

PROPOSAL 143

5 AAC 47.XXX. New section.

Require inseason reporting of nonresident sport fish harvest, as follows:

All non-resident sport fishermen in the Southeast and Yakutat Areas (fresh and saltwater) shall complete and submit a logbook of all fish and shellfish harvested. Harvest shall be documented in the logbook before leaving each fishing site. Logbooks shall be returned to the Alaska Department of Fish and Game by December 31 (or whatever date is appropriate) each year.

It is recommended that this regulation be evaluated after 6 years of harvest data has been gathered and analyzed to determine if the perceived increase in competition or use exists. If there are no documented problems then the regulation should be removed.

What is the issue you would like the board to address and why? The Southeast Alaska Subsistence Regional Advisory Council (Council) believes that the harvest of fish by non-resident sport anglers has increased in the Southeast and Yakutat Areas, while subsistence users have been subject to increasing regulation and restrictions and are experiencing a more difficult time competing for and harvesting fish and shellfish.

The only method to account for non-resident sport harvest is by a statewide mail survey. Other than major sport fisheries, response rates are too low to accurately assess if non-resident harvest is contributing to localized depletion of resources or if the competition with subsistence users is increasing.

The Council also believes that unguided non-resident sport fishermen are taking multiple daily harvest limits. The Council believes harvest limits for unguided non-residents are not enforced and are unaccounted, since non-resident unguided fishermen do not have to record their harvest, except for species with an annual limit, before leaving the fishing site; unlike subsistence fishermen.

Presently, recording species with an annual limit is only an enforcement tool. It does not contribute to harvest accounting since there is no requirement to submit the harvest record to ADF&G.

PROPOSED BY: Southeast Subsistence Regional Advisory Council (HQ-F20-111)

PROPOSAL 144

5 AAC 47.XXX. New section.

Establish a logbook program for rental vessels used in Southeast Alaska sport fisheries, as follows:

We propose the Board of Fisheries enact a new regulation (provided below) that will require catch records of all rented recreational vessels that engage in sportfishing activities. We are specifically proposing Halibut catch data be gathered with this new regulation, but we support catch data gathering for any other species that would provide valuable management information to the Department. We also feel it is vital to require the Department to share any data gathered under this new regulation with the appropriate departments of the IPHC, NPFMC and NOAA on an annual basis.

5 AAC 47.XXX New Section: Sport fishing **rental vessel angler and operator** reporting requirements.

(a) A sport fishing **rental vessel angler and/or operator** shall obtain and complete a State of Alaska, Department of Fish and Game, Division of Sport Fish, Saltwater **rental vessel operator and angler** Logbook and Vessel Registration, adopted by reference if operating in salt water;

(b) A logbook requires information necessary for the management and conservation of fishery resources and regulation of the **rental vessel** sport fishing industry, including:

(1) the division of motor vehicles boat registration number, issued under 2 AAC 70, or United States Coast Guard documentation number, of the vessels that are used to provide sport fishing **rental vessel** services in salt water;

(2) the locations where the sport fishing **rental vessel** services were provided;

(3) the effort, catch, and harvest of sport fish by persons who are clients, of a business that conducts sport fishing **rental vessel** services;

(4) the name, address, telephone number and residency status of each **rental vessel angler**; and (5) any other information the department determines is necessary for the management and conservation of the fishery resource or the regulation of the **rental vessel** sport fishing industry.

(c) A **rental vessel operator and/or a rental vessel angler shall** complete a logbook in the manner and at the location specified in the logbook and present the logbook for inspection as required in 5 AAC 75.075.

(d) A person may not make a false entry in the logbook required in (a) of this section.

(e) The operator of a business that rents a vessel covered by this section is responsible for reporting logbook information and returning the completed logbook of each sport fishing **rental vessel angler** by the business to the department in the manner and time frame specified in the logbook.

What is the issue you would like the board to address and why? In recent years, there has been a large increase in the number of businesses in southeast Alaska that rent sportfishing vessels to primarily non-residents, who utilize this arrangement to qualify for more liberal “non-guided” bag limits for halibut. The Sitka Fish and Game Advisory Committee has received estimates that between 300 and 500 of these rental vessels are now operating in southeast Alaska. We believe these anglers, that are part of this new and growing user group, are responsible for a very significant harvest of sportfish (specifically halibut) that is currently not being taken into account by the IPHC, NPFMC, NOAA or the Alaska Department of Fish and Game (the Department) in their resource management responsibilities. There is currently no log keeping requirement for these

