

Approved Proposal Number	Applicable regulations	Language location	Brief Summary	Date and time of vote
	98 5 AAC 01.425(6)	RC 137	Changes closed waters description for subsistence fishing to remove waters listed in 5 AAC 09.350 and only exclude commercial salmon permit holders or crewmembers during and open commercial fishing period.	2/24 at 9:21am
	99 5 AAC 65.022(b)	RC 136	Adds the Bear River drainage to the special provisions section of the Alaska Peninsula Area regulations, changes king salmon retention provisions for the King Salmo River drainage and adds provisos for both river drainages that king salmon over 20 inches may not be retained or possessed and changes allowable gear types.	2/24 at 9:31am
	104 5 AAC 65.051(5)	In the proposal	Repeals provision that closes Swanson Lagoon and it's tributaries to sport fishing for salmon. Significantly revises the Chignik Area salmon management plan. Revisions include establishing optimal escapement goals for the Black Lake early run sockeye and for Chignik Lake late run sockeye. Additional changes include increasing the escapement total triggering commercial openings in the Chignik River and Chignik Lagoon from 20,000 to 40,000 fish.	2/24 at 9:51am
	5 AAC 15.357(a); (b)(1); 105 (b)(3)(A)-(B); (c)(1);	RC 216	Changes the transition date in the Chignik Area salmon management plan for early run and late run sockeye from September 14 to July 31. Fishing periods in Chignik Bay and Central Districts, and the Inner Castle Cape Subsection of the Western District openings are now based on the Chignik Lakes' system sockeye salmon optimal escapement goals, rather than escapement goals.	2/27 at 9:57am
	109 5 AAC 15.357(b)(3);	In the proposal	Changes the times that fishing periods in the Chignik Bay and Central Districts, and the inner Castle Cape Subsection of the Western District will occur between August 1 until September 15.	2/27 at 3:30pm
	109 5 AAC 15.357(b)(4)	In the proposal	Modifies the area description of the Castle Cape Section and adds Chankliut Island and Devil's Bay Subsections in the Western District commercial salmon fishery area descriptions. Changes the coordinates for Jack Point in the Western District and modifies the area description in the Dorner Bay Section of the Western District in the commercial salmon fishery area descriptions.	2/27 at 3:30pm
	118 5 AAC 15.200(c)	In the proposal and RC 2	The Mitrofanina Section is also modified to accomadate the changes in GPS coordinates in the Dorner Bay Section.	2/27 at 10:32am
	118 5 AAC 15.200(d)(1)(A)-(B)	In the proposal and RC 2	Establishes the Inner and Outer Perryville Subsections in the Perryville Section of the Perryville District in the commercial salmon fishery area descriptions.	2/27 at 10:32am
	118 5 AAC 15.200(d)(2)(A)-(B)	In the proposal and RC 2	Establishes the Inner and Outer Humpback Subsections in the Humpback Bay Section of the Perryville District in the commercial salmon fishery area descriptions.	2/27 at 10:32am
	118 5 AAC 15.357(d)(3)-(5)	In the proposal	Changes the department's management strategy to no longer be managed entirely after a hard date of July 31 for pink, chum and coho salmon to now be managed for pink and chum in specified areas within the Western and Perryville Districts between August 1 and August 31 and after August 31, to be managed based on the departments evaluation of local pink, chum and coho salmon stocks in the commercial salmon fishery.	2/27 at 10:32am
	118 5 AAC 15.200(e)	In the proposal and RC 2	Changes the coordinates for Jack Point in the Central District to accomadate changed to jack Point in the Western District.	2/27 at 10:32am
	129 5 AAC 09.331(c)	In the proposal	Allows the use of single filament gillnet in the Northern District for set gillnet commercial operations.	2/27 at 2:26pm

