

Submitted by the Alaska Department of Fish and Game at the request of Board member Cain
January 18, 2019

Substitute language for proposal 176

5 AAC 47.055. Southeast Alaska King Salmon Management Plan. (a) The commissioner shall establish, by emergency order, the king salmon sport fish bag and possession limits and all other necessary management measures based on the Southeast Alaska Winter Troll CPUE. [THE PRESEASON KING SALMON ABUNDANCE INDEX DETERMINED BY THE CHINOOK TECHNICAL COMMITTEE OF THE PACIFIC SALMON COMMISSION.] The bag and possession limits and other management measures established by the commissioner will remain in effect until January 31 of the following year. [DECEMBER 31]. [FOR THE FOLLOWING YEAR, UNTIL THAT YEAR'S PRESEASON ABUNDANCE INDEX BECOMES AVAILABLE, THE BAG AND POSSESSION LIMITS AND OTHER MANAGEMENT MEASURES WILL BE BASED ON THE PRIOR YEAR'S PRESEASON ABUNDANCE INDEX.] If the new Southeast Alaska Winter Troll CPUE [PRESEASON KING SALMON ABUNDANCE INDEX] is not available by February [MAY] 1, the bag and possession limits and other management measures for the remainder of the year will be based on the prior year's Southeast Alaska Winter Troll CPUE [PRESEASON ABUNDANCE INDEX], unless superseded by emergency order.

(b) The objectives of the management plan under this section are to

- (1) manage the sport fishery to attain an average harvest of 20 percent of the annual harvest ceiling specified by the Pacific Salmon Commission, after the subtraction of the commercial net allocation specified in 5 AAC 29.060 from the harvest ceiling;
- (2) allow uninterrupted sport fishing in salt waters for king salmon, while not exceeding the sport fishery harvest ceiling;
- (3) minimize regulatory restrictions on resident anglers; and
- (4) provide stability to the sport fishery by eliminating inseason regulatory changes, except those necessary for conservation purposes.

(c) When the Southeast Alaska Winter Troll CPUE is equal to or greater than 20.5, which is equivalent to a king salmon abundance index greater than 2.2, the sport fishery harvest limit will be set at 69,000 treaty king salmon, and the commissioner may, by emergency order, implement the following management measures:

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

(2) a nonresident bag limit of two king salmon, 28 inches or greater in length, in May and one king salmon, 28 inches or greater in length, for the remainder of the year; a nonresident annual limit of five king salmon, 28 inches or greater in length.

(3) 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;

[WHEN THE KING SALMON ABUNDANCE INDEX IS GREATER THAN 2.0, THE COMMISSIONER MAY, BY EMERGENCY ORDER, IMPLEMENT THE FOLLOWING MANAGEMENT MEASURES:

(1) 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;

(2) A RESIDENT BAG LIMIT OF THREE KING SALMON, 28 INCHES OR GREATER IN LENGTH;

(3) A NONRESIDENT BAG LIMIT OF TWO KING SALMON IN MAY AND JUNE AND ONE KING SALMON FOR THE REMAINDER OF THE YEAR; A NONRESIDENT ANNUAL LIMIT OF SIX KING SALMON, 28 INCHES OR GREATER IN LENGTH.]

(d) When the Southeast Alaska Winter Troll CPUE is less than 20.5 to 8.7, which is equivalent to a king salmon abundance index of 2.2 to greater than 1.8, the sport fishery harvest limit will be set at 61,900 treaty king salmon and the commissioner may, by emergency order, implement the following management measures:

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

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

(3) 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;

[WHEN THE KING SALMON ABUNDANCE INDEX IS 1.76 TO 2.0, THE COMMISSIONER MAY, BY EMERGENCY ORDER, IMPLEMENT THE FOLLOWING MANAGEMENT MEASURES:

(1) 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;

(2) A RESIDENT BAG LIMIT OF THREE KING SALMON;

(3) A NONRESIDENT BAG LIMIT OF TWO KING SALMON IN MAY AND ONE KING SALMON FOR THE REMAINDER OF THE YEAR; A NONRESIDENT

ANNUAL LIMIT OF FIVE TO SIX KING SALMON, 28 INCHES OR GREATER IN LENGTH, ESTABLISHED BY EMERGENCY ORDER.]

