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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

M E M O R A N D U M

TO: Glenn Haight
Department of Fish and Game

FROM: April Simpson, Office of the Lieutenant Governor 
465.4081

DATE: September 16, 2022

RE: Filed Permanent Regulations: Board of Fisheries

Board of Fisheries regulation re: January 4 - 15 2022 meeting Southeast and Yakutat (5 AAC)

Attorney General File: 2020200464.002

Regulation Filed: 9/16/2022

Effective Date: 10/16/2022

Print: 244, January 2023

cc with enclosures: Colleen Bailey, Department of Law
Judy Herndon, LexisNexis

**ORDER CERTIFYING THE CHANGES TO REGULATIONS
OF THE ALASKA BOARD OF FISHERIES**

The attached 31 pages of regulations, changes to 5 AAC for Southeast Alaska subsistence, sport, personal use, commercial fisheries and hatchery operations are certified to be a correct copy of the regulation changes that the Alaska Board of Fisheries adopted at its public hearing held from March 10th – March 22nd, 2022 in Anchorage, Alaska under the authority of AS 16.05.251 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

On the record, in considering public comments, the Alaska Board of Fisheries paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

DATE: 7/26/2022
Anchorage, Alaska

DocuSigned by:
Doug Vincent-Lang
32E3FEFE58284DB...

Douglas S. Vincent-Lang, Commissioner
Department of Fish and Game

April Simpson for

FILING CERTIFICATION

I, Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that on

September 16, 2022 at 2:44 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.

for *Kevin Meyer*
Kevin Meyer, Lieutenant Governor
State of Alaska

Effective: October 16, 2022.

Register: 244, January 2023.

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

**I, KEVIN MEYER, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA,
designate the following state employees to perform the Administrative Procedures Act
filing functions of the Office of the Lieutenant Governor:**

**Josh Applebee, Chief of Staff
Kady Levale, Notary Administrator
April Simpson, Regulations and Initiatives Specialist**

**IN TESTIMONY WHEREOF, I have
signed and affixed the Seal of the State of
Alaska, in Juneau, on December 11th,
2018.**



K. Meyer
.....

**KEVIN MEYER
LIEUTENANT GOVERNOR**

Register 244, January ²⁰²³ ~~2022~~ FISH AND GAME

Title 5. Fish and Game.

Part 1. Commercial and Subsistence Fishing and Private Nonprofit Salmon Hatcheries.

Chapter 01. Subsistence Finfish Fishery.

Article 13. Yakutat Area.

5 AAC 01.670(e) is repealed:

(e) Repealed 10 / 16 / 2022. (In effect before 1986; am 4/18/86, Register 98; readopt 5/15/93, Register 126; am 4/15/94, Register 130; am 8/23/2009, Register 191; am 7/1/2015, Register 214; am 6/17/2018, Register 226; am 10 / 16 / 2022, Register 244)

Authority: AS 16.05.251 AS 16.05.258

Article 14. Southeastern Alaska Area.

5 AAC 01.716(a)(1)(A) is amended to read:

(A) eulachon in the fresh waters of section 1-C and section 1-D;
(Eff. 5/15/93, Register 126; am 5/6/94, Register 130; am 6/15/95, Register 134; am 6/7/95, Register 135; am 6/19/97, Register 142; am 5/31/98, Register 146; am 6/3/2000, Register 154; am 3/11/2001, Register 157; am 4/14/2002, Register 162; am 7/18/2003, Register 167; am 5/26/2006, Register 178; am 4/24/2009, Register 190; am 7/13/2012, Register 203; am 2/23/2014, Register 209; am 7/1/2015, Register 214; am 9/19/2019, Register 231; am 10 / 16 / 2022, Register 244)

Authority: AS 16.05.251 AS 16.05.258

Register 244, January ²⁰²³ ~~2022~~ FISH AND GAME

5 AAC 01.720 is amended by adding a new paragraph to read:

(6) fishing gear may not obstruct more than one-half the width of any salmon stream, side channel, creek, river, bay, or waterway. (In effect before 1982; am 4/14/82, Register 82; am 6/25/89, Register 110; readopt 5/15/93, Register 126; am 7/18/2003, Register 167; am 7/1/2015, Register 214; am 9 / 25 / 2022, Register 243 ⁹; am 10 / 16 / 2022, Register 244)

Authority: AS 16.05.251 AS 16.05.258

5 AAC 01.730(b) is amended to read:

(b) Permits will not be issued for the taking of coho salmon from the Taku River and Stikine River drainages [, OR FOR KING SALMON]. However [△] [KING OR] coho salmon taken incidentally by gear operated under terms of a subsistence permit for other salmon are legally taken and possessed for subsistence purposes as described in (j) of this section.

5 AAC 01.730(g) is amended to read:

(g) When issuing a herring spawn-on-kelp subsistence fishing permit, the department may specify on the permit the times and locations for harvesting and the species of kelp that may be taken. The annual possession limit for herring spawn on kelp is 75 [32] pounds for an individual or 325 [158] pounds for a household of two or more persons. [THE DEPARTMENT MAY ISSUE AN ADDITIONAL PERMIT FOR HERRING SPAWN ON KELP ABOVE THE ANNUAL POSSESSION LIMIT IF HARVESTABLE SURPLUSES OF HERRING SPAWN ON KELP ARE AVAILABLE.]

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(In effect before 1982; am 4/14/82, Register 82; am 12/29/84, Register 92; am 6/25/89, Register 110; am/readopt 5/15/93, Register 126; am 4/14/2002, Register 162; am 7/18/2003, Register 167; am 7/13/2012, Register 203; am 7/1/2015, Register 214; am 6/5/2016, Register 218; am 10/16/ 2022, Register 244)

Authority: AS 16.05.251 AS 16.05.258

5 AAC 01.745 is amended by adding a new subsection to read:

(k) Eulachon on the Unuk River: the possession and annual limit is 50 pounds of eulachon smelt. (In effect before 1988; am 5/23/88, Register 106; am 6/25/89, Register 110; readopt 5/15/93, Register 126; am 6/19/97, Register 142; am 6/3/2000, Register 154; am 6/5/2016, Register 218; am 9/19/2019, Register 231; am 10/16/ 2022, Register 244)

Authority: AS 16.05.251 AS 16.05.258

5 AAC 01.760(b)(1)(B) is amended to read:

(B) by gaff, [SPEAR,] dip net, seine, gillnet, and a hook and line attached to a rod or pole;

The introductory language of 5 AAC 01.760(e) is amended to read:

(e) The following provisions apply to the department issuance of community harvest permits for the Redoubt Bay community harvest area described as the waters of Redoubt Bay that are north (seaward) of a line approximately 150 yards from the base of the falls as marked by ADF&G regulatory markers [SOUTH OF 56° 54.71' N. LAT. AND WEST OF 135° 18.88' W. LONG.]:

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...