130 5 AAC 09.360(e)(3)	Intent in the proposal	Many of the requests laid out in this proposal are already captured in existing regulations. The addition of "hand purse seine" is added to 5 AAC 09.360(e)(3), which was not present in RC 217. Other than that change the intent of this proposal is captured in existing regulation and the change previously mentioned.	2/27 at 11:14am
132 5 AAC 09.360(b)	RC 217	Changes the management guidelines in the Southeastern District Mainland salmon management plan from the first run in Black Lake and second run in Chignik Lake for sockeye salmon to early-run and late-run optimal escapement goals in the Chignik River system. Additionally, the Stepovak Flats Section is added to this section's management guidelines.	2/27 at 10:49am
132 5 AAC 09.360(c)	RC 217	Changes the management guidelines in the Southeastern District Mainland salmon management plan from escapement goals for the first and second runs in the commercial sockeye salmon fishery in the Chignik River system to early-run and late-run optimal escapement goals.	2/27 at 10:49am
132 5 AAC 09.360(d)	RC 217	Escapement goals for the first and second runs of Chignik River system sockeye salmon are changed to board generated optimal escarpment goals for early-run and late-run in the commercial fishery to accommodate the changes to 5 AAC 09.360(b).	2/27 at 10:49am
132 5 AAC 09.360(e)(2)	RC 217	Removes the escapement target of 25,000 sockeye salmon in Orzinski Bay to open the Northwest Stepovak Section commercial fishery and replaces the target with the upper bound of the sockeye salmon escapement goal range.	2/27 at 10:49am
132 5 AAC 09.360(e)(3)	RC 217	This new paragraph open waters to commercial fishing in all waters of Orzinski Bay to setnet, hand purse seine and purse seine gear types if escapement goal objectives are being met or exceeded.	2/27 at 10:49am
132 5 AAC 09.360(l)(2)	RC 217	Removes Ozinski Bay from the mandatory 36-hour closure period between July 26 through October 31 in the commercial salmon fishery.	2/27 at 10:49am
136 5 AAC 09.330(c)	RC 190	Closes the Sanak Island Section of the South Unimak District, during June for all gear types in the commercial salmon fishery.	2/26 at 10:41am
136 5 AAC 09.365(d)(2)	RC 190	In the commercial salmon fishery described in the South Unimak and Shumagin Islands June Salmon Management Plan for purse seine gear only, a 76-hour closure is established between the first and second fishing periods in June, the first fishing period in June is reduced from 88 hours to 68 hours and the duration of the second fishing period in June is reduced from 88 hours to 66 hours. The third and fourth fishing periods in June are established as 88 hour fishing periods.	2/26 at 10:41am
136 5 AAC 09.365(d)(3)	RC 190	Instates the fishing periods for gillnet gear type unchanged from what was previously 5 AAC 09.365(d)(2).	2/26 at 10:41am
136 5 AAC 09.365(h)	RC 190	Chum salmon harvest triggers are established that reduces commercial fishing time in the South Unimak and Shumagin Islands in June for purse seine gear if harvest reached 300,000 chum salmon by June 18. Harvest from purse seine, set gillnet, and drift gillnet gear accrues against the triggers. If the harvest trigger of 450,000 fish is reached by June 23, the commercial salmon fishery for purse seine gear is closed in June.	2/26 at 10:41am
151 5 AAC 09.331(b)(5)	Intent is in the proposal	The requirement to attach the shoreward end of the seine webbing for set gillnet operations in the commercial salmon fishery in the Unimak, Southwestern, South Central, and Southeastern Districts was removed.	2/26 at 12:02pm

Nancy Dahlstrom  
Lieutenant Governor  
State Capitol  
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**OFFICE OF THE LIEUTENANT GOVERNOR  
ALASKA**

**MEMORANDUM**

**TO:** Shellene Hutter  
Department of Fish and Game

**FROM:** April Simpson, Office of the Lieutenant Governor   
465.4081

**DATE:** May 24, 2023

**RE:** Filed Permanent Regulations: Board of Fisheries

Department of Fish and Game - Board of Fisheries regulations re: commercial fisheries management in the Alaska Peninsula, Aleutian Islands, and Chignik finfish fisheries (5 AAC)

