

Submitted by the Alaska Department of Fish and Game  
February 26, 2013

**SELECTED ALASKA PENINSULA–ALEUTIAN ISLANDS AREA  
FINFISH MANAGEMENT PLANS AND ASSOCIATED REGULATIONS**

**Commercial Salmon Fisheries**

**5 AAC 09.310. Fishing seasons.** (a) In the Northern District, salmon may be taken as follows:

(1) Cinder River Section:

(A) from May 1 through September 30 within the lagoon into which the Cinder River drains (locally known as False Ugashik or Shagong);

(B) from August 1 through September 30 throughout this section;

(2) Port Heiden Sections:

(A) Inner Port Heiden Section: from May 1 through September 30;

(B) Outer Port Heiden Section: from June 20 through July 31;

(3) Ilnik Section:

(A) from May 1 through September 30, waters within Ilnik Lagoon and the waters inside the Seal Islands;

(B) repealed 6/4/2004;

(C) from June 20 through September 30, throughout the entire Ilnik Section;

(4) Three Hills Section: from June 25 through September 30;

(5) Bear River Section: from May 1 through September 30;

(6) Port Moller Bight Section: from May 1 through September 30;

(7) Herendeen-Moller Bay Section: from May 1 through July 20;

(8) Nelson Lagoon Section: from May 1 through September 30;

(9) Caribou Flats Section: no open season;

(10) Black Hills Section: from May 1 through September 30.

(b) In the Northwestern District, salmon may be taken only from June 1 through September 30, except that in the Dublin Bay Section, salmon may be taken only from July 10 through September 30.

(c) In the Unimak District, salmon may be taken only from June 1 through October 31.

(d) In the Southwestern District, salmon may be taken only from June 1 through October 31.

(e) In the South Central District, salmon may be taken only from June 1 through October 31.

(f) In the Southeastern District, salmon may be taken only from June 1 through October 31. (In effect before 1985; am 5/11/85, Register 94; am 6/2/88, Register 106; am 6/9/90, Register 114; am 5/28/92, Register 122; am 5/17/95, Register 134; am 4/18/96, Register 138; am 5/31/98, Register 146; am 12/29/2002, Register 164; am 6/4/2004, Register 170; am 5/30/2007, Register 182; am 6/2/2010, Register 194)

**Authority:** AS 16.05.060 AS 16.05.251

**5 AAC 09.320. Fishing periods.** (a) In the Northern District, salmon may be taken only during weekly fishing periods from 6:00 a.m. Monday until 6:00 p.m. Thursday, unless modified by emergency order, except as follows:

(1) in the Black Hills Section, before July 1 salmon may be taken from 6:00 a.m. Monday until 6:00 p.m. Wednesday; beginning July 1 salmon may be taken from 6:00 a.m. Monday until 6:00 p.m. Thursday;

(2) in the Nelson Lagoon Section, salmon may be taken

(A) during the period May 1 through June 15, from 6:00 a.m. Monday until 12:00 midnight Wednesday;

(B) during the period June 16 through August 15, from 6:00 a.m. Monday until 12:00 midnight Thursday;

(C) after August 15, from 6:00 a.m. Monday until 12:00 midnight Wednesday;

(3) in the Cinder River Section, salmon may be taken only from 6:00 a.m. Thursday until 6:00 p.m. Saturday;

(4) in the Outer Port Heiden, Inner Port Heiden, and Ilnik Sections, salmon may be taken only from 6:00 a.m. Monday until 6:00 p.m. Wednesday, except that before June 20 in that portion of the Ilnik Section within the Ilnik Lagoon and all waters inside the Seal Islands, salmon may be taken only from 12:00 noon Monday until 11:59 p.m. Wednesday;

(5) before July 1, in the Three Hills and Bear River Sections, salmon may be taken from 6:00 a.m. Monday until 6:00 p.m. Wednesday.

(b) In the Northwestern District, salmon may be taken during the open season from September 1 through September 30 only during fishing periods established by emergency order. Unless otherwise specified by emergency order, before September 1, salmon may be taken in the Northwestern District only during the open season in the

(1) Izembek-Moffet Bay Section, from 6:00 a.m. Monday until 6:00 p.m. Thursday;

(2) Bechevin Bay Section, only during fishing periods established by emergency order;

(3) Uralia Bay Section, only during fishing periods established by emergency order;

(4) Dublin Bay Section, from 6:00 a.m. Monday until 6:00 p.m. Thursday;

(5) Swanson Lagoon Section, from 6:00 a.m. Monday until 6:00 p.m. Thursday.

(c) Salmon may be taken only during the open season in the Unimak District during fishing periods established by emergency order.

(d) Salmon may be taken only during the open season in the Southwestern District only during fishing periods established by emergency order.

(e) Salmon may be taken only during the open season in the South Central District only during fishing periods established by emergency order.