5 AAC 01.760(e)(6) is amended to read:

(6) for the purposes of this section, the legal gear for harvest under a community harvest permit are a beach seine, hand purse seine, dip net, gaff, spear, and a hook and line attached to a rod or pole. (Eff. 7/18/2003, Register 167; am 7/26/2003, Register 167; am 6/5/2016, Register 218; am 10/16/2022, Register 244)

Authority: AS 16.05.060 AS 16.05.258 AS 16.05.330
AS 16.05.251

Chapter 29. Salmon Troll Fishery.

Article 3. Management and Allocation Management Plans.

5 AAC 29.060(b) is amended by adding a new paragraph to read:

(6) if the projected annual Southeast Alaska all-gear harvest is below the annual harvest ceiling, any remaining allocation from those gear groups listed in (1) – (3) and (5) of this subsection may be allocated to the troll fishery beginning at a season date determined by the department and established by emergency order.

5 AAC 29.060 is amended by adding a new subsection to read:

(e) If the Southeast Alaska all-gear annual harvest exceeds the annual harvest ceiling established by the Pacific Salmon Commission, in the year following any overage, the department shall manage the commercial and sport king salmon fisheries in the Southeastern Alaska-Yakutat Area ^{in accordance with} according to (b) of this section based on the revised annual harvest ceiling

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established by the Pacific Salmon Commission. (Eff. 10/1/98, Register 147; am 6/1/2003, Register 166; am 5/26/2006, Register 178; am 10 / 16 / 2022, Register 244)

Authority: AS 16.05.251

((Note to Publisher: please change period at the end of 5 AAC 29.060(b)(5) to a semicolon)))

Chapter 33. Southeastern Alaska Area.

Article 2. Fishing Districts and Sections.

5 AAC 33.200(f)(4) is amended to read:

(4) Section 6-D: waters east of Sections 6-B and 6-C and west of a line from Mariposa Rock Buoy at 56° 10.68' N. lat., 132° 44.36' W. long., to the northernmost tip of Point Harrington at 56° 10.27' N. lat., 132° 43.57' W. long., to a point on Etolin Island at 56° 09.60' N. lat., 132° 42.70' W. long., to the southernmost tip of Point Stanhope at 56° 00.69' N. lat., 132° 36.47' W. long.; [ALL OTHER WATERS OF THE DISTRICT.]

5 AAC 33.200(f) is amended by adding a new paragraph to read:

(5) Section 6-E: all other waters of the district.

(In effect before 1985; am 5/31/85, Register 94; am 7/14/85, Register 95; am 4/18/86, Register 98; am 6/25/89, Register 110; am 6/28/97, Register 142; am 10/1/98, Register 147; am 10/12/2000, Register 156; am 3/11/2001, Register 157; am 2/22/2015, Register 213; am 7/1/2015, Register 214; am 6/17/2018, Register 226; am 9/19/2019, Register 231; am 10 / 16 / 2022, Register 244)

Authority: AS 16.05.251

Article 3. Salmon Fishery.

5 AAC 33.310(a)(6) is amended to read:

(6) District 6, Sections 6-C, [AND] 6-D, and 6-E only;

The introductory language of

→ 5 AAC 33.310(c)(2)(B) is amended to read:

(B) Section [SECTIONS] 6-D [WEST OF A LINE FROM MARIPOSA

ROCK BUOY AT 56° 10.68' N. LAT., 132° 44.36' W. LONG., TO THE

NORTHERNMOST TIP OF POINT HARRINGTON AT 56° 10.27' N. LAT., 132°

43.57' W. LONG., TO A POINT ON ETOLIN ISLAND AT 56° 09.60' N. LAT., 132°

42.70' W. LONG. TO THE SOUTHERNMOST TIP OF POINT STANHOPE AT 56°

00.69' N. LAT., 132° 36.47' W. LONG.,] is open

...

(In effect before 1982; am 4/14/82, Register 82; am 4/16/83, Register 86; am 6/30/83, Register

86; am 4/28/84, Register 90; am 6/30/84, Register 90; am 5/31/85, Register 94; am 4/18/86,

Register 98; am 6/25/89, Register 110; am 4/23/94, Register 130; am 6/14/2000, Register 154;

am 3/11/2001, Register 157; am 7/26/2003, Register 167; em am 4/13/2005 - 8/10/2005, Register

174; am 5/26/2006, Register 178; am 7/1/2015, Register 214; am 9/19/2019, Register 231; am

10/10/2022, Register 244)

Authority: AS 16.05.060 AS 16.05.251

5 AAC 33.359(a) is amended to read

((CAPS))

(a) The department may open [those portions of] Section 6-D [DESCRIBED IN 5 AAC

33.310(c)(2)(B)] to drift gillnet fishing during the period of time that is after the first Saturday in

August and before the first Sunday in September as described in this section.

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The introductory language of 5 AAC 33.359(b) is amended to read

(b) If a purse seine fishery is announced to be opened or is opened in the portion of Section 6-D [DESCRIBED IN 5 AAC 33.310(c)(2)(B)] for any portion of one day, the drift gillnet fishery may open [IN THE SAME PORTION OF SECTION 6-D,] as follows:

...

5 AAC 33.359(c) is repealed:

(c) Repealed 10 / 16 / 2022. (Eff. 7/1/2015, Register 214; am 10 / 16 / 2022, Register 244)

Authority: AS 16.05.060 AS 16.05.251

5 AAC 33.366(a)(2) is amended to read:

(2) [THROUGH THE 2021 SEASON,] the department shall close the seine fishery in District 12 north of Point Marsden after 15,000 wild sockeye salmon are harvested by seine vessels that the department identifies as taken north of Point Marsden when other areas are open concurrently through July 22; hatchery-produced sockeye salmon will not count against the 15,000 wild sockeye salmon harvest limit; during the openings, the department will use aerial flyovers, on-the-ground sampling, interviews, and fish tickets to estimate the sockeye salmon harvest north of Point Marsden.