vessels/anglers and, since the majority of these rented vessels operate from private docks or remote lodges, their harvest data is not captured by the Department’s creel census efforts. We realize that halibut are managed by the IPHC, NPFMC and NOAA versus the state. We also realize that the federal government regulates “guided” versus “non-guided” anglers separately whereas the state routinely establishes different sport fishing bag limits for “residents” versus “non-residents”. This definitely creates some potential jurisdictional issues for what we want to accomplish which is “quantify the harvest of sport fish by non-resident anglers fishing from rented vessels. While the Department may or may not have the authority to regulate catch of halibut, we believe they do have the authority to require catch reporting, similar to the reporting requirements for Sport Fishing guide and operators (5 AAC 75.076). The NPFMC took up this topic in 2017, 2018 and 2019 and, while agreeing on the need to get information on how many un-guided rental vessels are in operation and how many Halibut they are harvesting, they have so far failed to take any action. We respectfully submit that it is time for the Board of Fisheries to take a leadership role in this matter and establish new regulations to start gathering the needed management data.

PROPOSED BY: Sitka Fish and Game Advisory Committee (HQ-F20-083)

PROPOSAL 145

5 AAC 47.020. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area. and 5 AAC 47.022. General provisions for seasons and bag, possession, annual, and size limits for the fresh waters of the Southeast Alaska Area.

Establish nonresident bag, possession, and annual limits for coho and sockeye salmon in the fresh and salt waters of the Southeast Alaska Area, as follows:

5 AAC 47.020:

. . . the following are the general provisions for the seasons and bag, possession, annual, and size limits that apply to sport fishing for finfish and shellfish in the salt waters of the Southeast Alaska Area:

(1) king salmon: may be taken from January 1 - December 31; must be 28 inches or greater in length; the commissioner shall establish bag, possession, and annual limits, by emergency order, as specified in 5 AAC 47.055; a harvest record is required for a nonresident as specified in 5 AAC 75.006;

(2) Coho salmon: may be taken from January 1–December 31 as follows:

(A) resident: 16 inches or greater in length; bag limit of six fish; possession limit of 12 fish

(B) nonresident: 16 inches or greater in length; bag limit of four fish; possession limit of eight fish; and an annual limit of sixteen fish; a harvest record is required for a nonresident as specified in 5 AAC 75.006

(3) sockeye salmon: may be taken from January 1 - December 31 as follows:

(A) resident: 16 inches or greater in length; bag limit of six fish; possession limit of 12 fish

(B) nonresident: 16 inches or greater in length; bag limit of four fish; possession limit of eight fish; and an annual limit of sixteen fish; a harvest record is required for a nonresident as specified in 5 AAC 75.006

(4) salmon, **other than king salmon, coho salmon, and sockeye salmon**: may be taken from January 1 - December 31; no annual limit; no size limit; bag and possession limits, as follows:

(A) 16 inches or greater in length; bag limit of six fish per species; possession limit of 12 fish per species;

5 AAC 47.022:

... this section contains the general provisions for the seasons and bag, possession, annual, and size limits that apply to sport fishing for finfish in the fresh waters in Southeast Alaska Area.

(b) In the fresh waters east of the longitude of Cape Fairweather:

(1) king salmon: sport fishing for king salmon is closed;

(2) coho salmon: may be taken from January 1 –December 31 as follows:

(A) resident:

(i) 16 inches or greater in length; bag limit of six fish; possession limit of 12 fish;

(ii) Less than 16 inches in length: bag and possession limit of 10 fish in combination;

(B) nonresident:

(i) bag limit of four fish; possession limit of eight fish; and an annual limit of sixteen fish; a harvest record is required for a nonresident as specified in 5 AAC 75.006

(3) sockeye salmon: may be taken from January 1-December 31 as follows:

(A) resident:

(i) 16 inches or greater in length; bag limit of six fish; possession limit of 12 fish;

(ii) Less than 16 inches in length; bag and possession limit of 10 fish in combination;

(B) nonresident: bag limit of four fish; possession limit of eight fish; and an annual limit of sixteen fish; a harvest record is required for a nonresident as specified in 5 AAC 75.006

(4) salmon, other than king, coho, and sockeye salmon: may be taken from January 1-December 31; no annual limit, no size limit; bag and possession limits, as follows:

(A) 16 inches or greater in length; bag limit of six fish per species; possession limit of 12 fish per species;

(B) less than 16 inches in length; bag and possession limit of 10 fish in combination;

What is the issue you would like the board to address and why? The Council recognizes that coho and sockeye salmon are the primary species targeted by subsistence users. Under the current general regulations, non-resident sport fisherman may take six coho and sockeye salmon per day, every day of the season. In contrast, an entire household of subsistence users typically may only harvest an annual limit of 20-50 fish from each of a limited number of sites. The proposed changes would put a ceiling on the annual harvest of each species by non-residents that is roughly comparable to the limits placed on subsistence households. The Council believes that the proposed limits on non-resident harvest are adequate to allow ample sport fishing opportunity for visitors, while preventing excessive non-resident sport harvest of species important to subsistence users.