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Attorney General File:	2022200305
Regulation Filed:	5/24/2023
Effective Date:	6/23/2023
Print:	246, July 2023

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



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

## Department of Law

CIVIL DIVISION

P.O. Box 110300  
Juneau, Alaska 99811  
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May 24, 2023

The Honorable Nancy Dahlstrom  
Lieutenant Governor  
State of Alaska  
P.O. Box 110015  
Juneau, AK 99811-0015

Re: 2022200305 – Department of Fish and Game,  
Board of Fisheries; amendments to  
5 AAC; commercial fisheries management in  
the Alaska Peninsula, Aleutian Island, and  
Chignik finfish fisheries

Dear Lieutenant Governor Dahlstrom:

The Department of Law has reviewed the attached regulations of the Board of Fisheries against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This memorandum constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations.

The Department of Fish and Game adopted the regulations after the close of the public comment period. The regulations amend 5 AAC to update various requirements concerning management of salmon fisheries. Notable changes include updates to fisheries location descriptions, setnet standards, commercial fishing seasons and times, and setting optimal escapement goals for salmon in the Chignik area.

Both the September 13, 2022 public notice and the April 13, 2023 order certifying changes state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.195 is not required.

To: The Honorable Nancy Dahlstrom  
Our file: 2022200305

May 24, 2023  
Page 2 of 2

In accordance with AS 44.62.060 we have made a number of technical corrections to the regulations. The corrections are incorporated into the attached copy of the regulations, which are now 15 pages, not the 14 pages referred to in the certification order.

Sincerely,

TREG R. TAYLOR  
ATTORNEY GENERAL

By:

Rebecca C. Polizzotto  
Chief Assistant Attorney General  
Legislation, Regulations, and  
Legislative Research Section

RCP:bws

CC w/enclosure: Shellene Hutter, Regulations Contact  
Department of Fish and Game

Aaron Peterson, Assistant Attorney General  
Department of Law

Brad W. Sharp, Assistant Attorney General  
Department of Law

Steven C. Weaver, Assistant Attorney General  
Department of Law

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

The attached <sup>15</sup>14 pages of regulations, changes to 5 AAC for subsistence, sport and commercial fisheries occurring in the Alaska Peninsula, Aleutian Island and Chignik finfish fisheries areas are certified to be a correct copy of the regulation changes that the Alaska Board of Fisheries adopted at its public hearing held from February 20<sup>th</sup> – February 27<sup>th</sup>, 2023 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 30<sup>th</sup> day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

DATE: 4/13/2023  
Anchorage, Alaska

DocuSigned by:  
*Doug Vincent-Lang*  
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Douglas S. Vincent-Lang, Commissioner  
Department of Fish and Game

**FILING CERTIFICATION**

*April Simpson for*

I, Nancy Dahlstrom, Lieutenant Governor for the State of Alaska, certify that on May 24, 2023 at 3:54 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.

*for* *April Simpson*  
Nancy Dahlstrom, Lieutenant Governor  
State of Alaska

Effective: June 23, 2023.

Register: 246, July 2023.

**FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY**

**I, NANCY DAHLSTROM, 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:**

**April Simpson, Regulations and Initiatives Specialist**

**IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Alaska, in Juneau, on May 15th, 2023.**



*Nancy Dahlstrom*

**NANCY DAHLSTROM  
LIEUTENANT GOVERNOR**

**Title 5. Fish and Game.**

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

**Chapter 01. Subsistence Finfish Fishery.**

**Article 8. Alaska Peninsula Area.**

5 AAC 01.425(6) is amended to read:

(6) the waters specified in [5 AAC 09.350 AND] 5 AAC 39.290; [DURING AN OPEN COMMERCIAL SALMON FISHING PERIOD.]