(Eff. 6/25/89, Register 110; am 7/26/2003, Register 167; am 5/26/2006, Register 178; am 5/9/2015, Register 214; am 7/1/2015, Register 214; am 6/17/2018; Register 226; am 4/23/2021, Register 238; am 10 / 16 / 2022, Register 244)

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Authority: AS 16.05.060 AS 16.05.251

5 AAC 33.369(b) is amended to read:

(b) The Herring Bay Troll Terminal Harvest Area is open for commercial salmon trolling from July 1 through August 30, unless closed earlier by emergency order. The Herring Bay Troll Terminal Harvest Area consists of those waters of Revillagigedo Channel north and west of a line from the easternmost tip of Carroll Point across to Spire Island light on the eastern shore of Annette Island, Carroll Inlet south of the latitude of the southernmost tip of California Head, George Inlet south of 55° 20.80' N. lat., and south of a line from a point located on the southeastern shore of Gravina Island at 55° 17.65' N. lat., 131° 37.03' W. long., to a point on the southwest shore of Tongass Narrows at 55° 18.63' N. lat., 131° 35.20' W. long., and east of a line from the southernmost tip of Gravina Point located on the southeast shore of Gravina Island to the northernmost tip of Walden Point located on the northeast tip of Annette Island, except that from 12:01 a.m. July 1 through 11:59 p.m. July 31, the waters of Carroll Inlet south of the 55° 24.27' N. lat. are included in the Herring Bay Troll Terminal Harvest Area.

(Eff. 7/13/2012, Register 203; am 10 / 16 / 2022, Register 244)

Authority: AS 16.05.060 AS 16.05.251

5 AAC 33.376(b)(1) is amended to read:

(1) salmon may be taken by purse seines and drift gillnets only during periods established by emergency order, as follows:

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(A) openings for seines and gillnets must be rotated between net gear groups; the department, in consultation with NSRAA, shall close fishing between openings;

(B) [EXCEPT AS SPECIFIED IN (C) AND (D) OF THIS PARAGRAPH, THE TIME RATIO FOR GILLNET OPENINGS TO SEINE OPENINGS IS TWO TO ONE;

(C) FOR THE 2018 SEASON, THE TIME RATIO FOR GILLNET OPENINGS TO SEINE OPENINGS IS ONE TO TWO;

(D) FOR THE 2019, 2020, AND 2021 SEASONS,] the time ratio for gillnet openings to seine openings is one to one;

(Eff. 4/30/91, Register 118; am 4/23/94, Register 130; am 6/28/97, Register 142; am 6/14/2000, Register 154; am 3/11/2001, Register 157; am 5/26/2006, Register 178; am 5/31/2009, Register 190; am 7/13/2012, Register 203; am 5/9/2015, Register 214; am 6/17/2018, Register 226; am 4/23/2021, Register 238; am 10 / 16 / 2022, Register 244)

Authority: AS 16.05.060 AS 16.05.251

5 AAC 33 is amended by adding a new section to read:

5 AAC 33.382. District 3: Port Saint Nicholas Terminal Harvest Area Salmon

Management Plan. (a) This management plan distributes the harvest of hatchery-produced king salmon in the Port Saint Nicholas Terminal Harvest Area between the purse seine, troll, and drift gillnet fleets.

(b) The department, in consultation with the Southern Southeast Regional Aquaculture Association (SSRAA), shall manage the Port Saint Nicholas Terminal Harvest Area from May 1

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through July 31 for troll, purse seine, and drift gillnet gear to provide for the harvest of hatchery-produced king salmon, unless closed earlier by emergency order. The Port Saint Nicholas Terminal Harvest Area consists of all waters of Port Saint Nicholas east of the longitude of Point Miraballes at 133° 05.23' W. long., and west of the longitude at 132° 59.50' W. long., located at the mouth of the Port Saint Nicholas head stream.

(c) For troll gear, the terminal harvest area is expanded to the waters of Port Saint Nicholas and Bucareli Bay north and east of a line from Cape Suspiro at 55° 27.48' N. lat., 133° 08.54' W long., to the northernmost tip of Toti Island at 55° 24.90' N. lat., 133° 07.34' W. long., to Point Miraballes at 55° 25.86' N. lat., 133° 05.23' W. long.

(d) A drift gillnet operated in the terminal harvest area may not exceed 200 fathoms in length. (Eff. 10/16/2022, Register 244)

Authority: AS 16.05.060 AS 16.05.251 AS 16.10.455

5 AAC 33.383(d) is amended to read:

(d) The department shall manage the Anita Bay Terminal Harvest Area from May 1 through November 10 to distribute the harvest of excess hatchery-produced king, coho, and chum salmon as follows:

(1) salmon may be taken by troll gear at any time;

(2) salmon may be taken by purse seines and drift gillnets only during periods established by emergency order;

(3) [EXCEPT AS SPECIFIED IN (4) OF THIS SUBSECTION,] in establishing emergency order season openings for the purse seine and drift gillnet fisheries, the department

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shall rotate openings between these gear groups and shall provide for a [TIME RATIO FOR GILLNET OPENINGS TO SEINE OPENINGS OF TWO TO ONE;

(4) FOR THE 2018 THROUGH 2021 FISHING SEASONS, THE] time ratio for gillnet openings to seine openings of [IS] one to one.

(Eff. 6/28/97, Register 142; am 7/26/2003, Register 167; am 5/26/2006, Register 178; am 5/31/2009, Register 190; am 7/13/2012, Register 203; am 5/9/2015, Register 214; am 6/17/2018, Register 226; am 9/19/2019, Register 231; am 4/23/2021, Register 238; am 4/25/2021, Register 238; am 10 / 16 / 2022, Register 244)

Authority: AS 16.05.060 AS 16.05.251 AS 16.10.455

5 AAC 33 is amended by adding a new section to read:

5 AAC 33.388. District 3: Port Asumcion Terminal Harvest Area Salmon

Management Plan. (a) This management plan provides for the terminal area common property harvest of hatchery-produced chum and coho salmon in the Port Asumcion Terminal Harvest Area and distributes the harvest between the purse seine, gillnet, and troll fleets.