PROPOSED BY: Southeast Subsistence Regional Advisory Council

(HQ-F20-109)

PROPOSAL 146

5 AAC 47.020. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area.

Establish nonresident bag and possession limits for coho, sockeye, chum, and pink salmon in salt waters of the Southeast Alaska Area, as follows:

Salt water

Coho, chum, pink, and sockeye salmon

16 inches or longer: 5 of each species per day, 10 of each species in possession for nonresidents.

What is the issue you would like the board to address and why? The Ketchikan Indian Community Tribal Government believes it is necessary to take action to prioritize the needs of tribal citizens that have existed in southeast Alaska since time immemorial. Now more than ever subsistence and personal use fishermen need these resources to sustain themselves in the face of financial instability. One way to help insure the needs of tribal citizens are met is to reduce the harvest of coho, chum, pink, and sockeye salmon by nonresident sports fishermen.

PROPOSED BY: Ketchikan Indian Community

(HQ-F20-048)

PROPOSAL 147

5 AAC 47.022. General provisions for seasons and bag, possession, annual, and size limits for the fresh waters of the Southeast Alaska Area.

Establish nonresident bag and possession limits for coho salmon in the fresh waters east of the longitude of Cape Fairweather, as follows:

Freshwater

Coho salmon

Between Cape Fairweather and Dixon Entrance

16 inches or longer: 5 of each species per day, 10 of each species in possession for nonresidents.

What is the issue you would like the board to address and why? The Ketchikan Indian Community Tribal Government believes it is necessary to take action to prioritize the needs of tribal citizens that have existed in southeast Alaska since time immemorial. Now more than ever subsistence and personal use fishermen need these resources to sustain themselves in the face of financial instability. One way to help insure the needs of tribal citizens are met is to reduce the harvest of coho salmon by nonresident sports fishermen.

PROPOSED BY: Ketchikan Indian Community

(HQ-F20-049)

PROPOSAL 148

5 AAC 47.022. General provisions for seasons and bag, possession, annual, and size limits for the fresh waters of the Southeast Alaska Area.

Establish nonresident bag and possession limits for sockeye, chum, and pink salmon in fresh waters of the Southeast Alaska Area, as follows:

Freshwater

Chum, pink, and sockeye salmon

16 inches or longer: 5 of each species per day, 10 of each species in possession for nonresidents.

What is the issue you would like the board to address and why? The Ketchikan Indian Community Tribal Government believes it is necessary to take action to prioritize the needs of tribal citizens that have existed in southeast Alaska since time immemorial. Now more than ever subsistence and personal use fishermen need these resources to sustain themselves in the face of financial instability. One way to help insure the needs of tribal citizens are met is to reduce the harvest of coho, chum, pink, and sockeye salmon by nonresident sports fishermen.

PROPOSED BY: Ketchikan Indian Community

(HQ-F20-050)

PROPOSAL 149

5 AAC 47.021. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the salt waters of the Southeast Alaska Area.

Reduce saltwater coho salmon bag and possession limit in Puget Cove to two fish, as follows:

5 AAC 47.021(b)(5) is added:

(b) in the Yakutat vicinity;

(5) in all waters of Puget Cove, shoreward of the boundary defined by a line between 59°33'52.79"N lat. 139° 43'51.65"W long., and 59°33'49.92"N lat. 139°42'56.06"W long., the bag and possession limit for coho salmon 16 inches or greater in length is two fish.

What is the issue you would like the board to address and why?

Coho salmon staging in the nearshore salt waters of the Puget Cove lagoon area experience high levels of sport fishing pressure. This area is easily accessible from the Yakutat road system via several trails and is also adjacent to a sport fishing lodge and the Yakutat small boat harbor. Anglers targeting coho salmon in Puget Cove fish from the shoreline and from small boats.