5 AAC 01.425 is amended by adding a new paragraph to read:

(7) for a commercial salmon fishing permit holder or a commercial crewmember license holder in the commercial salmon fishery, the waters specified in 5 AAC 09.350 during an open commercial salmon fishing period. (In effect before 1988; readopt 5/15/93, Register 126; am 6/4/2004, Register 170; am 6 / 23 / 2023, Register 246)

**Authority:** AS 16.05.251 AS 16.05.258

**Chapter 09. Alaska Peninsula Area.**

**Article 3. Salmon Fishery.**

5 AAC 09.331(b)(5) is amended to read:

(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



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SHOREWARD END OF THE SEINE WEBBING MUST BE ATTACHED TO THE BEACH ABOVE LOW TIDE];

5 AAC 09.331 is amended by adding a new subsection to read:

(c) Notwithstanding 5 AAC 39.250(c), in a set gillnet in the Northern District, the gillnet web may be single filament. (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; am 6/5/2016, Register 218; am 5/31/2019, Register 230; am 6 / 23 / 2023 , Register 246 )

**Authority:** AS 16.05.251

((Publisher: please change the period at the end of 5 AAC 09.331(b)(9) to a semicolon)))

5 AAC 09.360(b) is amended to read:

(b) In years when **the department expects** a harvestable surplus for the **early-run and late-run optimal escapement goals for** [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, **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 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 the department projects [THAT] a harvest of 300,000 sockeye salmon 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 **the optimal** 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.

5 AAC 09.360(c) is amended to read:

(c) In years when **the department expects** a harvestable surplus **for** [BEYOND] the **early-run and late-run optimal** escapement goals for [THE FIRST AND SECOND RUNS OF] Chignik River sockeye salmon [IS EXPECTED] to be more than 600,000 fish but **the early-run** [FIRST RUN] fails to develop as **expected** [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 55° 41.92' N. lat., 160° 03.20' W. long., to Waterfall Point at 55° 43.18' N. lat., 160° 01.13' W. long., **must** [SHALL] be curtailed until the department projects 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.

5 AAC 09.360(d) is amended to read:

(d) In years when **the department expects** a harvestable surplus **of at least 600,000 fish greater than the early-run and late-run optimal** [BEYOND THE] escapement goals for **Chignik River sockeye salmon** [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.

The introductory language of 5 AAC 09.360(e)(2) is amended to read:

(2) if **the department expects** the Orzinski Bay escapement **to reach** [REACHES] or **exceed** [EXCEEDS] **the upper bound of the sockeye salmon escapement goal range** [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:

• • •

5 AAC 09.360(e) is amended by adding a new paragraph to read:

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(3) if the department expects that the sockeye salmon escapement goal will be met or exceeded, the waters of Orzinski Bay may be open to commercial salmon fishing continuously to

(A) set gillnet gear through July 10; and

(B) set gillnet gear, hand purse seine, and purse seine gear from July 11 through July 25.

((Publisher: please change the period at the end of 5 AAC 09.360(e)(2)(B) to a semicolon))

5 AAC 09.360(l)(2) is amended to read:

(2) there **must** [SHALL] be at least one closed 36-hour period within a seven-day period, **excluding Orzinski Bay when the department is managing for local sockeye salmon.**

(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; am 6/1/2013, Register 206; am 6 / 23 / 2023, Register 246)

**Authority:** AS 16.05.060 AS 16.05.251

5 AAC 09.365(d)(2) is amended to read:

(2) for seine [AND DRIFT GILLNET] gear,

[(A)] beginning June 10, **the first** commercial fishing **period** [PERIODS] will begin at **5:59** [6:00] a.m., **then close after 68** [AND RUN 88] hours **at 1:59 a.m.** [UNTIL 10:00 P.M. THREE DAYS LATER]; **the second** commercial fishing **period** will **begin 76 hours later at 5:59 a.m., then close after 66 hours at 11:59 p.m.; the third commercial**