(b) The department, in consultation with the Southern Southeast Regional Aquaculture Association (SSRAA), shall manage the waters of Port Asumcion north and west of a line from Point Cosinas at 55° 21.80' N. lat., 133° 30.64' W. long., to a point west of Point Maria located at 55° 22.04' N. lat., 133° 30.26' W. long.

(c) Openings will be by emergency order once SSRAA cost recovery for the site has been secured.

(d) Salmon may be taken by purse seine, gillnet, and troll gear from June 15 to October 30. (Eff. 10 / 16 / 2022, Register 244)

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Authority: AS 16.05.060 AS 16.05.251 AS 16.10.455

Chapter 40. Private Nonprofit Salmon Hatcheries.

Article 2. Special Harvest Areas.

5 AAC 40 is amended by adding new sections ⁷to read:

5 AAC 40.050. District 1: Carroll Inlet Special Harvest Area. (a) There is established a Carroll Inlet Special Harvest Area for the Southern Southeast Regional Aquaculture Association harvest of chinook salmon returns to the Carroll Inlet release site, consisting of the waters of Carroll Inlet north of the latitude of Nigelius Point at 55° 33.50' N. lat., 131° 21.14' W. long.

(b) A hatchery permit holder harvesting salmon within the special harvest area is exempt from the provisions of 5 AAC 33.310. The open fishing season within the Carroll Inlet Special Harvest Area for the hatchery permit holder is from June 1 through July 15 during fishing periods established by emergency order.

(c) Notwithstanding 5 AAC 33.330, legal gear for the hatchery permit holder in the special harvest area ^{is}~~are~~ purse seine, beach seine, gillnet, and troll gear. (Eff. 10 / 16 / 2022, Register 244)

Authority: AS 16.05.060 AS 16.05.251 AS 16.10.440

5 AAC 40 is amended by adding a new section to read:

5 AAC 40.052. District 3: Port Asumcion Special Harvest Area Management Plan.

(a) There is established the Port Asumcion Special Harvest Area for the Southern Southeast Regional Aquaculture Association harvest of enhanced salmon returns to the Port Asumcion

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release site, consisting of those waters of Port Asumcion north and west of a line from Point Cosinas at 55° 21.80' N. lat., 133° 30.64' W. long., to a point west of Point Maria located at 55° 22.04' N. lat., 133° 30.26' W. long.

(b) A hatchery permit holder harvesting salmon within the special harvest area is exempt from the provisions of 5 AAC 33.310. The open fishing season within the Port Asumcion Special Harvest Area for the hatchery permit holder is from June 15 through October 30.

(c) Notwithstanding 5 AAC 33.330, legal gear for the hatchery permit holder in the special harvest area ^{is} ~~are~~ purse seine, beach seine, and gillnet. (Eff. 10 / 16 / 2022, Register 244)

Authority: AS 16.05.060 AS 16.05.251 AS 16.10.440

5 AAC 40.053(a) is amended to read:

(a) There is established the Port Saint Nicholas Special Harvest Area, consisting of all waters of Port Saint Nicholas east of the longitude of Point Miraballes at 133° 05.23' [133° 02.92'] W. long., and west of 132° 59.50' W. long., located at the mouth of the Port Saint Nicholas head stream.

5 AAC 40.053(c) is amended to read:

(c) Notwithstanding 5 AAC 33.330, legal gear for the hatchery permit holder in the special harvest area ^{is} ~~are~~ ^{«(C.A.S.)»} [are] purse seine, beach seine, gillnet, and dip net. (Eff. 7/13/2012, Register 203; am 10 / 16 / 2022, Register 244)

Authority: AS 16.05.060 AS 16.05.251 AS 16.10.440

Part 2. Sport Fishing and Personal Use Fishery.

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Chapter 47. Southeast Alaska Area.

5 AAC 47.020(1) is amended to read:

(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;

(Eff. 4/15/94, Register 130; am 5/2/97, Register 142; am 8/16/97, Register 143; am 9/28/97, Register 143; am 5/25/2000, Register 154; am 5/19/2001, Register 158; am 6/1/2003, Register 166; am 5/31/2009, Register 190; am 6/21/2009, Register 190; am 7/29/2009, Register 191; am 10/18/2009, Register 192; am 5/11/2012, Register 202; am 7/13/2012, Register 203; am 6/1/2013, Register 206; am 2/23/2014, Register 209; am 6/17/2018, Register 226; am 10 / 16 / 2022, Register 244)

Authority: AS 16.05.060 AS 16.05.251

5 AAC 47.021(b) is amended by adding a new paragraph to read:

(5) in all waters of Puget Cove, shoreward of the boundary defined by a line between 59° 33.88' N. lat., 139° 43.86' W. long., and 59° 33.83' N. lat., 139° 42.93' W. long., the bag and possession limit for coho salmon 16 inches or greater in length is two fish.

(Eff. 6/1/2003, Register 166; am 7/18/2003, Register 167; am 7/26/2003, Register 167; em am 4/13/2005 - 8/10/2005, Register 174; am 5/26/2006, Register 178; add'l am 5/26/2006, Register 178; am 5/31/2009, Register 190; am 7/29/2009, Register 191; am 5/12/2011, Register 198; am 7/13/2012, Register 203; am 2/23/2014, Register 209; am 5/9/2015, Register 214; am 7/1/2015, Register 214; am 6/17/2018, Register 226; am 10 / 16 / 2022, Register 244)

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Authority: AS 16.05.060 AS 16.05.251

(((Publisher: Please change period at end of 5 AAC 47.021(b)(4) to a semi colon.)))