Current coho salmon sport fishing regulations for this area are the general Southeast saltwater bag and possession limits of six fish per day, twelve in possession. A reduction of the bag and possession limit to two coho salmon would align sport fishing regulations in this lagoon area with other similar lagoons in the Yakutat area (Village Lagoon and Ankau Lagoon) that are easily accessible and receive higher levels of sport fishing pressure.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F20-163)

PROPOSAL 150

5 AAC 47.023. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.

Repeal rainbow trout size limits in Crystal, Glacier, and Moraine lakes, as follows:

5 AAC 47.023(e)(1)(C) is amended to read:

(C) in [GLACIER LAKE, MORaine LAKE, AND] Montana Creek, including McGinnis Creek, only unbaited, artificial lures may be used;
and,

5 AAC 47.023(e)(1)(N) is added to read:

(N) in Crystal Lake, Glacier Lake and Moraine Lake,

(i) the bag and possession limit for rainbow trout is five fish; no size limit;

(ii) the bag and possession limit for cutthroat trout is two fish; must be no less than 14 inches and no greater than 22 inches.

What is the issue you would like the board to address and why?

In 2012 the department, in cooperation with the DIPAC hatchery, began stocking catchable-sized king salmon in Crystal, Glacier and Moraine lakes to provide additional sport fishing opportunity on the Juneau road system. However, in 2019 the stocking was changed to catchable sterile triploid rainbow trout ranging in size from 8 to 10 inches. In order to provide additional harvest opportunity for these stocked rainbow trout the Juneau area roadside length limit of 14 inch minimum and 22 inch maximum needs to be removed for rainbow trout in these lakes.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F20-160)

PROPOSAL 151

5 AAC 47.023. Special provisions for season, bag, possession, annual, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.

Prohibit guided sport fishing on the Salmon River near Gustavus, as follows:

Stop guided fishing on the Salmon River in Gustavus.

What is the issue you would like the board to address and why? I feel there needs to be a stop put on guided fishing on the Salmon River in Gustavus Alaska.

With the last numbers counted being 2000 in 2010 on Coho it doesn't seem to have the numbers to sustain impact like that of guided sport fishing! There has been a huge increase in sport fisherman being guided on the Salmon River.in the past few years. I feel the Salmon River in Gustavus is a local subsistence fishery!

PROPOSED BY: Steve Petty

(EF-F20-128)

PROPOSAL 152

5 AAC 47.023. Special provisions for season, bag, possession, annual, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.

Close sport fishing in a section of 108 Creek, as follows:

5 AAC 47.023(k)(1)(C) In 108 Creek, sport fishing is closed 300 feet upstream of the upper falls to 300 feet downstream of the lower falls.

What is the issue you would like the board to address and why? The residents of Whale Pass have seen a greater presence of un-guided non-resident sport fishing anglers fishing 108 Creek at the falls. These anglers will fish and catch a limit of salmon. They will continue to fish and practice catch and release for the remainder of the day. The anglers do not take into account the increased rate of mortality on the fish which are attempting to navigate up the falls to the spawning grounds. Closing a small area at the falls will decrease the morality of the fish attempting to navigate their way upstream. Sport fishermen flood the area below the falls because the salmon are pooled up prior to them attempting to navigate their way up the falls. With closing the area, sport fishermen still have plenty of areas to fish 108 Creek.

PROPOSED BY: East Prince of Wales Fish and Game Advisory Committee (EF-F20-087)

PROPOSAL 153

5 AAC 47.023. Special provisions for season, bag, possession, annual, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.

Close sport fishing in a section of Log Jam Creek, as follows:

Special provisions for fresh waters – Log Jam

5 AAC 47.023(k)(8)(E) In Log Jam Creek, sport fishing is closed 300 feet upstream of the upper falls to 300 feet downstream of the lower falls.;

What is the issue you would like the board to address and why? The residents of Coffman Cove have seen a greater presence of un-guided non-resident sport fishing anglers fishing at Log Jam Creek at the falls. These anglers will fish and catch a limit of salmon. They will continue to fish and practice catch and release for the remainder of the day. The anglers do not take in account of the rate of increased mortality on the fish which are attempting to navigate up the falls to the spawning grounds. Closing a small area at the falls will decrease the morality of the fish attempting to navigate their way upstream. Sport fishermen flood the area below the falls because the salmon are pooled up prior to them attempting to navigate their way up the falls. With closing the area, sport fishermen still have plenty of areas to fish Log Jam creek.

PROPOSED BY: The East Prince of Wales Fish and Game Advisory Committee (EF-F20-088)

PROPOSAL 154

5 AAC 47.030. Methods, means, and general provisions – Finfish.

Allow the use of bow and arrow in Southeast Alaska sport fisheries, as follows:

Make bow fishing legal in all waters.