(f) Salmon may be taken only during the open season in the Southeastern District only during fishing periods established by emergency order. (In effect before 1983; am 4/16/83, Register 86; am 5/11/85, Register 94; am 6/2/88, Register 106; am 6/9/90, Register 114; am 5/28/92, Register 122; am 5/17/95, Register 134; am 4/18/96, Register 138; am 6/4/2004, Register 170; am 5/30/2007, Register 182; am 6/2/2010, Register 194)

**Authority:** AS 16.05.060 AS 16.05.251

**5 AAC 09.330. Gear.** (a) In the Northern District salmon may be taken in the

- (1) Cinder River Section: with drift gillnets or set gillnets only;
- (2) Inner Port Heiden Section: with drift gillnets or set gillnets only;
- (3) Ilnik Section: with drift gillnets or set gillnets only;
- (4) Three Hills Section: with drift gillnets only;
- (5) Bear River Section: with drift gillnets, purse seines and hand purse seines;
- (6) Port Moller Bight Section: with drift gillnets, set gillnets, purse seines, and hand purse seines;
- (7) Herendeen-Moller Bay Section: with drift gillnets, set gillnets, purse seines and hand purse seines;
- (8) Nelson Lagoon Section: with drift gillnets or set gillnets;
- (9) Black Hills Section: with drift gillnets or set gillnets only;
- (10) Outer Port Heiden section: with drift gillnets only.

(b) In the Northwestern District salmon may be taken with drift gillnets, set gillnets, purse seines and hand purse seines.

(c) In the Unimak District salmon may be taken with drift gillnets, set gillnets, purse seines and hand purse seines. Salmon may be taken by gillnet gear during periods when the seine fishery is closed by emergency order due to the presence of immature salmon.

(d) In the Southwestern District, salmon may be taken only with purse seines, hand purse seines, and set gillnets, except that

(1) salmon may also be taken with drift gillnets

(A) in the waters of the Ikatan Bay Section west of a line from Kenmore Head to Hague Rocks to the easternmost tip of the Sanak Islands;

(B) from June 1 through June 30, in the waters

(i) south and east of a line from Cape Pankof Light at 54° 39.60' N. lat., 163° 03.70' W. long., to Thin Point at 54° 57.32' N. lat., 162° 33.50' W. long.; and

(ii) south of a line from Thin Point at 54° 57.32' N. lat., 162° 33.50' W. long., to the northernmost tip of Stag point at 54° 59.10' N. lat., 162° 18.10' W. long., on Deer Island to the southernmost tip of Dolgoi Cape at 55° 03.15' N. lat., 161° 44.35' W. long., on Dolgoi Island and south of the latitude of the northeastern tip of Dolgoi Island at 55° 07.50' N. lat., 161° 38.30' W. long.;

(2) repealed 3/19/78;

(3) salmon may be taken by gillnet gear during periods when the seine fishery is closed by emergency order due to the presence of immature salmon.

(e) In the South Central District salmon may be taken with set gillnets, purse seines and hand purse seines, except that

(1) repealed 3/19/78;

(2) within Canoe Bay, salmon may be taken only with purse seines and hand purse seines;

(3) repealed 6/2/88;

(4) salmon may be taken by set gillnet gear during periods when the seine fishery is closed by emergency order due to the presence of immature salmon.

(f) In the Southeastern District, salmon may be taken only with set gillnets, purse seines, and hand purse seines, except that

(1) salmon may be taken only with purse seines and hand purse seines in the area between Popof Head and Dark Cliffs (Popof Island) from June 1 through August 31; however, salmon may be taken by set gillnet during periods when the seine fishery is closed by emergency order due to the presence of immature salmon;

(2) repealed 3/19/78;

(3) salmon may be taken only with set gillnets from June 1 through July 10 in the Beaver Bay, Balboa Bay, Southwest Stepovak, Northwest Stepovak, Stepovak Flats, and East Stepovak Sections; however, if the department determines that the Orzinski Lake sockeye salmon escapement objectives have been exceeded as described in 5 AAC 09.360(k), beginning July 1, in addition to set gillnet gear, the commissioner may open, by emergency order, the waters of Orzinski Bay west of 160° 04.25' W. long. to fishing with purse seine and hand purse seine gear;

(4) salmon may be taken by set gillnet during periods when the seine fishery is closed by emergency order due to presence of immature salmon.