5 AAC 47.023(b)(6)(A) is amended to read:

(A) a king salmon 28 inches or greater in length taken by a nonresident will not count toward that nonresident's annual harvest limit established [BY EMERGENCY ORDER] under 5 AAC 47.055;

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;

5 AAC 47.023(e)(1) is amended by adding a new subparagraph 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, which must be no less than 14 inches and no greater than 22 inches;

5 AAC 47.023(h)(1)(D) is amended to read:

(D) a king salmon 28 inches or greater in length harvested by a nonresident counts toward the annual harvest limit established [BY EMERGENCY ORDER] under 5 AAC 47.055;

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(Eff. 6/1/2003, Register 166; am 7/18/2003, Register 167; am 5/26/2006, Register 178; am 12/31/2006, Register 180; am 5/31/2009, Register 190; am 5/12/2011, Register 198; am 7/13/2012, Register 203; am 2/23/2014, Register 209; am 5/9/2015, Register 214; am 7/1/2015, Register 214; am 6/17/2018, Register 226; am 10 / 16 / 2022, Register 244)

Authority: AS 16.05.060 AS 16.05.251

5 AAC 47.055(b)(2) is amended to read:

(2) allow uninterrupted sport fishing in salt waters for king salmon, while not exceeding the [SPORT FISHERY] harvest ceiling;

5 AAC 47.055(b)(4) is amended to read:

(4) allow for the transfer of any projected unused balance in sport allocation to the troll fishery at a date determined by the department [PROVIDE STABILITY TO THE SPORT FISHERY BY ELIMINATING INSEASON REGULATORY CHANGES, EXCEPT THOSE NECESSARY FOR CONSERVATION PURPOSES].

5 AAC 47.055(c)(2) is amended to read:

(2) a nonresident bag limit of [TWO KING SALMON IN MAY AND] one king salmon [IN OTHER MONTHS; A NONRESIDENT ANNUAL LIMIT OF FIVE KING SALMON], 28 inches or greater in length;

5 AAC 47.055(c)(3) is amended to read:

(3) from January 1 through June 30, a nonresident annual harvest limit of three king salmon, 28 inches or greater in length;

(4) from July 1 through July 15, a nonresident annual harvest limit of two king salmon, 28 inches or greater in length; any king salmon harvested by a nonresident from January 1 through June 30 will apply towards the two fish annual harvest limit;

(5) from July 16 through December 31, a nonresident annual harvest limit of one king salmon, 28 inches or greater in length; any king salmon harvested by a nonresident from January 1 through July 15 will apply towards the one fish annual harvest limit;

(6) from October 1 through March 31, a sport fish angler may use two rods when fishing for king salmon; a person using two rods under this paragraph may only retain salmon.

5 AAC 47.055(d)(2) is amended to read:

(2) a nonresident bag limit of one king salmon[; A NONRESIDENT ANNUAL LIMIT OF FOUR KING SALMON], 28 inches or greater in length;

5 AAC 47.055(d)(3) is amended to read:

(3) from January 1 through June 30, a nonresident annual harvest limit of three king salmon, 28 inches or greater in length;

(4) from July 1 through July 15, a nonresident annual harvest limit of two king salmon, 28 inches or greater in length; any king salmon harvested by a nonresident from January 1 through June 30 will apply towards the two fish annual harvest limit;

(5) from July 16 through December 31, a nonresident annual harvest limit of one king salmon, 28 inches or greater in length; any king salmon harvested by a nonresident from January 1 through July 15 will apply towards the one fish annual harvest limit;

(6) from October 1 through March 31, a sport fish angler may use two rods when fishing for king salmon; a person using two rods under this paragraph may only retain salmon.

5 AAC 47.055(e)(2) is amended to read:

(2) a nonresident bag limit of one king salmon [; A NONRESIDENT ANNUAL LIMIT OF THREE KING SALMON], 28 inches or greater in length;

5 AAC 47.055(e)(3) is amended to read:

(3) from January 1 through June 30, a nonresident annual harvest limit of three king salmon, 28 inches or greater in length;

(4) from July 1 through July 15, a nonresident annual harvest limit of two king salmon, 28 inches or greater in length; any king salmon harvested by a nonresident from January 1 through June 30 will apply towards the two fish annual harvest limit;

(5) from July 16 through December 31, a nonresident annual harvest limit of one king salmon, 28 inches or greater in length; any king salmon harvested by a nonresident from January 1 through July 15 will apply towards the one fish annual harvest limit;

(6) from October 1 through March 31, a resident sport fish angler may use two rods when fishing for king salmon; a person using two rods under this paragraph may only retain salmon.

5 AAC 47.055(f) is amended to read:

(f) When the Southeast Alaska winter troll fishery CPUE is less than 6.0 and equal to or greater than 3.8, which is equivalent to a king salmon abundance index of less than or equal to 1.5 and greater than 1.2, the sport fishery harvest limit will be 37,900 treaty king salmon, and the commissioner may, by emergency order, implement the following management measures [IN CONJUNCTION WITH WILD STOCK MANAGEMENT MEASURES]:

(1) a resident bag limit of two [ONE] king salmon, 28 inches or greater in length;

(2) a nonresident bag limit of one king salmon, 28 inches or greater in length;

(3) from January 1 through June 30, a nonresident annual [TOTAL] harvest limit of three king salmon, 28 inches or greater in length[#]; A HARVEST RECORD UNDER 5 AAC 75.006 IS REQUIRED;

(4) [(3)] from July 1 through July 15 [7], a nonresident annual [TOTAL] harvest limit of two king salmon, 28 inches or greater in length; any king salmon harvested by a nonresident from January 1 through June 30 [July 7] will apply towards the two fish annual [TOTAL] harvest limit[#]; A HARVEST RECORD UNDER 5 AAC 75.006 IS REQUIRED];

(5) from July 16 through December 31, a nonresident annual harvest limit of one king salmon, 28 inches or greater in length; any king salmon harvested by a nonresident from January 1 through July 15 will apply towards the one fish annual harvest limit;

(6) [(4)] from October 1 through March 31, a resident sport fish angler may use two rods when fishing for king salmon; a person using two rods under this paragraph may only retain salmon[#];

(5) FROM JULY 8 THROUGH DECEMBER 31, A NONRESIDENT TOTAL HARVEST LIMIT OF ONE KING SALMON; 28 INCHES OR GREATER IN LENGTH; ANY KING SALMON HARVESTED BY A NONRESIDENT FROM JANUARY 1 THROUGH DECEMBER 31 WILL APPLY TOWARDS THE ONE FISH TOTAL HARVEST LIMIT; A HARVEST RECORD UNDER 5 AAC 75.006 IS REQUIRED;

