

# SPORT FISHING

## *Emergency Order*

ALASKA DEPARTMENT  
OF FISH & GAME

Under Authority of AS 16.05.060

Emergency Order No. 1-LC-R-25-08

Issued at Juneau, Monday 28, 2008.

Effective 12:01 a.m.  
Date: Tuesday, July 29, 2008.

Expiration Date: 11:59 p.m. Sunday,  
November 30, 2008 unless superseded by  
subsequent emergency order.

### EXPLANATION:

This emergency order rescinds Emergency Order 1-LC-R-05-08 issued April 24, to correct an error in emergency regulation. This emergency order also modifies lingcod sport fishing seasons, bag and possession limits and, for non-resident and guided anglers only, establishes minimum and maximum size limits and annual limits for lingcod in the marine waters of Southeast Alaska.

### REGULATION:

Emergency Order 1-LC-R-05-08 is rescinded. The provisions of 5 AAC 47.020 (7), and 5 AAC 47.021 (g)(1)(A) are superseded by this emergency order, which will be in effect from July 29, 2008 to November 30, 2008. Under this emergency order, the following provisions are in effect:

#### **5 AAC 47.020. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area.**

##### (7) lingcod:

- (A) In the waters of northern Southeast Alaska waters north of a line from Wood Point to Beacon Point, continued to Point Camden to Salt Point Light, west of the longitude of the Cape Decision Light and north of 56° N. lat., and bound to the west by 137° W. long., lingcod may be taken from August 16 – November 30 as follows:
- i. non-guided Alaska residents: 1 per day, 2 in possession, no size limit;
  - ii. nonresidents and guided anglers: 1 per day, 1 in possession, 30-inch minimum and 35-inch maximum size limit, with an annual limit of one lingcod;
  - iii. immediately after landing a lingcod the nonresident or guided angler shall record, in ink, all lingcod harvested either on the back of their sport fishing license or on a nontransferable harvest record;
  - iv. A sport fishing guide and sport fishing guide crew member working on a charter vessel in the salt waters of Southeast Alaska may not retain lingcod while clients are on board the vessel.
- (B) In waters along the outer coast of Prince of Wales Island south of 56° N. lat., and the waters south of Prince of Wales Island that are east of 137° W. long; lingcod may be taken July 29 – November 30 as follows:
- i. non-guided Alaska residents: 1 per day, 2 in possession, no size limit;
  - ii. nonresidents and guided anglers: 1 per day, 1 in possession, 30-inch minimum and 35-inch maximum size limit, with an annual limit of one lingcod;

- iii. immediately after landing a lingcod the nonresident or guided angler shall record, in ink, all lingcod harvested either on the back of their sport fishing license or on a nontransferable harvest record;
  - iv. A sport fishing guide and sport fishing guide crew member working on a charter vessel in the salt waters of Southeast Alaska may not retain lingcod while clients are on board the vessel.
- (C) In the remaining inside waters of Southeast Alaska near Ketchikan, Wrangell, and Petersburg lingcod may be taken July 29 – November 30 as follows:
- i. non-guided Alaska residents: 1 per day, 2 in possession, no size limit;
  - ii. nonresidents and guided anglers: 1 per day, 1 in possession, 30-inch minimum and 40-inch maximum size limit, with an annual limit of one lingcod;
  - iii. immediately after landing a lingcod the nonresident or guided angler shall record, in ink, all lingcod harvested either on the back of their sport fishing license or on a nontransferable harvest record;
  - iv. A sport fishing guide and sport fishing guide crew member working on a charter vessel in the salt waters of Southeast Alaska may not retain lingcod while clients are on board the vessel.
- (D) In all waters of Southeast Alaska between 144° and 137° W. long., lingcod may be taken July 29 – November 30 as follows:
- i. non-guided Alaska residents: 1 per day, 2 in possession, no size limit;
  - ii. nonresidents and guided anglers: 1 per day, 2 in possession, 32-inch minimum and 42-inch maximum size limit.
  - iii. A sport fishing guide and sport fishing guide crew member working on a charter vessel in the salt waters of Southeast Alaska may not retain lingcod while clients are on board the vessel.

