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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

M E M O R A N D U M

TO: Shellene Hutter
Department of Fish and Game

FROM: April Simpson, Office of the Lieutenant Governor 
465.3509

DATE: July 20, 2018

RE: Filed Emergency Regulations: Board of Fisheries

Emergency Regulations – Board of Fisheries – Chignik Area Sockeye Salmon stock (5 AAC 09.360; 5 AAC 09.366)

Attorney General File:	Emergency Regulations
Regulation Filed:	July 20, 2018
Effective Date:	July 20, 2018
Expiration Date:	November 16, 2018 unless made permanent by the adopting agency
Print:	Register 227, October 2018

cc with enclosures: Linda Miller, Department of Law
Judy Herndon, LexisNexis

ALASKA BOARD OF FISHERIES FINDING OF EMERGENCY

This finding relates to three emergency petitions submitted to the Alaska Board of Fisheries relating to Chignik Area sockeye salmon stocks. The Bristol Bay Native Association (BBNA) submitted a petition to the board on June 22, 2018, and the Chignik Fish and Game Advisory Committee (AC) submitted a petition to the board on July 2, 2018, each seeking emergency regulations to restrict intercept fisheries and increase the number of early-run sockeye salmon returning to the Chignik Area. The Chignik Regional Aquaculture Association (CRAA) submitted a petition to the board on July 12, 2018 seeking emergency regulations to restrict intercept fisheries and increase the number of late-run sockeye salmon returning to the Chignik Area.

The board finds that an emergency exists and that the attached regulations are necessary for the immediate preservation of the general welfare, specifically the need to increase escapement of sockeye salmon in the Chignik Area and protect the early-and late-run sockeye salmon stocks.

Early-run sockeye salmon escapement through the Chignik River weir on June 18 was at an historical low. Since Statehood there had never been such record low escapement of sockeye salmon at that time through the Chignik weir. Escapement through the Chignik weir as of July 8 was 161,567 early-run sockeye salmon and 14,013 late-run sockeye salmon, well below the July 5 early-run interim escapement objective of 300,000–385,500 early-run sockeye salmon. Early-run sockeye salmon continue to be counted at the Chignik weir, but by July 8 around 85% of the early run is complete. It is very unlikely the Chignik River early-run sockeye salmon escapement goal range (350,000 fish) will be met in 2018. The Chignik area subsistence sockeye salmon fishery remains open; however, no commercial fishing opportunity directed at sockeye salmon in the Chignik Management Area has been provided during the 2018 fishing season.

Late-run sockeye salmon escapement through the Chignik River is at the lower end of the department's interim escapement objective range for this date. Despite unprecedented restriction of commercial salmon fisheries that harvest Chignik River late-run sockeye salmon, it is unclear if the late-run sockeye salmon escapement goal will be achieved.

Past studies have shown there is a significant number of Chignik-bound sockeye salmon traversing portions of the Alaska Peninsula Area through August 8. Due to very poor sockeye salmon returns to the Chignik River in 2018, the department has exercised emergency order authority to restrict certain Alaska Peninsula Area fisheries that have potential to harvest high numbers of Chignik-bound sockeye salmon in order to increase the number of sockeye salmon returning to the Chignik Area. The board finds that additional restrictions are needed to prevent long lasting harm to Chignik sockeye salmon stocks. These stocks support subsistence and commercial fisheries that are extremely

important to users in the Chignik Area. Excess harvesting pressure on these stocks during a year when returns are very low could decrease harvest opportunity in future years. Immediate board action is needed to protect these stocks.

ORDER CERTIFYING ADOPTION

I certify that the Board of Fisheries, under the authority of AS 16.05.251 and 16.05.258, adopted at its July 17, 2018 meeting, the attached 1 page of regulation changes as an emergency regulation to take effect immediately upon filing by the lieutenant governor, as provided in AS 44.62.180(3).

This action is not expected to require an increased appropriation.

Date: July 20, 2018



Glenn Haight, Executive Director
Alaska Board of Fisheries
Department of Fish and Game

FILING CERTIFICATION

Claire Richardson for

I, Byron Mallott, Lieutenant Governor for the State of Alaska, certify that on

July 20, 2018, at 1:19 p.m., I filed the attached regulation according to the provisions of AS 44.62.

Claire Richardson for
Byron Mallott, Lieutenant Governor
State of Alaska

Effective: July 20, 2018

Register: 227, October 2018


Expires November 16, 2018 unless made permanent by the adopting agency

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

I, BYRON MALLOTT, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA, designate the following state employee to perform the Administrative Procedures Act filing functions of the Office of the Lieutenant Governor:

Claire Richardson, Special Assistant

IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Alaska, in Juneau, on January 7th 2015.


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**BYRON MALLOTT
LIEUTENANT GOVERNOR**



EMERGENCY REGULATIONS

Register 227, October 2018 FISH AND GAME

Title 5. Fish and Game.

Chapter 09. Alaska Peninsula Area.

Article 3. Salmon Fishery.

5 AAC 09.360 is amended by adding a new subsection to read:

(m) Notwithstanding the provisions of this section, through August 8 the Southeastern District Mainland Section of the Southeastern District is closed if the department projects the Chignik River late-run sockeye salmon interim escapement objectives will not be met.

5 AAC 09.366 is amended by adding a new subsection to read:

(k) Notwithstanding the provisions of this section, through August 8 the waters of the Volcano Bay Section of the Southwestern District south and east of a line from Arch Point at 55° 12.30' N. lat., 161° 54.30' W. long. to a point on Belkofski Peninsula at 55° 09.50' N. lat., 161° 57.80' W. long. and in the portion of the West Pavlof Bay Section south of Black Point (55° 24.48' N. lat.) are closed if the department projects the Chignik River late-run sockeye salmon interim escapement objectives will not be met.



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

**Department of
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DIVISION OF COMMERCIAL FISHERIES
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MEMORANDUM

To: Office of the Lt. Governor

Date: July 20, 2018

From: Shellene L. Hutter *SLH*
Fishery Regulations Program Coordinator

Phone: (907) - 465-6124

Subject: Emergency Regulations in response
to Emergency Petitions for Chignik Sockeye
Salmon Commercial Fisheries

We are requesting approval of the attached final regulations regarding commercial salmon fisheries in the South Alaska Peninsula management area which were adopted by the Board of Fisheries at its July 17, 2018 public meeting at Egan Center in Anchorage.

Enclosed are the following documents:

1. The finding of emergency supporting documentation and adoption order.
2. The emergency regulations.

cc: M. Scott Kelly, Director
Division of Commercial Fisheries

Forrest Bowers, Deputy Director
Division of Commercial Fisheries

Tom Brookover, Director
Division of Sport Fisheries

Tom Taube, Deputy Director
Division of Sport Fisheries

Lisa Olsen, Deputy Director
Division of Subsistence

Glenn Haight, Executive Director
Alaska Board of Fisheries