(6) IF THE DEPARTMENT PROJECTS THAT THE SPORT HARVEST ALLOCATION IS GOING TO BE EXCEEDED, THE DEPARTMENT SHALL, BY EMERGENCY ORDER, CLOSE SPORT FISHING BY NONRESIDENTS TO STAY WITHIN THE SPORT HARVEST ALLOCATION; THE DEPARTMENT SHALL CLOSE SPORT FISHING BY RESIDENTS ONLY IF NONRESIDENT ANGLER CLOSURES ARE INSUFFICIENT TO REMAIN WITHIN THE SPORT HARVEST ALLOCATION;

(7) IN THE HAINES AND SKAGWAY VICINITY:

(A) IN THE WATERS OF CHILKAT INLET NORTH OF THE ADF&G REGULATORY MARKER IMMEDIATELY NORTH OF SEDUCTION POINT, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JULY 1 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(B) IN THE WATERS OF SECTION 13-C, AS DESCRIBED IN 5 AAC 33.200, SOUTHEAST OF A LINE FROM NISMENI POINT TO A POINT ON THE CHICHAGOF ISLAND SHORELINE AT 57° 35.59' N. LAT., 135° 22.33' W. LONG.,

A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JUNE 15
THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(8) IN THE JUNEAU VICINITY:

(A) IN THE WATERS OF SECTIONS 11-A, 11-B AND 11-C,
DISTRICT 12. SECTIONS 14-B, 14-C, 15-B, AND 15-C, AS DESCRIBED IN 5 AAC
33.200, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JUNE 15
THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(B) IN THE WATERS OF SECTION 11-D, AS DESCRIBED IN 5 AAC
33.200, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JULY 1
THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(9) IN THE PETERSBURG WRANGELL VICINITY:

(A) IN THE WATERS OF DISTRICT 8, AS DESCRIBED IN 5 AAC
47.057(D), AND IN A PORTION OF DISTRICT 7, AS DESCRIBED IN 5 AAC 33.200,
IN THE WATERS OF EASTERN PASSAGE WEST OF A LINE FROM A POINT ON
WRANGELL ISLAND AT 56° 22.19' N. LAT., 132° 11.75' W. LONG., TO A POINT
ON THE MAINLAND SHORE AT 56° 22.76' N. LAT., 132° 10.62' W. LONG., A
RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JULY 15
THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(B) IN THE WATERS OF DISTRICT 5 NORTH OF A LINE FROM
POINT BAKER TO A POINT ON THE SHORE OF KUIU ISLAND AT 56° 20.80' N.
LAT., 133° 50.87' W. LONG., DISTRICT 6, DISTRICT 7 EXCLUDING THE
WATERS OF EASTERN PASSAGE WEST OF A LINE FROM A POINT ON
WRANGELL ISLAND AT 56° 22.19' N. LAT., 132° 11.75' W. LONG., TO A POINT

ON THE MAINLAND SHORE AT 56° 22.76' N. LAT., 132° 10.62' W. LONG.,
DISTRICT 9 NORTH OF LINE FROM POINT ELLIS TO PATTERSON POINT, AND
DISTRICT 10, AS DESCRIBED IN 5 AAC 33.200, A RESIDENT KING SALMON
BAG LIMIT OF TWO FISH FROM JUNE 15 THROUGH DECEMBER 31, 28
INCHES OR GREATER IN LENGTH;

(10) IN THE KETCHIKAN VICINITY:

(A) IN THE WATERS OF BEHM CANAL AND REVILLAGIGEDO
CHANNEL AND THE CONTIGUOUS BAYS, BETWEEN A LINE FROM POINT
EVA TO CACTUS POINT, AND A LINE FROM LUCKY POINT AT 55° 12.62' N.
LAT., 131° 16.18' W. LONG., TO MIDDY POINT AT 55° 10.19' N., 131° 19.60' W.
LONG., TO BEAVER POINT AT 55° 05.25' N. LAT., 131° 14.57' W. LONG., AND
FROM POINT ROSEN AT 55° 04.74' N LAT., 131° 10.87' W. LONG., TO QUADRA
POINT AT 55° 05.14' N. LAT., 130° 59.07' W. LONG., A RESIDENT KING SALMON
BAG LIMIT OF TWO FISH FROM AUGUST 15 THROUGH DECEMBER 31, 28
INCHES OR GREATER IN LENGTH;

(B) IN THE WATERS OF WEST BEHM CANAL AND THE
CONTIGUOUS BAYS ENCLOSED TO THE NORTH BY A LINE FROM THE
WESTERN ENTRANCE OF BAILEY BAY AT 55° 56.04' N. LAT., 131° 37.94' W.
LONG., TO THE NORTHERN TIP OF HASSLER ISLAND AT 55° 54.28' N. LAT.,
131° 37.80' W. LONG., AND A LINE FROM FIN POINT AT 55° 51.26' N. LAT., 131°
35.42' W. LONG., TO DRESS POINT AT 55° 51.15' N. LAT., 131° 33.75' W. LONG.,
AND TO THE SOUTH BY A LINE FROM INDIAN POINT AT 55° 36.87' N. LAT.,
131° 42.07' W. LONG., TO MIKE POINT AT 55° 37.25' N. LAT., 131° 52.74' W.

LONG.; A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM AUGUST 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(C) IN THE WATERS OF THE HERRING BAY SPORTFISH TERMINAL HARVEST AREA, WHICH INCLUDES THE WATERS OF NICHOLS PASS NORTH OF THE LATITUDE OF DRIEST POINT, REVILLAGIGEDO CHANNEL NORTH OF THE LATITUDE OF HARBOR POINT, AND TONGASS NARROWS SOUTH OF THE LATITUDE OF THE LEWIS REEF LIGHT, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JUNE 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(D) IN ALL REMAINING WATERS OF DISTRICTS 1 AND 2, AS DESCRIBED IN 5 AAC 33.200, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH 28 INCHES OR GREATER IN LENGTH FROM AUGUST 15 THROUGH DECEMBER 31].