**5 AAC 47.021. Special provisions for seasons and bag, possession, and size limits, and methods and means for the salt waters of the Southeast Alaska Area.**

(g) In the Sitka vicinity:

(1) in the Sitka Sound Special Use Area, defined as that area of Sitka Sound enclosed on the north by lines from Kruzof Island at 57° 20.50' N. lat., 135° 45.17' W. long. to Chichagof Island at 57° 22.05' N. lat., 135° 43' W. long., and from Chichagof Island at 57° 22.58' N. lat., 135° 41.30' W. long. to Baranof Island at 57° 22.28' N. lat., 135° 40.95' W. long., and on the south and west by a line running from the southernmost tip of Sitka Point at 56° 59.38' N. lat., 135° 49.57' W. long. to Hanus Point at 56° 51.92' N. lat., 135° 30.50' W. long. to the green day marker in Dorothy Narrows to Baranof Island at 56° 49.28' N. lat., 135° 22.60' W. long.,

(A) lingcod may be taken from August 16 – November 30 as follows:

- i. non-guided Alaska residents: 1 per day, 2 in possession, no size limit;

- ii. nonresidents and guided anglers: 1 per day, 1 in possession, 30-inch minimum and 35-inch maximum size limit, with an annual limit of one lingcod;
- iii. immediately after landing a lingcod the nonresident or guided angler shall record, in ink, all lingcod harvested either on the back of their sport fishing license or on a nontransferable harvest record.
- iv. A sport fishing guide and sport fishing guide crew member working on a charter vessel in the salt waters of Southeast Alaska may not retain lingcod while clients are on board the vessel.

Denby S. Lloyd  
Commissioner

By delegation to:

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Bob Chadwick  
Regional Management Coordinator  
Division of Sport Fish

JUSTIFICATION:

This emergency order rescinds Emergency Order 1-LC-R-05-08 issued April 24, to correct an error in emergency regulation.

The Alaska Board of Fisheries modified sport fisheries regulations for lingcod in Southeast Alaska in response to indications in the directed lingcod commercial fishery of a widespread decline in abundance. The Board established a guideline harvest level (GHL) approach for sport and commercial fisheries management of lingcod in Southeast Alaska (5 AAC 28.160 (e)). The GHL was purposefully set lower than recent harvests and allocated between sport and commercial users for seven fisheries management areas (5 AAC 28.165). The Board also expanded the Department's authority to modify regulations to achieve the lingcod allocation for the sport fishery (5 AAC 47.060).

During 2007, the department implemented regulations by emergency order including minimum length and slot limits, reduced bag and possession limits, annual limits, non-retention of fish by charter operators and crew members, and reduced seasons. These regulations were effective at maintaining the sport fishery lingcod harvest near or below allocations (range -20 to 10 percent) in all of the management areas. Sport fishing regulations in effect during 2007 are identical to those established by this emergency order. These actions are being taken under the authority granted to the department by the Board of Fisheries to regulate harvest with established allocation guidelines (5 AAC 75.003) and the Lingcod delegation of authority and provisions for management (5 AAC 47.060).

This action is necessary to ensure that sport harvests of lingcod do not exceed regulatory harvest allocations to the sport fishery established by the Board of Fisheries.

PREVIOUS EMERGENCY ORDERS AFFECTED:

Emergency Order 1-LC-R-05-08 issued April 24, which modified lingcod sport fishing seasons, bag and possession limits and, for non-resident and guided anglers only, establishes minimum and maximum size limits and annual limits for lingcod in the marine waters of Southeast Alaska.

DISTRIBUTION:

The distribution list for this emergency order is on file at the Region 1 Office of the Alaska Department of Fish and Game, Division of Sport Fish, P. O. Box 110024, Douglas, AK 99824, (907) 465-4270.