(g) Notwithstanding 5 AAC 39.240, a CFEC set gillnet permit holder may use a registered salmon fishing vessel, when it has set gillnet gear on board, to tow another registered salmon fishing vessel with set gillnet gear on board if the permit holder for the vessel being towed is on board one of the vessels. (In effect before 1988; am 6/2/88, Register 106; am 6/9/90, Register 114; am 5/28/92, Register 122; am 10/11/95, Register 136; am 6/11/2005, Register 174; am 5/30/2007, Register 182)

**Authority:** AS 16.05.060 AS 16.05.251

**5 AAC 09.331. Gillnet specifications and operations.** (a) The size and operation of drift gillnets is as follows:

(1) the aggregate length of drift gillnets on a salmon fishing boat or in use by such boat shall be no more than 200 fathoms in length;

(2) the mesh size of a drift gillnet may not be less than five and one-quarter inches, except that there is no minimum mesh size

(A) in the Northern District and the Northwestern District;

(B) in the South Unimak and Shumagin Islands fisheries described in 5 AAC 09.365(b) and (c) when the commissioner opens fishing periods under 5 AAC 09.365(d);

(C) repealed 6/22/2001;

(3) in the Northwestern, Unimak, and Southwestern Districts, no drift gillnet may exceed 90 meshes in depth;

(4) in the Northern District, a drift gillnet may not exceed 70 meshes in depth, except that in the Nelson Lagoon Section a drift gillnet may not exceed 29 meshes in depth before August 16 and 38 meshes in depth from August 16 through September 30; a drift gillnet may have only one leadline, which may not exceed 60 fathoms per 50 fathoms of corkline, and no portion of the leadline may exceed 1.5 pounds per fathom.

(b) The size and operation of set gillnets is as follows:

(1) a set gillnet may be no more than 100 fathoms in length; the aggregate length of set gillnets operated by a CFEC permit holder may be no more than 200 fathoms; no more than two gillnet sites may be operated by a CFEC permit holder except that in the

(A) Inner Port Heiden Section a set gillnet may be no more than 50 fathoms in length; the aggregate length of set gillnets operated by a CFEC permit holder may be no more than 100 fathoms; and no more than two gillnet sites may be operated by a CFEC permit holder;

(B) Ilnik Lagoon (portion of the Ilnik Section) a set gillnet may be no more than 50 fathoms in length; the aggregate length of set gillnets operated by a CFEC permit holder may be no more than 150 fathoms; and no more than three gillnet sites may be operated by a CFEC permit holder;

(C) in the Northwestern, Unimak, Southwestern, South Central, and Southeastern Districts, a set gillnet may not exceed 90 meshes in depth; and

(2) set gillnets shall be operated in substantially a straight line; no more than 30 fathoms of each set gillnet may be used as a single hook;

(3) the mesh size of a set gillnet may not be less than five and one-quarter inches, except that

(A) there is no minimum mesh size in the

(i) Northern District and the Northwestern District;

(ii) in the South Unimak and Shumagin Islands fisheries described in 5 AAC 09.365(b) and (c) when the commissioner opens fishing periods under 5 AAC 09.365(d);

(B) the mesh size of a set gillnet may not be less than four and one-half inches beginning

(i) July 26 in the Southern District Mainland fishery; and

(ii) August 1 in the Shumagin Islands fishery;

(C) repealed 6/22/2001;

(4) in the Northern District, the maximum depth of a set gillnet may not exceed 70 meshes in depth; except that in the Nelson Lagoon Section, a set gillnet may not exceed 29 meshes in depth;

(5) in the Unimak, Southwestern, South Central, and Southeastern Districts, 25 fathoms of seine webbing may be used on the shoreward end of a set gillnet; the shoreward end of the seine webbing must be attached to the beach above low tide;

(6) during hours of darkness, each set gillnet must be marked with at least one red light on the seaward end of the net, and at least one red light on both ends of the net if that net is more than 300 feet from shore;

(7) in Swanson Lagoon, within the Swanson Lagoon Section of the Northwestern District, a person may not place a set gillnet in the water if that placement would result in more

than 50 percent of the channel east of 163° 38.75' W. long. being blocked to the movement of boat traffic at any stage of the tide;

(8) in the Ilnik Section of the Northern District, a person may not place the seaward end of a set gillnet more than one-half mile from the permanent vegetation line of the beach, except that in the Cinder River Section and Seal Islands of the Ilnik Section a person may not place the seaward end of a set gillnet more than one-half mile from the mean high tide mark;

(9) in the Unimak District during the June fishery described in 5 AAC 09.365, a person may not place the shoreward end of a set gillnet further than one-half mile from the mean high tide mark. (In effect before 1985; am 5/11/85, Register 94; am 6/2/88, Register 106; am 6/9/90, Register 114; am 5/28/92, Register 122; am 5/17/95, Register 134; am 5/31/98, Register 146; am 6/22/2001, Register 158; am 6/2/2010, Register 194)

**Authority:** AS 16.05.251

**5 AAC 09.332. Seine specifications and operations.** (a) Purse seines or hand purse seines may not be less than 100 fathoms nor more than 250 fathoms in length. A purse seine or hand purse seine may not exceed 375 meshes in depth. Seine mesh may not be more than three and one-half inches, except that the first 25 meshes above the leadline may not be more than 7 inches.