5 AAC 47.055(g) is amended to read:

(g) When the Southeast Alaska winter troll fishery CPUE is less than 3.8 and equal to or greater than 2.6, which is equivalent to a king salmon abundance index of less than or equal to 1.2 and greater than 1.0, the sport fishery harvest limit will be 25,800 treaty king salmon and the commissioner may, by emergency order, implement the following management measures [IN CONJUNCTION WITH WILD STOCK MANAGEMENT MEASURES]:

(1) a bag limit of one king salmon, 28 inches or greater in length;

(2) from January 1 through June 30, a nonresident annual [TOTAL] harvest limit of three king salmon, 28 inches or greater in length; [A HARVEST RECORD UNDER 5 AAC 75.006 IS REQUIRED;]

(3) from July 1 through July 7 [DECEMBER 31], a nonresident annual [TOTAL] harvest limit of two [ONE] king salmon, 28 inches or greater in length; any king salmon harvested by the nonresident from January 1 through June 30 [DECEMBER 31] will apply toward the two [ONE] fish annual [TOTAL] harvest limit; [A HARVEST RECORD UNDER 5 AAC 75.006 IS REQUIRED;]

(4) from July 8 through December 31, a nonresident annual harvest limit of one king salmon, 28 inches or greater in length; any king salmon harvested by a nonresident from January 1 through December 31 will apply towards the one fish annual harvest limit [IF THE DEPARTMENT PROJECTS THAT THE SPORT HARVEST ALLOCATION IS GOING TO BE EXCEEDED, THE DEPARTMENT SHALL, BY EMERGENCY ORDER, CLOSE SPORT FISHING BY NONRESIDENTS TO STAY WITHIN THE SPORT HARVEST ALLOCATION; THE DEPARTMENT SHALL CLOSE SPORT FISHING BY RESIDENTS ONLY IF NONRESIDENT ANGLER CLOSURES ARE INSUFFICIENT TO REMAIN WITHIN THE SPORT HARVEST ALLOCATION];

(5) if the Southeast Alaska winter troll fishery CPUE is less than 3.8 and equal to or greater than 2.0, a resident bag limit of two king salmon, 28 inches or greater in length, will be established in areas where conservation management measures have prohibited king salmon retention or closed fishing for king salmon for all anglers once they reopen [IN THE HAINES AND SKAGWAY VICINITY:

(A) IN THE WATERS OF CHILKAT INLET NORTH OF THE ADF&G REGULATORY MARKER IMMEDIATELY NORTH OF SEDUCTION POINT, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JULY 1 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(B) IN THE WATERS OF SECTION 13-C, AS DESCRIBED IN 5 AAC 33.200, SOUTHEAST OF A LINE FROM NISMENI POINT TO A POINT ON THE CHICHAGOF ISLAND SHORELINE AT 57° 35.59' N. LAT., 135° 22.33' W. LONG., A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JUNE 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(6) IN THE JUNEAU VICINITY:

(A) IN THE WATERS OF SECTIONS 11-A, 11-B, AND 11-C, DISTRICT 12, SECTIONS 14-B, 14-C, 15-B, AND 15-C, AS DESCRIBED IN 5 AAC 33.200, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JUNE 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(B) IN THE WATERS OF SECTION 11-D, AS DESCRIBED IN 5 AAC 33.200, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JULY 1 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(7) IN THE PETERSBURG WRANGELL VICINITY:

(A) IN THE WATERS OF DISTRICT 8, AS DESCRIBED IN 5 AAC 47.057(D), AND IN A PORTION OF DISTRICT 7, AS DESCRIBED IN 5 AAC 33.200, IN THE WATERS OF EASTERN PASSAGE WEST OF A LINE FROM A POINT ON WRANGELL ISLAND AT 56° 22.19' N. LAT., 132° 11.75' W. LONG., TO A POINT ON THE MAINLAND SHORE AT 56° 22.76' N. LAT., 132° 10.62' W. LONG., A

RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JULY 15
THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(B) IN THE WATERS OF DISTRICT 5 NORTH OF LINE FROM
POINT BAKER TO A POINT ON THE SHORE OF KUIU ISLAND AT 56° 20.80' N.
LAT., 133° 50.87' W. LONG., DISTRICT 6, DISTRICT 7 EXCLUDING THE
WATERS OF EASTERN PASSAGE WEST OF A LINE FROM A POINT ON
WRANGELL ISLAND AT 56° 22.19' N. LAT., 132° 11.75' W. LONG., TO A POINT
ON THE MAINLAND SHORE AT 56° 22.76' N. LAT., 132° 10.62' W. LONG.,
DISTRICT 9 NORTH OF A LINE FROM POINT ELLIS TO PATTERSON POINT,
AND DISTRICT 10, AS DESCRIBED IN 5 AAC 33.200, A RESIDENT KING
SALMON BAG LIMIT OF TWO FISH FROM JUNE 15 THROUGH DECEMBER 31,
28 INCHES OR GREATER IN LENGTH;

(8) IN THE KETCHIKAN VICINITY:

(A) IN THE WATERS OF BEHM CANAL AND REVILLAGIGEDO
CHANNEL AND THE CONTIGUOUS BAYS, BETWEEN A LINE FROM POINT
EVA TO CACTUS POINT, AND A LINE FROM LUCKY POINT AT 55° 12.62' N.
LAT., 131° 16.18' W. LONG., TO MIDDY POINT AT 55° 10.19' N., 131° 19.60' W.
LONG., TO BEAVER POINT AT 55° 05.25' N. LAT., 131° 14.57' W. LONG., AND
FROM POINT ROSEN AT 55° 04.74' N. LAT., 131° 10.87' W. LONG., TO QUADRA
POINT AT 55° 05.14' N. LAT., 130° 59.07' W. LONG., A RESIDENT KING SALMON
BAG LIMIT OF TWO FISH FROM AUGUST 15 THROUGH DECEMBER 31, 28
INCHES OR GREATER IN LENGTH;

