

Submitted by Patrick Brown

Substitute regulatory language for Proposal 173

This, in effect, would allow the Department to open SEDM to be able to harvest up to 7.6% allocation of the CMA run incrementally, as Area L harvests accrue.

5 AAC 09.360. Southeastern District Mainland Salmon Management Plan

(a) This plan pertains to the management of the interception of Chignik River sockeye salmon caught in the Southeastern District Mainland fishery: East Stepovak, Stepovak Flats, Northwest Stepovak, Southwest Stepovak, Balboa Bay, and Beaver Bay Sections. Before July 11, only set gillnet gear may be used in these sections. For the purpose of this plan, 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, 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°N, 41.92' N. lat., 160°W, 03.20' W. long. to Waterfall Point at 55°N, 43.18' N. lat., 160°W, 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 and the number of 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, approaches as near as possible six percent of the total Chignik sockeye salmon harvest. [The department shall manage the SEDM fishery to harvest the 7.6% allocation of the Chignik harvest concurrent with Chignik harvesters, up to 7.6%]~~

~~(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 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 might 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°N, 41.92' N. lat., 160°W, 03.20' W. long. to Waterfall Point at 55°N, 43.18' N. lat., 160°W, 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 and the number of 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, approaches as near as possible six percent of the total Chignik sockeye salmon harvest.

(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 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 taken 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 six percent of the total Chignik sockeye salmon catch.

(e) Beginning July 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.

(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 total Chignik sockeye salmon catch constitutes those sockeye salmon caught within the Chignik Area, plus 80 percent of the sockeye salmon caught in the East Stepovak, Stepovak Flats, Southwest Stepovak, Balboa Bay, and Beaver Bay Sections, and before July 1 in the Northwest Stepovak Section, plus 80 percent of the sockeye salmon caught in the Cape Igvak Section of the Kodiak Area. The percentage of Chignik sockeye salmon may be permitted to fluctuate above or below six percent 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^Å, 04.25' W. long. to fishing with purse seine and hand purse seine gear.

History: 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

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