(b) Leads may not be less than 50 fathoms nor more than 150 fathoms in length. Only one lead may be used with a seine. A lead may be attached to only one end of a seine, and the lead may not be attached to the boat end of the seine. (In effect before 1985; am 5/11/85, Register 94; am 6/2/88, Register 106; am 6/9/90, Register 114)

**Authority:** AS 16.05.251

**5 AAC 09.335. Minimum distance between units of gear.** No part of a commercial set gillnet may be set or operated within 900 feet of any part of another commercial set gillnet, except that in the

(1) Inner Port Heiden Section no part of a set gillnet may be set or operated within 600 feet of any part of another set gillnet;

(2) Nelson Lagoon Section no part of a set gillnet may be set or operated within 1,800 feet of any part of another operating set gillnet. (In effect before 1988; am 6/2/88, Register 106; am 6/4/2004, Register 170)

**Authority:** AS 16.05.251

**5 AAC 09.360. Southeastern District Mainland Salmon Management Plan.** (a) The purpose of this management plan is to provide guidelines to the department for the management of the interception of Chignik River sockeye salmon caught in the Southeastern District Mainland fishery conducted in the East Stepovak, Stepovak Flats, Northwest Stepovak,



Southwest Stepovak, Balboa Bay, and Beaver Bay Sections. Except as specified in 5 AAC 09.330(f)(3), before July 11, only set gillnet gear may be used in these sections. For the purpose of the management plan in this section, local runs include only those salmon in the waters

(1) beginning July 1, in the Northwest Stepovak Section described in 5 AAC 09.200(f);

(2) in the Stepovak Flats Section described in 5 AAC 09.200(f).

(b) In years when a harvestable surplus for the first (Black Lake) and second (Chignik Lake) runs of Chignik River system sockeye salmon is expected to be less than 600,000 fish, a commercial salmon fishery is not allowed in the East Stepovak, Southwest Stepovak, Balboa Bay, and Beaver Bay Sections, and in the Northwest Stepovak Section, excluding Orzinski Bay north of a line from Elephant Point at 55° 41.92' N. lat., 160° 03.20' W. long. to Waterfall Point at 55° 43.18' N. lat., 160° 01.13' W. long., until a harvest of 300,000 sockeye salmon is achieved in the Chignik Area described in 5 AAC 15.100. After July 8, if at least 300,000 sockeye salmon have been harvested in the Chignik Area, and if escapement goals are being met, the department shall manage the fishery so that the number of sockeye salmon harvested in the Chignik Area will be at least 600,000 fish and the number of sockeye salmon destined for the Chignik River that are harvested in the East Stepovak, Stepovak Flats, Southwest Stepovak, Balboa Bay, and Beaver Bay Sections, and before July 1, in the Northwest Stepovak Section, approaches as near as possible 7.6 percent of the sockeye salmon harvest in the Chignik Area.

(c) In years when a harvestable surplus beyond escapement goals for the first and second runs of Chignik River system sockeye salmon is expected to be more than 600,000 fish but the first run fails to develop as predicted and it is determined that a total sockeye salmon harvest in the Chignik Area of 600,000 or more fish may not be achieved, the commercial salmon fishery in the East Stepovak, Stepovak Flats, Southwest Stepovak, Balboa Bay, and Beaver Bay Sections, and in the Northwest Stepovak Section, excluding Orzinski Bay north of a line from Elephant Point at 55° 41.92' N. lat., 160° 03.20' W. long. to Waterfall Point at 55° 43.18' N. lat., 160° 01.13' W. long., shall be curtailed in order to allow a harvest in the Chignik Area of at least 300,000 sockeye salmon through July 8 if that number of fish are determined to be surplus to the escapement goals of the Chignik River system. After July 8, if at least 300,000 sockeye salmon have been harvested in the Chignik Area, and if escapement goals are being met, the department shall manage the fishery so that the number of sockeye salmon harvested in the Chignik Area is at least 600,000 fish and the number of sockeye salmon destined for the Chignik River that are harvested in the East Stepovak, Stepovak Flats, Southwest Stepovak, Balboa Bay, and Beaver Bay Sections, and before July 1 in the Northwest Stepovak Section, approaches as near as possible 7.6 percent of the sockeye salmon harvest in the Chignik Area.

(d) In years when a harvestable surplus beyond the escapement goals for the first and second runs of Chignik River system sockeye salmon is expected to be more than 600,000 fish and the department determines that the runs are as strong as expected, the department shall manage the fishery so that the number of sockeye salmon destined for the Chignik River that are harvested in the East Stepovak, Stepovak Flats, Southwest Stepovak, Balboa Bay, and Beaver

Bay Sections, and before July 1 in the Northwest Stepovak Section, approaches as near as possible 7.6 percent of the sockeye salmon harvest in the Chignik Area.

