DUES, PAYMENTS, FEES, AND OTHER REMUNERATION GIVEN DIRECTLY OR INDIRECTLY TO A FISHING CLUB, BUSINESS, ORGANIZATION, OR INDIVIDUAL WHO PROVIDES SUBSISTENCE FISHING GUIDE SERVICES;

(B) DOES NOT INCLUDE REIMBURSEMENT FOR THE ACTUAL DAILY EXPENSES FOR FUEL, FOOD, OR BAIT.]

In order to assess the significance of guide service use, consideration should also be given to updating the Glennallen Subdistrict Subsistence Permit Harvest ticket to provide a check box on the permit to indicate if commercial services were used.

**What is the issue you would like the board to address and why?** A prohibition against subsistence guide services in the Glennallen Subdistrict was adopted at 2021 at the Prince William Sound/Upper Copper River Board of Fisheries meeting. This new regulation has unfairly and unnecessarily reduced opportunities for Alaskans and non-rural natives to harvest salmon for food in the Glennallen Subdistrict subsistence fishery. The prohibition has decreased opportunity for Alaskan households and increased competition for the extremely limited number of shore-based fishing sites that can be accessed via the public right of way.

The most reasonable access to this fishery for many subsistence users is by boat, but without an available transport or guide service, many subsistence users may find it very dangerous or are simply unable to participate and meet their subsistence needs. Many households rely on guides and transporters because the number of safe shore-based fishing sites is very limited; they are

unwilling to attempt to wade into the dangerous river; they do not own a boat or are not comfortable driving a boat on the Copper River; they do not own, or are unable to afford build, maintain or operate a fishwheel; they do not know someone with a fishwheel to use; or they do not have access to shoreline to place a fishwheel.

The prohibition was aimed at commercial services but it is subsistence users that have been harmed. Guide services merely provide a safe and cost-effective means of accessing fish for personal and family consumption. Significant use of these services in this subsistence fishery very clearly demonstrates their utility and value.

There is no sustainability issue with allowing subsistence users access to salmon resources with the assistance of a guide service. The prohibition was allocative away from the subsistence fishery.

**Did you develop your proposal in coordination with others, or with your local Fish and Game Advisory Committee? Explain.** This proposal was developed collaboratively by a group of Glennallen subsistence fishery participants.

**PROPOSED BY:** Marlene Bertie Irneraucin

(HQ-F24-054)

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