What is the issue you would like the board to address and why? Bow fishing. There are no regulations on it yet which makes it illegal. I personally believe if you can snag then bow fishing is a must. It is more ethical and almost no chance of an injured fish getting away.

PROPOSED BY: George Lewis

(EF-F20-002)

PROPOSAL 155

5 AAC 47.036. Prohibitions.

Prohibit the removal of salmon from the water when nonretention regulations apply and prohibit the use of a multiple hook in Southeast Alaska sport fisheries, as follows:

- 1. It is prohibited to remove from either freshwater or saltwater a salmon for unhooking, if it is unlawful to retain such a salmon by a sport fisher.** (In simple terms this prohibits removing a salmon from the water for dehooking and releasing; it reduces handling stress, therefore).
- 2. It is prohibited to use multiple hooks when sport fishing for any species of fish in either freshwater or saltwater, where a multiple hook is one with two or more points with or without barbs extending from a common shaft.** (In simple terms this makes treble hooks illegal throughout Southeast Alaska for all sportfishing).

Restrictions 1 and 2 go together because it is so difficult to unhook a treble-hooked shaker in the water if hooked by two or more barbs of a treble hook. Doing so with a single hook is easy with a commonly used, relatively undamaging method. The Washington Department of Fish and Wildlife enforces precisely these two regulations to reduce hooking and handling mortality of released salmon, and describes the undamaging release technique in easy detail in their regulation pamphlets.

What is the issue you would like the board to address and why? The critical status of Chinook Salmon that contribute to Southeast Alaska sport, commercial, and subsistence fisheries; specifically the incidental mortality rate of Chinook Salmon that must be legally released from sport gear due to non-retention or size limit restrictions. These two related restrictions would reduce that incidental mortality rate.

PROPOSED BY: Stephen Mathews

(EF-F20-025)

PROPOSAL 277

5 AAC XX.XXX. New section.

Align bag limits for non-resident unguided halibut harvest from rental vessels in Southeast Alaska with NOAA bag limits for guided anglers in Halibut Management Area 2C, as follows:

We propose that one of the following actions be approved by the Board of Fisheries (BOF). They are listed in preferential order with the most preferred option listed first.

1. Enact a new state regulation that would require any Non-Resident Unguided Angler fishing from a rented vessel in the waters of Southeast Alaska to abide by the NOAA halibut bag limits then in effect for Guided Anglers in Halibut Management Area 2C.
2. Enact a new regulation that any Non-Resident Unguided Angler fishing from a rented vessel in the waters of the Sitka LAMP to abide by the NOAA halibut bag limits then in effect for Guided Anglers in Halibut Management Area 2C.
3. Should proposal #1 or #2 fail, we request the Board of Fish to engage with NOAA and the NPFMC to come to an agreeable management plan for regulating the harvest of halibut by requiring Non-Resident Unguided Anglers fishing from a rented vessel, to follow the same bag limits as set for Guided Anglers in Area 2C.

What is the issue you would like the board to address and why? In recent years, there has been large growth of businesses in Southeast Alaska that rent sportfishing vessels to non-residents, who utilize this arrangement to qualify for more liberal “Non-Guided” bag limits for Halibut. Most of these vessels are smaller than the average charter vessel and, as a result, these anglers focus their halibut harvests in areas close to the communities of Southeast AK. The Sitka Fish and Game Advisory Committee believes this activity reduces the opportunity for resident anglers to harvest halibut close to our homes. We realize that halibut are managed by NOAA and the NPFMC versus the State. We also realize that NOAA regulates “Guided” versus “Non-Guided” anglers separately whereas the state routinely establishes different sport fishing bag limits for “Residents” versus “Non-Residents”. This definitely creates some potential jurisdictional issues for what we want to accomplish which is “increase resident’s opportunity to harvest halibut near our homes”. Several years ago, the Sitka AC was the driving force in the creation of the Sitka Area Local Management Plan (LAMP), which restricted “Guided” anglers from taking halibut from the waters near Sitka during the months of June, July and August. While it would seem simple to just extend this restriction to “Non-Guided” anglers to reduce the harvest of anglers fishing from rented vessels, this action would also reduce bag limits for all local resident anglers fishing from their own vessels with their resident families and friends, in addition to any non-residents that are in town visiting and fishing from these locally owned and operated vessels. We specifically worded our proposals below to read “Non-Resident Unguided Anglers fishing from rented vessels” so that residents that do not live in a designated rural area (and thus not eligible for subsistence Halibut harvesting) will also have their local waters protected.

PROPOSED BY: Sitka Fish and Game Advisory Committee

(HQ-F20-175)