(e) Beginning July 1,

(1) the fishing schedule in the Northwest Stepovak Section, excluding Orzinski Bay north of a line from Elephant Point at 55° 41.92' N. lat., 160° 03.20' W. long. to Waterfall Point at 55° 43.18' N. lat., 160° 01.13' W. long., may not be more than four 24-hour periods with no more than 48-hours continuous fishing during a seven-day period;

(2) if the Orzinski Bay escapement reaches or exceeds 25,000 sockeye salmon, the commissioner may, by emergency order, open the Northwest Stepovak Section, including all of Orzinski Bay with fishing periods as follows:

(A) set gillnet gear will be allowed to operate continuously through 12:00 midnight July 25;

(B) purse seine and hand purse seine gear will be allowed to operate as specified in (1) of this subsection.

(f) The estimate of sockeye salmon destined for the Chignik River has been determined to be 80 percent of the sockeye salmon harvested in the East Stepovak, Stepovak Flats, Southwest Stepovak, Balboa Bay, and Beaver Bay Sections, and before July 1 in the Northwest Stepovak Section. Beginning July 1, all sockeye salmon taken in the Northwest Stepovak Section are considered to be destined for Orzinski Bay.

(g) The percentage of sockeye salmon destined for the Chignik River that are harvested in the Southeastern District Mainland fishery may be permitted to fluctuate above or below 7.6 percent of sockeye salmon harvest in the Chignik Area at any time before July 25.

(h) The allocation method described in (a) – (g) of this section is in effect through July 25. The commissioner may not open the first fishing period of the commercial salmon fishing season in the East Stepovak, Southwest Stepovak, Balboa Bay, and Beaver Bay Sections, and before July 1 in the Northwest Stepovak Section, before the first fishing period of the commercial salmon fishing season in the Chignik Area. After July 25, the commissioner may open, by emergency order, commercial salmon fishing in the entire Southeastern District Mainland area for local stocks.

(i) During the period from approximately June 26 through July 8, the strength of the second run of the Chignik River system sockeye salmon cannot be evaluated. In order to prevent overharvest of the second run, the department may disallow or severely restrict commercial salmon fishing in the East Stepovak, Stepovak Flats, Southwest Stepovak, Balboa Bay, and Beaver Bay Sections during this period, and from June 26 through June 30 in the Northwest Stepovak Section.

(j) The commissioner shall open all commercial fishing periods by emergency order. Before commencement of the first commercial salmon fishing period of the season, the department shall give at least 24 hours' notice. For subsequent fishing periods, the department shall give at least 12 hours' notice. If an existing fishing period is extended, the department shall give notice of the extension as soon as possible before the end of the existing fishing period.

(k) Notwithstanding any other provision of this section, from July 1 through July 10, if the department determines that the Orzinski Lake sockeye salmon escapement objectives have been exceeded, in addition to set gillnet gear, the commissioner may open, by emergency order, the waters of Orzinski Bay west of 160° 04.25' W. long. to fishing with purse seine and hand purse seine gear.

(l) From July 26 through October 31,

(1) the department shall manage the fishery based on the abundance of local pink, chum, and coho salmon stocks;

(2) there shall be at least one closed 36-hour period within a seven-day period.

(In effect before 1985; am 5/11/85, Register 94; am 6/2/88, Register 106; am 5/28/92, Register 122; am 5/17/95, Register 134; am 4/18/96, Register 138; am 5/31/98, Register 146; am 6/22/2001, Register 158; am 6/11/2005, Register 174; am 5/30/2007, Register 182; am 6/2/2010, Register 194)

**Authority:** AS 16.05.060 AS 16.05.251

**5 AAC 09.365. South Unimak and Shumagin Islands June Salmon Management**

**Plan.** (a) The South Unimak and Shumagin Islands June fisheries harvest both sockeye salmon and chum salmon in a mixed stock fishery during the month of June. The sockeye salmon are predominantly Bristol Bay and Alaska Peninsula origin. The chum salmon are bound for a number of areas, including Japan, Russia, the Arctic-Yukon-Kuskokwim, Bristol Bay, the Alaska Peninsula, and southcentral Alaska. These salmon stocks have historically been harvested along the south Alaska Peninsula during the month of June. This management plan is intended to be consistent with the Policy for the Management of Sustainable Salmon Fisheries (5 AAC 39.222) and the Policy for the Management of Mixed Stock Salmon Fisheries (5 AAC 39.220).

(b) The South Unimak fishery takes place in the Unimak District, the Southwestern District, the East Pavlof Bay and the West Pavlof Bay sections of the South Central District, and the Bechevin Bay Section of the Northwestern District.

(c) The Shumagin Islands fishery takes place in the Shumagin Islands Section.

(d) Beginning June 7, the commissioner may open, by emergency order, commercial fishing periods for purse seine, drift gillnet, and set gillnet gear in the South Unimak and Shumagin Islands fisheries as follows:

(1) commercial fishing periods will begin at 6:00 a.m. and run 88 hours, until 10:00 p.m. three days later; commercial fishing will be closed for 32 hour and reopen at 6:00 a.m. two days later;

(2) notwithstanding (1) of this subsection, the final commercial fishing period will end at 10:00 p.m. on June 29.