(e) When the Southeast Alaska Winter Troll CPUE is less than 8.7 to 6.0, which is equivalent to a king salmon abundance index of 1.8 to greater than 1.5, the sport fishery harvest limit will be set at 49,300 treaty king salmon and the commissioner may, by emergency order, implement the following management measures:

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

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

(3) 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.

[WHEN THE KING SALMON ABUNDANCE INDEX IS 1.51 TO 1.75, THE COMMISSIONER MAY, BY EMERGENCY ORDER, IMPLEMENT THE FOLLOWING MANAGEMENT MEASURES:

(1) 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;

(2) A RESIDENT BAG LIMIT OF THREE KING SALMON;

(3) A NONRESIDENT BAG LIMIT OF TWO KING SALMON IN MAY AND ONE KING SALMON FOR THE REMAINDER OF THE YEAR; A NONRESIDENT ANNUAL LIMIT OF FOUR TO FIVE KING SALMON, 28 INCHES OR GREATER IN LENGTH, ESTABLISHED BY EMERGENCY ORDER.]

(f) When the Southeast Alaska Winter Troll CPUE is less than 6.0 to 3.8, which is equivalent to a king salmon abundance index of 1.5 to greater than 1.2, the sport fishery harvest limit will be set at 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 bag limit of one king salmon, 28 inches or greater in length;

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

(3) from July 1 through July 7, a nonresident annual harvest limit is two king salmon, 28 inches or greater in length, and any king salmon 28 inches or greater in length harvested by a nonresident from January 1 through July 7 will apply towards the two fish annual limit;

(4) from July 8 through December 31, a nonresident annual harvest limit is one king salmon, 28 inches or greater in length, and any king salmon 28 inches or greater in length harvested by a nonresident from January 1 through December 31 will apply towards the one fish annual limit;

(5) if the department projects that the sport harvest allocation is going to be exceeded, the department will implement closures for nonresident anglers to stay within the sport harvest allocation; resident closures will only be implemented if nonresident angler closures are insufficient to remain within the sport harvest allocation;

(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;

[WHEN THE KING SALMON ABUNDANCE INDEX IS GREATER THAN 1.2 AND LESS THAN OR EQUAL TO 1.5, THE COMMISSIONER SHALL, BY EMERGENCY ORDER, IMPLEMENT THE FOLLOWING MANAGEMENT MEASURES:

- (1) A RESIDENT BAG LIMIT OF TWO KING SALMON;
- (2) A NONRESIDENT BAG LIMIT OF ONE KING SALMON;
- (3) A NONRESIDENT ANNUAL LIMIT OF THREE KING SALMON, 28 INCHES OR GREATER IN LENGTH;
- (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.]

(7) In the Haines and Skagway vicinity:

(A) Chilkat Inlet, north of the ADF&G regulatory marker immediately north of Seduction Point, the resident king salmon bag limit is two fish 28 inches or greater in length July 1 through December 31.

(B) in the waters of Section 13-C 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., the resident king salmon bag limit is two fish 28 inches or greater in length June 15 through December 31.

(8) In the Juneau vicinity:

(A) in the waters of District 11, District 12, Sections 14-B and 14-C and Sections 15-B and 15-C as described in 5 AAC 33.200, the resident king salmon bag limit is two fish 28 inches or greater in length June 15 through December 31.

(B) in the waters of Section 11-D as described in 5 AAC 33.200; the resident king salmon bag limit is two fish 28 inches or greater in length July 1 through December 31.

(C) In the waters of District 11, as described in 5 AAC 33.200(k), the resident king salmon bag limit is two fish 28 inches or greater in length June 15 through December 31.

(9) In the Petersburg Wrangell vicinity:

(A) in the waters of District 8 as described in 5 AAC 47.057(d) and a portion of District 7 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., the resident bag limit is two fish 28 inches or greater in length July 15 through December 31.

(B) in the waters of District 5 north of line between Point Baker and 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 between Point Ellis and Patterson Point, and District 10 as described in 5 AAC 33.200., the resident bag limit is two fish 28 inches or greater in length June 15 through December 31.