**fishing period will begin 32 hours later at 7:59 a.m., then close after 88 hours at 11:59 p.m.;**

**the final commercial fishing period in June will begin 32 hours later at 7:59 a.m. then close**

**after 88 hours at 11:59 p.m.;** [THEN CLOSE FOR 32 HOURS AND REOPEN AT 6:00 A.M.

TWO DAYS LATER;

(B) NOTWITHSTANDING (A) OF THIS PARAGRAPH, THE FINAL

COMMERCIAL FISHING PERIOD WILL END AT 10:00 P.M. ON JUNE 28.]

5 AAC 09.365(d) is amended by adding a new paragraph to read:

(3) for drift gillnet gear, beginning June 10, the first commercial fishing period will begin at 6:00 a.m. and run 88 hours, then close at 10:00 p.m.; the final commercial fishing period will begin 32 hours later at 6:00 a.m., then close at 10:00 p.m. on June 28.

5 AAC 09.365 is amended by adding a new subsection to read:

(h) If chum salmon harvest equals or exceeds 300,000 fish by June 18, based on fish ticket information, the commissioner shall reduce commercial fishing time in the South Unimak and Shumagin Islands June fisheries by 44 hours during each of the remaining fishing periods in June for purse seine gear. If chum salmon harvest equals or exceeds 450,000 fish by June 23, based on fish ticket information, the commissioner shall close commercial salmon fishing in the South Unimak and Shumagin Islands June fisheries for the remainder of June for purse seine gear. (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; am 6/1/2013, Register 206;

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am 6/5/2016, Register 218; am 5/31/2019, Register 230; am 6 / 23 / 2023, Register 246)

**Authority:** AS 16.05.060 AS 16.05.251

## **Chapter 15. Chignik Area.**

### **Article 2. Fishing Districts, Sections, and Subsections.**

5 AAC 15.200(c) is repealed and readopted to read:

(c) The Western District includes all waters south of the latitude of a point southwest of Jack Point at 56° 16.43' N. lat., 158° 12.60' W. long., excluding the waters of Chignik Lagoon, and north and east of a line extending 170° from Coal Cape at 55° 53.42' N. lat., 159° 00.45' W. long.

(1) Castle Cape Section: all waters bounded by the latitude of a point southwest of Jack Point at 56° 16.43' N. lat., 158° 12.60' W. long., and a line extending 165° from a point on Seal Cape at 55° 59.56' N. lat., 158° 26.27' W. long.;

(A) Inner Castle Cape Subsection: all waters of the Castle Cape Section within and adjacent to Castle Bay enclosed by the northern boundary line of the Castle Cape Section and west of 158° 07.20' W. long.;

(B) Outer Castle Cape Subsection: all waters of the Castle Cape Section, north of 56° 14.55' N. lat., and east of 158° 07.20' W. long.;

(C) Chankliut Island Subsection: all waters of the Castle Cape Section bounded by the Outer Castle Cape Subsection and a line extending 165° from a point on Ship Mountain Point at 56° 07.46' N. lat., 158° 21.04' W. long.;

(D) Devil's Bay Subsection: all waters of the Castle Cape Section

bounded by a line extending  $165^\circ$  from a point on Ship Mountain Point at  $56^\circ 07.46'$  N. lat.,  $158^\circ 21.04'$  W. long., and a line extending  $165^\circ$  from a point on Seal Cape at  $55^\circ 59.56'$  N. lat.,  $158^\circ 26.27'$  W. long.;

(2) Dorner Bay Section: all waters bounded by a line extending  $165^\circ$  from a point on Seal Cape at  $55^\circ 59.56'$  N. lat.,  $158^\circ 26.27'$  W. long., and a line extending  $165^\circ$  from a point on the west side of Dorner (Kuiukta) Bay's entrance at  $55^\circ 57.05'$  N. lat.,  $158^\circ 40.14'$  W. long.;

(3) Mitrofanina Section: all waters, including Mitrofanina Island, bounded by a line extending  $165^\circ$  from a point on the west side of Dorner (Kuiukta) Bay's entrance at  $55^\circ 57.05'$  N. lat.,  $158^\circ 40.14'$  W. long., and a line extending  $170^\circ$  from Coal Cape at  $55^\circ 53.42'$  N. lat.,  $159^\circ 00.45'$  W. long.