(e) All salmon caught by a CFEC permit holder must be retained, and each CFEC permit holder must report the number of salmon caught, including those taken but not sold, on an ADF&G fish ticket. For the purposes of this subsection, "caught" means brought on board the vessel. (In effect before 1983; am 4/16/83, Register 86; am 4/28/84, Register 90; am 4/18/86, Register 98; am 6/2/88, Register 106; am 6/9/90, Register 114; am 6/13/92, Register 122; am 6/1/94, Register 130; am 5/17/95, Register 134; am 6/9/96, Register 138; am 5/31/98, Register 146; am 6/3/2001, Register 158; am 6/4/2004, Register 170)

**Authority:** AS 16.05.060 AS 16.05.251

**5 AAC 09.366. Post-June Salmon Management Plan for the South Alaska Peninsula.**

(a) The purpose of this management plan is to provide management guidelines to the department for the management of the post-June salmon fisheries along the South Alaska Peninsula, to provide for the harvest of local stocks in terminal harvest areas, and to establish fishing periods for the South Alaska Peninsula salmon fisheries outside of terminal harvest areas.

(b) The commissioner shall establish, to the extent practicable, concurrent fishing periods in the Southeastern, South Central, Southwestern, and Unimak Districts.

(c) Fishing periods may be established under this section only as follows:

(1) except as specified in (d), for July, from 7:00 a.m. to 9:00 p.m.;

(2) for August, from 8:00 a.m. to 9:00 p.m.;

(3) for September and October, from 9:00 a.m. to 8:00 p.m.;

(4) repealed 1/15/2003.

(d) Notwithstanding (c)(1) of this section, the commissioner may establish, by emergency order, six 24-hour fishing periods interspersed by 48 hour closures from July 6 through July 21, and three 36-hour fishing periods interspersed by 48 hour closures from July 22 through July 31. The first commercial fishing period of the July 22 through July 31 period may not start before 12:00 noon on July 23.

(e) Repealed 6/4/2004.

(f) The commissioner may open, by emergency order, the following terminal harvest areas to salmon fishing from July 6 through July 21:

(1) the Shumagin Islands Section of the Southeastern District, waters of Zachary Bay south of the latitude of  $55^{\circ} 22.60'$  N. lat.; fishing periods shall be established based on the abundance of pink and chum salmon stocks;

(2) the East and West Pavlof Bay Sections of the South Central District, waters north of the latitude of Black Point ( $55^{\circ} 24.48'$  N. lat.); fishing periods shall be established based on the abundance of pink and chum salmon stocks;

(3) the Canoe Bay Section of the South Central District; fishing periods shall be established based on the abundance of pink and chum salmon stocks;

(4) in the Cold Bay, Thin Point, and Morzhovoi Bay Sections of the Southwestern District as follows:

(A) fishing periods in the Cold Bay Section shall be established based on the abundance of sockeye and chum salmon stocks;

(B) fishing periods in Thin Point Cove and Morzhovoi Bay Sections shall be established based on the abundance of sockeye salmon stocks.

(g) In addition to the terminal harvest areas specified in (f) of this section, the commissioner may open, by emergency order, the following terminal harvest areas to salmon fishing from July 22 through July 31:

(1) the Northwest Stepovak Section of the Southeastern District Mainland (near Suzy Creek), after July 25, the waters east of  $160^{\circ} 19.00'$  W. long. (in Dorenoi Bay), west of the cape separating Chichagof Bay and West Cove ( $160^{\circ} 14.57'$  W. long.) and north of  $55^{\circ} 37.33'$  N. lat.; fishing periods shall be established based on the abundance of local pink salmon stocks;

(2) the Stepovak Flats Section of the Southeastern District Mainland, from July 26 through July 28; fishing periods shall be established based on the abundance of local chum salmon stocks;

(3) the Mino Creek-Little Coal Bay and East Pavlof Bay Sections of the South Central District; fishing periods shall be established based on the abundance of local pink and chum salmon stocks;

(4) the Belkofski Bay Section of the Southwestern District; fishing periods shall be established based on the abundance of local pink and chum salmon stocks;

(5) the Deer Island Section of the Southwestern District; fishing periods shall be established based on the abundance of local pink salmon stocks.

(h) The commissioner may open, by emergency order, the commercial salmon fishery in the South Alaska Peninsula as follows:

(1) from August 1 through August 31, fishing periods shall be based on the abundance of local sockeye, coho, pink, and chum salmon stocks;

(2) from September 1 through October 31, fishing periods shall be based on abundance of coho salmon stocks, although the department may consider the abundance of late pink and chum salmon stocks.