(10) In the Ketchikan vicinity:

(A) in Behm Canal and the contiguous bays between a line from Point Eva to Cactus Point and the latitude of Point Nelson (55° 18.00' N. lat.), the resident bag limit is two king salmon over 28 inches in length August 16 – December 31;

(B) in 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.; and in the waters of southern Revillagigedo Channel enclosed from 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., continuing to the latitude of 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., and in southeast Behm Canal

from Cactus Point to Eva Point, the resident king salmon bag limit is two fish August 15 through December 31;

(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; the resident king salmon bag limit is two fish June 15 through December 31;

(D) in all remaining waters of District 1 and 2, as described in 5 AAC 33.200, the resident king salmon bag limit is two fish August 15 through December 31;

(g) When the Southeast Alaska Winter Troll CPUE is less than 3.8 to 2.6, which is equivalent to a king salmon abundance index of 1.2 to greater than 1.0, the sport fishery harvest limit will be set at 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 harvest limit is three king salmon, 28 inches or greater in length;

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

(4) if the department projects that the sport harvest allocation is going to be exceeded, the department will implement closures for nonresident anglers to stay within the sport harvest allocation; resident closures will only be implemented if nonresident angler closures are insufficient to remain within the sport harvest allocation;

(5) In the Haines and Skagway vicinity:

(A) Chilkat Inlet, north of the ADF&G regulatory marker immediately north of Seduction Point, the resident king salmon bag limit is two fish 28 inches or greater in length July 1 through December 31.

(B) in the waters of Section 13-C 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., the resident king salmon bag limit is two fish 28 inches or greater in length June 15 through December 31.

(6) In the Juneau vicinity:

(A) in the waters of District 11, District 12, Sections 14-B and 14-C and Sections 15-B and 15-C as described in 5 AAC 33.200, the resident king salmon bag limit is two fish 28 inches or greater in length June 15 through December 31.

(B) in the waters of Section 11-D as described in 5 AAC 33.200; the resident king salmon bag limit is two fish 28 inches or greater in length July 1 through December 31.

(C) In the waters of District 11, as described in 5 AAC 33.200(k), the resident king salmon bag limit is two fish 28 inches or greater in length June 15 through December 31.

(7) In the Petersburg Wrangell vicinity:

(A) in the waters of District 8 as described in 5 AAC 47.057(d) and a portion of District 7 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., the resident bag limit is two fish 28 inches or greater in length July 15 through December 31.

(B) in the waters of District 5 north of line between Point Baker and 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 between Point Ellis and Patterson Point, and District 10 as described in 5 AAC 33.200., the resident bag limit is two fish 28 inches or greater in length June 15 through December 31.

(8) In the Ketchikan vicinity:

(A) in Behm Canal and the contiguous bays between a line from Point Eva to Cactus Point and the latitude of Point Nelson (55° 18.00' N. lat.), the resident bag limit is two king salmon over 28 inches in length August 16 – December 31;

(B) in 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.; and in the waters of southern Revillagigedo Channel enclosed from 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., continuing to the latitude of 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., and in southeast Behm Canal from Cactus Point to Eva Point, the resident king salmon bag limit is two fish August 15 through December 31;

(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; the resident king salmon bag limit is two fish June 15 through December 31;

(D) in all remaining waters of District 1 and 2, as described in 5 AAC 33.200, the resident king salmon bag limit is two fish August 15 through December 31;

[_WHEN THE KING SALMON ABUNDANCE INDEX IS LESS THAN OR EQUAL TO 1.2, THE COMMISSIONER SHALL, BY EMERGENCY ORDER, IMPLEMENT THE FOLLOWING MANAGEMENT MEASURES:

- (1) A BAG LIMIT OF ONE KING SALMON;
- (2) FROM JANUARY 1 THROUGH JUNE 30, A NONRESIDENT'S HARVEST LIMIT IS THREE KING SALMON, 28 INCHES OR GREATER IN LENGTH;
- (3) FROM JULY 1 THROUGH JULY 15, A NONRESIDENT'S HARVEST LIMIT IS TWO KING SALMON, 28 INCHES OR GREATER IN LENGTH, AND ANY KING SALMON 28 INCHES OR GREATER IN LENGTH HARVESTED BY THE NONRESIDENT FROM JANUARY 1 THROUGH JUNE 30 WILL APPLY TOWARD THE TWO FISH HARVEST LIMIT;
- (4) FROM JULY 16 THROUGH DECEMBER 31, A NONRESIDENT'S HARVEST LIMIT IS ONE KING SALMON, 28 INCHES OR GREATER IN LENGTH, AND ANY KING SALMON 28 INCHES OR GREATER IN LENGTH HARVESTED BY THE NONRESIDENT FROM JANUARY 1 THROUGH JULY 15 WILL APPLY TOWARD THE ONE FISH HARVEST LIMIT;
- (5) 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;]