5 AAC 15.200(d)(1) is amended by adding a new subparagraphs to read:

(A) Inner Perryville Subsection: all waters of the Perryville Section north of a line from Coal Cape at  $55^\circ 53.42'$  N. lat.,  $159^\circ 00.45'$  W. long., to Alexander Point at  $55^\circ 47.32'$  N. lat.,  $159^\circ 24.68'$  W. long.;

(B) Outer Perryville Subsection: all waters of the Perryville Section south of a line from Coal Cape at  $55^\circ 53.42'$  N. lat.,  $159^\circ 00.45'$  W. long., to Alexander Point at  $55^\circ 47.32'$  N. lat.,  $159^\circ 24.68'$  W. long.;

5 AAC 15.200(d)(2) is amended by adding a new subparagraphs to read:

(A) Inner Humpback Bay Subsection: all waters of the Humpback Bay Section north of a line from Coal Cape at 55° 53.42' N. lat., 159° 00.45' W. long., to Alexander Point at 55° 47.32' N. lat., 159° 24.68' W. long.;

(B) Outer Humpback Bay Subsection: all waters of the Humpback Bay Section south of a line from Coal Cape at 55° 53.42' N. lat., 159° 00.45' W. long., to Alexander Point at 55° 47.32' N. lat., 159° 24.68' W. long.;

The introductory language of 5 AAC 15.200(e) is amended to read:

(e) The Central District includes all waters, excluding the waters of the Chignik Bay District, bounded by the latitude of a point southwest of Jack Point at **56° 16.43'** [56° 16.40'] N. lat., **158° 12.60'** [158° 12.50'] W. long., and the latitude of the southernmost ADF&G regulatory marker 500 yards from the mouth of Aniakchak Lagoon; [.]

...

(In effect before 1988; am 4/19/90, Register 114; am 4/18/96, Register 138; am 6/15/96, Register 138; am 5/29/99, Register 150; am 3/29/2008, Register 185; am 6 / 23 / 2023, Register 246)

**Authority:** AS 16.05.251

### **Article 3. Salmon Fishery.**

5 AAC 15.357(a) is amended to read:

(a) The department shall manage the commercial salmon fishery in the Chignik Area in accordance with the guidelines set out in the management plan under this section. The **goals**



[GOAL] of this management plan **are** [IS] to allow traditional fisheries in the area to be conducted on Chignik Area salmon stocks [,] and to achieve the [DEPARTMENT'S BIOLOGICAL ESCAPEMENT GOALS FOR BOTH BLACK LAKE (EARLY-RUN) AND CHIGNIK LAKE (LATE-RUN)] **escapement goals** for sockeye salmon and local stocks of pink, chum, coho, and king salmon. **The department shall manage the Chignik area sockeye salmon fishery to achieve**

**(1) an optimal escapement goal for Black Lake (early run) sockeye salmon of 300,000 to 400,000 fish;**

**(2) an optimal escapement goal for Chignik Lake (late run) sockeye salmon of 240,000 to 360,000 fish.**

5 AAC 15.357(b)(1) is amended to read:

(1) the commissioner may open, by emergency order, the commercial salmon fishery when **40,000** [20,000] sockeye salmon have escaped into the Chignik River; however, if the department determines that a strong buildup of sockeye salmon exists in Chignik Lagoon and that **40,000** [20,000] sockeye salmon will escape into the Chignik River, the commissioner may open, by emergency order, the commercial salmon fishery before **40,000** [20,000] sockeye salmon have escaped into the Chignik River;