(i) The department shall conduct a seine test fishery in the Shumagin Islands Section to assess the presence of immature salmon. If 100 or more immature salmon, per set, are present, the commissioner shall close, by emergency order, the seine fishery in an area to be determined by the department. If the seine fishery is closed in an area under this subsection, the set gillnet fishery shall remain open in that area. For the purposes of this subsection, "immature salmon, per set, are present" means the number of immature king, sockeye, coho, and chum salmon observed to be gilled in the seine web. (Eff. 5/28/92, Register 122; am 4/18/96, Register 138; am 5/31/98, Register 146; am 6/22/2001, Register 158; am 1/15/2003, Register 165; am 6/4/2004, Register 170; am 2/16/2006, Register 177; am 6/2/2010, Register 194)

**Authority:** AS 16.05.060 AS 16.05.251

**5 AAC 09.369. Northern District Salmon Fisheries Management Plan.** (a) The purpose of this management plan is to provide guidelines to the department for the management of salmon stocks in the Northern District of the Alaska Peninsula Management Area.

(b) The department shall manage the Northern District salmon fisheries on the basis of salmon abundance as determined by escapement information and catch-per-unit-effort information. The department shall manage each section of the Northern District as specified in this management plan and 5 AAC 09.320.

(c) In the Black Hills Section,

(1) before July 1, fishing periods may be modified based on the abundance of king and sockeye salmon stocks;

(2) from July 1 through August 15, fishing periods may be modified based on the abundance of sockeye and chum salmon stocks; and

(3) after August 15, fishing periods may be modified based on the abundance of coho salmon stocks.

(d) The Caribou Flats Section is closed to commercial salmon fishing.

(e) In the Nelson Lagoon Section,

(1) from May 1 through June 15, fishing periods may be modified based on the abundance of Nelson Lagoon king salmon stocks;

(2) from June 16 through August 15, fishing periods may be modified based on sockeye salmon escapement and harvest information in Nelson Lagoon; and

(3) after August 15, fishing periods may be modified based on the abundance of Nelson Lagoon coho salmon stocks.

(f) In the Herendeen-Moller Bay Section, fishing periods for pink and chum salmon stocks may be modified so that pink salmon fishing periods will not jeopardize local chum salmon stocks.

(g) In the Port Moller Bight Section, fishing periods may be modified based on the abundance of Bear River sockeye salmon stocks.

(h) In the Bear River Section, fishing periods may be modified based on sockeye salmon escapement to the Bear and Sandy Rivers. Before taking management actions in the Bear River Section during June, such as modification of fishing time and area by emergency order, the commissioner shall consider the king salmon runs into the King Salmon, Bear, and Sandy Rivers.

(i) In the Three Hills Section before July 21, fishing periods may be modified based on the abundance of sockeye salmon stocks in the Bear, Sandy, and Ilnik Rivers. Beginning July 21, fishing periods in the Three Hills Section may be modified based on the abundance of sockeye salmon stocks in the Bear and Sandy Rivers. When sockeye salmon escapement objectives in the Bear or Sandy Rivers are not being met, the commissioner may close, by emergency order, a portion of the Bear River and Three Hills Sections. If sockeye salmon escapements into the Ilnik River, or the Ocean River when the Ocean River flows directly into the Bering Sea, are not being met and area closures in the Ilnik Section are not effective for meeting the sockeye salmon escapement goals, the commissioner may close, by emergency order, the eastern portion of the Three Hills Section.

(j) In the Ilnik Section,

(1) notwithstanding 5 AAC 09.320(a)(4), from June 20 through July 20,

(A) commercial salmon fishing will be permitted in the Ilnik Section

(i) southwest of the Unangashak Bluffs based on the abundance of Ilnik River sockeye salmon; and

(ii) northeast of the Unangashak Bluffs based on the abundance of Meshik River and Ilnik River sockeye salmon, combined;

(B) if the commissioner closes that portion of the Egegik District specified in 5 AAC 06.359(c) for conservation of Ugashik River sockeye salmon stocks, the commissioner may, by emergency order, close the Ilnik Section and immediately

reopen the Ilnik Section, with additional fishing restrictions that the commissioner determines necessary;

(2) from July 21 through August 15, fishing periods may be modified in the Ilnik Section based on the abundance of Bear River sockeye salmon stocks;

(3) after August 15, fishing periods may be modified in the Ilnik Section based on the abundance of

(A) coho salmon stocks in the Unangashak and Ilnik Rivers, and the Ocean River when the Ocean River flows directly into the Bering Sea; and

(B) the Bear River late-run sockeye salmon stock.

(k) In the Inner Port Heiden Section, fishing periods may be modified based on the abundance of king salmon stocks during May and June, sockeye salmon stocks during July, and coho salmon stocks after July.