(h) When the Southeast Alaska Winter Troll CPUE is less than 2.6 to 2.0, which is equivalent to a king salmon abundance index of 1.0 to 0.875, the sport fishery harvest limit will be set at 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 except from July 1 through August 15 resident anglers may not retain king salmon.**

(2) a nonresident bag limit of one king salmon 28 inches or greater in length except from July 1 through August 15 nonresident anglers may not retain king salmon.

(3) from January 1 through June 15, a nonresident annual harvest limit is two king salmon, 28 inches or greater in length;

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

[IN ADDITION TO THE PROVISIONS OF (G) OF THIS SECTION, WHEN THE KING SALMON ABUNDANCE INDEX IS LESS THAN OR EQUAL TO 1.1, THE COMMISSIONER SHALL, BY EMERGENCY ORDER, IMPLEMENT THE FOLLOWING MANAGEMENT MEASURES:

(1) A RESIDENT BAG AND POSSESSION LIMIT OF ONE KING SALMON, 28 INCHES OR GREATER IN LENGTH;

(2) FROM MAY 1 THROUGH JUNE 30, A NONRESIDENT ANNUAL HARVEST LIMIT IS THREE KING SALMON, 28 INCHES OR GREATER IN LENGTH, AND ANY KING SALMON 28 INCHES OR GREATER IN LENGTH HARVESTED BY A NONRESIDENT FROM JANUARY 1 THROUGH JUNE 30 WILL APPLY TOWARDS THE THREE FISH ANNUAL LIMIT;

(3) FROM JULY 1 THROUGH DECEMBER 31, A NONRESIDENT ANNUAL HARVEST LIMIT IS ONE KING SALMON, 28 INCHES OR GREATER IN LENGTH, AND ANY KING SALMON 28 INCHES OR GREATER IN LENGTH HARVESTED BY A NONRESIDENT FROM JANUARY 1 THROUGH JUNE 30 WILL APPLY TOWARDS THE ONE FISH ANNUAL LIMIT;

(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;]

(i) In addition the provisions specified in (g) and (h) of this section, when **the Southeast Alaska Winter Troll CPUE is less than 2.0, which is equivalent to a king salmon abundance index of less than 0.875, the all gear catch limit will be set at the commissions determination,** [KING SALMON ABUNDANCE INDEX IS LESS THAN 1.0,] the commissioner may, by emergency order, [SPECIFY FISHING TIMES DURING WHICH THE RETENTION OF KING SALMON LESS THAN 48 INCHES IN LENGTH IS PROHIBITED BY NONRESIDENT ANGLERS. THE COMMISSIONER MAY ALSO INDEPENDENTLY, BY EMERGENCY ORDER,] implement nonretention periods or other restrictions for resident anglers to obtain 20 percent of the harvest reduction from resident anglers and 80 percent from nonresident anglers. [FISHING TIMES OF NONRETENTION WILL BE ESTABLISHED ON A REGULAR BASIS BETWEEN JULY 16 AND JULY 31, AS NEEDED, AND WILL BE ESTABLISHED ON NONCONSECUTIVE DAYS WHEN POSSIBLE. IF THE ENTIRE PERIOD OF JULY 16 THROUGH JULY 31 IS ESTABLISHED AS A FISHING TIME OF NONRETENTION AND ADDITIONAL CLOSURES ARE NECESSARY, ADDITIONAL FISHING TIMES OF NONRETENTION WILL BE SIMILARLY ESTABLISHED BETWEEN JULY 1 AND JULY 15.]

(j) The commissioner may adopt regulations that establish reporting requirements necessary to obtain the information required to implement the management plan under this section.

(k) The commissioner may, by emergency order, establish that the nonresident harvest and annual limits for king salmon under this section do not apply in a hatchery terminal harvest area.