5 AAC 15.357(b)(3) is amended to read:

(3) from the end of the transition period [,] described in (2) of this subsection until **July 31** [SEPTEMBER 14],

(A) the commissioner shall open and close, by emergency order, fishing periods in the Chignik Bay and Central Districts, and the Inner Castle Cape Subsection of the Western District, based on the Chignik Lakes' system sockeye salmon **optimal** escapement goals;

(B) [THE DEPARTMENT SHALL MANAGE THE COMMERCIAL FISHERY TO ALLOW FOR THE PASSAGE OF AT LEAST 20,000 SOCKEYE SALMON ABOVE THE CHIGNIK RIVER WEIR, IN ADDITION TO LATE-RUN SOCKEYE SALMON ESCAPEMENT NEEDS, TO PROVIDE AN INRIVER HARVESTABLE SURPLUS ABOVE THE CHIGNIK RIVER WEIR IN AUGUST AND SEPTEMBER OF AT LEAST 10,000 FISH IN AUGUST AND 10,000 FISH FROM SEPTEMBER 1 THROUGH SEPTEMBER 30;

(C) the commissioner may take additional emergency order actions to protect or harvest local pink, chum, king, and coho salmon runs; [AND]

5 AAC 15.357(b)(4) is amended to read:

(4) **from August 1 until** [BEGINNING] September 15, **if the Chignik River late-run sockeye salmon escapement goals are being met weekly,** fishing periods in the Chignik Bay and Central Districts [,] and the Inner Castle Cape Subsection of the Western District [,] **will run from 6:00 a.m. Monday until 10:00 p.m. Friday** [MAY BE NO MORE THAN 48 HOURS PER WEEK, AND SHALL BE BASED ON THE DEPARTMENT'S EVALUATION OF THE SOCKEYE SALMON RUN STRENGTH AND THE SUBSISTENCE NEEDS FOR CHIGNIK LAKE LATE-SEASON SOCKEYE SALMON].

5 AAC 15.357(c)(1) is amended to read:

(1) during June, the commercial salmon fishery **will** [SHALL] open concurrently with the Chignik Bay and Central Districts [,] and the Inner Castle Cape Subsection of the Western District, and the openings shall be based on **the department's expectation of** achieving the Black Lake sockeye salmon **optimal** escapement **goal** [GOALS];

5 AAC 15.357(d)(3) is amended to read:

(3) **from August 1 to August** [AFTER JULY] 31, the **department shall manage** **the** fishing periods **in the Outer Castle Cape Subsection, Chankliut Island Subsection, Devil's Bay Subsection, Outer Kuiukta Bay area, Mitrofanina Island area, Outer Perryville Subsection and the Outer Humpback Bay Subsection** [SHALL BE MANAGED] based on the department's evaluation of local pink **and** [,] chum [, AND COHO] salmon runs or the strength of the Chignik Lake sockeye salmon run; [.]

5 AAC 15.357(d) is amended by adding new paragraphs to read:

(4) from August 1 to August 31, the department shall manage the fishing periods in the Inner Kuiukta/Portage Bay area, Windy Bay area, Dorner Bay area, Mitrofanina Bay area, Fishrack Bay area, Ivan Bay area, Coal Cape area, Inner Perryville Subsection, Inner Humpback Bay Subsection, and the Ivanoff Bay Section based on the department's evaluation of local pink and chum salmon runs;

(5) after August 31, the department shall manage fishing periods based on the department's evaluation of local pink, chum, and coho salmon runs.