(l) The Outer Port Heiden Section is open from June 20 through July 31 to commercial salmon fishing in those waters west of a line from 57° 05.52' N. lat., 158° 34.45' W. long. to 57° 08.85' N. lat., 158° 37.50' W. long. based on the abundance of Meshik River sockeye salmon. If the commissioner closes the portion of the Egegik District as specified in 5 AAC 06.359(c) for the conservation of Ugashik River sockeye salmon stocks, the commissioner may, by emergency order, close the Outer Port Heiden Section, and immediately reopen the Outer Port Heiden Section, with additional fishing restrictions that the commissioner determines necessary.

(m) In the Cinder River Section, fishing periods may be modified based on the abundance of king salmon stocks during May and June, sockeye salmon stocks during July, and coho salmon stocks after July. (Eff. 5/31/98, Register 146; am 6/4/2004, Register 170; am 6/13/2004, Register 170; am 2/16/2006, Register 177; am 5/30/2007, Register 182; am 7/1/2007, Register 182; am 6/2/2010, Register 194)

**Authority:** AS 16.05.060 AS 16.05.251

**5 AAC 39.120. Registration of commercial fishing vessels.**

(d) Salmon net gear registration areas are as follows:

<b>Code Letter</b>	<b>Area</b>
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T - Bristol Bay Area (5 AAC 06.100) and January 1 through June 30, the Cinder River and Inner Port Heiden Sections of the Alaska Peninsula Area and August 1 - December 31, the Cinder River and Inner Port Heiden Sections and that portion of the Ilnik Section within Ilnik Lagoon and all waters inside the Seal Islands of the Alaska Peninsula Area (5 AAC 09.200(a)(1) - (a)(3))

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(In effect before 1982; am 4/14/82, Register 82; am 4/16/83, Register 86; am 4/28/84, Register 90; am 5/31/85, Register 94; am 6/25/89, Register 110; am 5/13/92, Register 122; am 5/28/92, Register 122; am 7/16/92, Register 123; am 5/17/95, Register 134; am 6/2/95, Register 134; am 6/2/96, Register 138; am 6/28/97, Register 142; am 5/8/98, Register 146; am 5/31/98, Register 146; am 10/1/98, Register 147; am 7/13/2012, Register 203)

**Authority:** AS 16.05.060 AS 16.05.251

**Commercial Groundfish Fisheries (Sablefish)**

**5 AAC 28.640. Aleutian Islands District and Western District of the South Alaska Peninsula Area Sablefish Management Plan.** (a) The management plan under this section governs the harvest of sablefish in the Aleutian Islands District and the Western District of the South Alaska Peninsula Area described in 5 AAC 28.555(b).

(b) Sablefish may be taken only from 12:00 noon May 15 through 12:00 noon November 15, unless closed earlier by emergency order.

(c) Sablefish may be taken only with pots, longlines, mechanical jigging machines, and hand troll gear. Pot gear may be longlined in the Aleutian Islands District, but may not be longlined in the Western District.

(d) Before a person uses a vessel to operate gear to take sablefish in the waters of the Aleutian Islands District or the Western District, the vessel owner, the owner's authorized agent, or the vessel operator shall validly register the vessel with the department office in Dutch Harbor. A vessel that is registered under this subsection shall be considered registered in the Aleutian Islands District and the Western District.

(e) Notwithstanding 5 AAC 28.020(f), before departing from the Aleutian Islands District and the Western District, the operator of a vessel fishing for sablefish must notify a local representative of the department to report the amount, by weight, of sablefish on board the vessel and the location that the sablefish will be landed.

(f) Each processor of sablefish shall report the amount, by weight, of sablefish received and processed to the department's Dutch Harbor office each week or as otherwise directed by the department.

(g) Each vessel operator shall obtain and complete a logbook provided by the department for all fishing activity in the waters of Alaska under this section. The logbook must be on board the vessel at all times and copies of each logbook page corresponding with an ADF&G fish ticket for sablefish must be submitted to the department within seven days of landing.

(h) After 72 hours following the closure of a directed sablefish season within the Aleutian Islands District and the Western District of the South Alaska Peninsula Area, a vessel that participated in the sablefish fishery may not have sablefish that was taken in state waters on board the vessel, unless the vessel has been delayed due to extraordinary circumstances beyond the control of the vessel operator, and the vessel operator has contacted a local representative of the department within 72 hours following the closure of the season and the representative of the department has granted a reasonable amount of time for the vessel to reach the port of delivery or a processing location. Any additional time shall be determined based on the assumption that the vessel departed the fishing grounds immediately after the fishery closure and proceeded directly to the port of delivery or processing location.

(i) All waters within three nautical miles of the Steller sea lion site on Kanaga Island/Ship Rock at 51° 46.70' N. lat., 177° 20.72' W. long. are closed to the taking of sablefish.

(Eff. 5/31/2001, Register 158; am 5/15/2004, Register 170; am 5/16/2010, Register 194; am 5/1/2011, Register 198)

**Authority:** AS 16.05.060 AS 16.05.251