(B) IN THE WATERS OF WEST BEHM CANAL AND THE CONTIGUOUS BAYS ENCLOSED TO THE NORTH BY A LINE FROM THE WESTERN ENTRANCE OF BAILEY BAY AT 55° 56.04' N. LAT., 131° 37.94' W. LONG., TO THE NORTHERN TIP OF HASSLER ISLAND AT 55° 54.28' N. LAT., 131° 37. 80' W. LONG., AND A LINE FROM FIN POINT AT 55° 51.26' N. LAT., 131° 35.42' W. LONG., TO DRESS POINT AT 55° 51.15' N. LAT., 131° 33.75' W. LONG., AND TO THE SOUTH BY A LINE FROM INDIAN POINT AT 55° 36.87' N. LAT., 131° 42.07' W. LONG., TO MIKE POINT AT 55° 37.25' N. LAT., 131° 52.74' W. LONG.; A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM AUGUST 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(C) IN THE WATERS OF THE HERRING BAY SPORTFISH TERMINAL HARVEST AREA, WHICH INCLUDES THE WATERS OF NICHOLS PASS NORTH OF THE LATITUDE OF DRIEST POINT, REVILLAGIGEDO CHANNEL NORTH OF THE LATITUDE OF HARBOR POINT, AND TONGASS NARROWS SOUTH OF THE LATITUDE OF THE LEWIS REEF LIGHT; A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JUNE 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(D) IN ALL REMAINING WATERS OF DISTRICT 1 AND 2, AS DESCRIBED IN 5 AAC 33.200, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH 28 INCHES OR GREATER IN LENGTH FROM AUGUST 15 THROUGH DECEMBER 31].

5 AAC 47.055(h) is amended to read:

(h) When the Southeast Alaska winter troll fishery CPUE is less than 2.6 and equal to or greater than 2.0, which is equivalent to a king salmon abundance index of less than or equal to 1.0 and greater than or equal to 0.875, the sport fishery harvest limit will be 20,600 treaty king salmon and the commissioner may, by emergency order, implement the following management measures:

(1) a [RESIDENT] bag limit of one king salmon, 28 inches or greater in length;

(2) from January 1 through June 30, a nonresident annual harvest limit of three king salmon, 28 inches or greater in length [A NONRESIDENT BAG LIMIT OF ONE KING SALMON, 28 INCHES OR GREATER IN LENGTH, EXCEPT THAT FROM JULY 1 THROUGH AUGUST 15 NONRESIDENT ANGLERS MAY NOT RETAIN KING SALMON];

(3) from July 1 [JUNE 16] through December 31, a nonresident annual [TOTAL] harvest limit of one king salmon, 28 inches or greater in length; any king salmon harvested by a nonresident from January 1 through June 30 [JUNE 15] will apply towards the one fish annual [TOTAL] harvest limit [; A HARVEST RECORD UNDER 5 AAC 75.006 IS REQUIRED];

(4) if the Southeast Alaska winter troll fishery CPUE is less than 3.8 and equal to or greater than 2.0, a resident bag limit of two king salmon, 28 inches or greater in length, will be established in areas where conservation management measures have prohibited king salmon retention or closed fishing for king salmon for all anglers once they reopen [FROM JANUARY 1 THROUGH JUNE 15, A NONRESIDENT TOTAL HARVEST LIMIT OF TWO KING SALMON, 28 INCHES OR GREATER IN LENGTH; A HARVEST RECORD UNDER 5 AAC 75.006 IS REQUIRED];

(5) IF THE DEPARTMENT PROJECTS THAT THE KING SALMON SPORT HARVEST ALLOCATION IS GOING TO BE EXCEEDED, THE DEPARTMENT SHALL, BY EMERGENCY ORDER, ADJUST THE NONRESIDENT SEASONS AND BAG LIMITS SO THAT THERE ARE NO CLOSURES FOR RESIDENTS].

5 AAC 47.055(i) is amended to read:

(i) When the Southeast Alaska winter troll fishery CPUE is less than 2.0, which is equivalent to a king salmon abundance index of less than 0.875, the ^{all-gear} all gear catch limit will be determined by the Pacific Salmon Commission, and the commissioner may, by emergency order, implement the provisions specified in (g) and (h) of this section [AND NONRETENTION PERIODS OR OTHER RESTRICTIONS FOR RESIDENT AND NONRESIDENT ANGLERS TO OBTAIN 20 PERCENT OF THE HARVEST REDUCTION FROM RESIDENT ANGLERS AND 80 PERCENT FROM NONRESIDENT ANGLERS].

5 AAC 47.055 is amended by adding new subsections to read:

(l) A harvest record under 5 AAC 75.006 is required for nonresidents.

(m) The department shall manage the resident sport fishery so that there are no closures for residents, unless the commissioner determines that additional harvest reduction to the resident bag limits is necessary to comply with the Pacific Salmon Treaty.

(n) The provisions of this section do not apply after March 31, 2025. (Eff. 4/15/94, Register 130; am 5/2/97, Register 142; am 5/25/2000, Register 154; am 6/1/2003, Register 166; em am 4/13/2005 - 8/10/2005, Register 174; em am 5/3/2005 - 8/30/2005, Register 174; am 5/26/2006, Register 178; am 5/1/2008, Register 186; am 5/31/2009, Register 190; am 7/13/2012,

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Register 203; am 6/17/2018, Register 226; am 6/28/2019, Register 230; am 10 / 16 / 2022,
Register 244)

Authority: AS 16.05.060 AS 16.05.251 AS 16.05.270

Chapter 77. Personal Use Fishery.

Article 14. Southeastern Alaska Area.

5 AAC 77.678 is amended to read:

5 AAC 77.678. Personal Use Smelt Fishery. Except as provided in (b) of this section,
smelt [SMELT] may be taken at any time and there are no bag and possession limits.

5 AAC 77.678 is amended by adding a new subsection to read:

(b) Notwithstanding (a) of this section, in District 1, eulachon smelt may only be taken under the terms of a personal use fishing permit issued under 5 AAC 77.015. Only one permit for eulachon smelt under this subsection may be issued to a household each year and the daily bag and possession limit is 50 pounds per permit. (Eff. 6/25/89, Register 110; am 10 / 16 / 2022, Register 244)

Authority: AS 16.05.251

5 AAC 77.682(g) is amended by adding a new paragraph to read:

(6) fishing gear may not obstruct more than one-half the width of any salmon stream, side channel, creek, river, bay, or waterway.

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(Eff. 6/25/89, Register 110; am 5/29/93, Register 126; am 4/1/94, Register 129; am 12/1/2004, Register 172; am 5/31/2009, Register 190; am 7/13/2012, Register 203; am 7/1/2015, Register 214; am 6/5/2016, Register 218; am 6/17/2018, Register 226; am 10/16 / 2022, Register 244)

Authority: AS 16.05.251

((Note to Publisher: please change period at the end of 5 AAC 77.682(g)(5) to a semicolon)))