5 AAC 15.357 is amended by adding a new subsection to read:

(f) For the purposes of this section, the

(1) Inner Kuiukta/Portage Bay area is all waters in Portage Bay north and east of a line from 56° 06.78' N. lat., 158° 38.42' W. long., to 56° 06.58' N. lat., 158° 35.82' W. long.;

(2) Windy Bay area is all waters northwest of 56° 05.49' N. lat., 158° 39.12' to 56° 06.78' N. lat., 158° 38.42' W. long.;

(3) Dorner Bay area is all waters south of the Inner Kuiukta/Portage Bay area and the Windy Bay area and north of 56° 01.11' N. lat., 158° 38.44' W. long., to 56° 02.22' N. lat., 158° 35.32' W. long.;

(4) Outer Kuiukta Bay area is all waters of the Dorner Bay Section south of the Dorner Bay area;

(5) Fishrack Bay area is all waters north of 55° 59.58' N. lat., 158° 46.70' and 55° 59.20' N. lat., 158° 43.92' W. long.;

(6) Ivan Bay area is all waters north of 55° 59.40' N. lat., 158° 48.79' W. long., and 55° 58.41' N. lat., 158° 52.78' W. long.;

(7) Mitrofanina Bay area is all waters south of the Ivan Bay area and the Fishrack Bay area and north of 55° 57.01' N. lat., 158° 40.93' W. long., and 55° 54.71' N. lat., 158° 55.19' W. long.;

(8) Coal Cape area is all waters north of 55° 54.71' N. lat., 158° 55.19' W. long., and 55° 53.42' N. lat., 159° 00.45' W. long.;

(9) Mitrofanina Island area is all waters of the Mitrofanina Section south of the Mitrofanina Bay area and the Coal Cape area. (Eff. 5/29/99, Register 150; am 5/4/2002, Register 162; am 3/6/2003, Register 165; am 3/13/2005, Register 173; am 4/9/2005, Register 174; am

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3/29/2008, Register 185; am 5/1/2011, Register 198; am 3/19/2014, Register 209; am 2/22/2015, Register 213; am 6/5/2016, Register 218; am 5/31/2019, Register 230; am 6 / 23 / 2023, Register 246)

**Authority:** AS 16.05.060 AS 16.05.251

## **Part 2. Sport Fishing and Personal Use Fishery.**

### **Chapter 65. Alaska Peninsula and Aleutian Islands Area.**

5 AAC 65.022(b) is amended to read:

(b) In the King Salmon River and Bear River drainages,

[(1) EXCEPT AS PROVIDED IN (2) OF THIS SUBSECTION,] a king salmon [REMOVED FROM THE WATER BECOMES PART OF THE BAG LIMIT OF THE PERSON ORIGINALLY HOOKING IT;] 20 inches or greater in length may not be retained or possessed and must be released immediately; a person

(1) may not remove a fish from the water before releasing the fish;

(2) may use only an unbaited, single hook, artificial lure or fly

[DOWNSTREAM FROM AN ADF&G REGULATORY MARKER LOCATED 1,000 YARDS UPSTREAM FROM ITS MOUTH,

(A) ONLY UNBAITED, ARTIFICIAL LURES MAY BE USED; AND

(B) KING SALMON FISHING IS OPEN ONLY FOR CATCH AND RELEASE FISHING; KING SALMON MAY NOT BE RETAINED OR REMOVED FROM THE WATER BEFORE RELEASING THE FISH].

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(Eff. 4/9/95, Register 134; am 4/11/98, Register 146; am 4/2/99, Register 149; am 6/13/99, Register 150; am 6/19/99, Register 150; am 6/14/2001, Register 158; am 6/1/2013, Register 206; am 6/5/2016, Register 218; am 6 / 23 / 2023, Register 246)

**Authority:** AS 16.05.060 AS 16.05.251

5 AAC 65.051(5) is repealed:

(5) repealed 6 / 23 / 2023. (Eff. 6/14/2001, Register 158; am 6/4/2004, Register 170; am 6/1/2013, Register 206; am 6/5/2016, Register 218; am 6 / 23 / 2023, Register 246)

**Authority:** AS 16.05.251