

# SPORT FISHING

## *Emergency Order*

ALASKA DEPARTMENT  
OF FISH & GAME

Under Authority of AS 16.05.060

Emergency Order No. 1-RS-D-20-10

Issued at Sitka, Tuesday, August 3,  
2010.

Effective 12:01 a.m.  
Date: Saturday, August 7, 2010

Expiration Date: Friday, December 31,  
2010 at 11:59 p.m. unless superseded by  
subsequent emergency order.

### EXPLANATION:

This emergency order closes Klag Bay north of Rose Point, Klag Bay Lake drainage, Lake Anna north of 57°38.53' N. latitude, Lake Anna drainage, Falls Lake Bay southwest of a line from 56°50.29 N. latitude, 134°41.52' W. longitude to 56°49.70 N. latitude, 134°41.05' W. longitude and the Falls Lake drainage to the harvest of sockeye salmon from August 7 through December 31, 2010. Any sockeye salmon caught may not be removed from the water and must be released immediately.

### REGULATION:

The provisions of 5 AAC 47.021. Special provisions for waters; seasons; bag, possession, and size limits, and methods and means for the salt waters of Southeast Alaska Area (g)(6-8); and 5 AAC 47.023. Special provisions for waters seasons bag, possession, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area (g)(12-14) are added to by this emergency order. Under this emergency order the following provisions are effective beginning at 12:01 a.m., Saturday August 7 through 11:59 p.m., Friday, December 31, 2010.

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

(g) In the Sitka vicinity:

- (6) In Klag Bay north of the latitude of Rose Point, sockeye salmon fishing is closed; all sockeye salmon must be released immediately.
- (7) In Lake Anna north of 57°38.53' N. latitude, sockeye salmon fishing is closed; all sockeye salmon must be released immediately.
- (8) In Falls Lake Bay southwest of a line from 56°50.29 N. latitude, 134°41.52' W. longitude to 56°49.70 N. latitude, 134°41.05' W.

#### **5 AAC 47.023. Special provisions for waters, seasons, bag, possession, and size limits, and method and means for the fresh waters of the Southeast Alaska Area.**

(g) In the Sitka vicinity:

- (12) Klag Bay Lake drainage, sockeye salmon fishing is closed; all sockeye salmon must be released immediately.
- (13) Lake Anna drainage, sockeye salmon fishing is closed; all sockeye salmon must be released immediately.
- (14) Falls Lake drainage sockeye salmon fishing is closed; all sockeye salmon must be released immediately.

Denby S. Lloyd  
Commissioner

By delegation to:

Bob Chadwick  
Regional Management Coordinator  
Division of Sport Fish

**JUSTIFICATION:**

The Klag Bay weir, operated by the Sitka Tribe of Alaska (STA), has passed 1,494 sockeye salmon, as of August 1. Based on an onsite creel survey conducted by STA, approximately 5,800 sockeye have been harvested by subsistence fishermen. The 5-year average escapement in Klag Bay based on weir counts is 11,987 sockeye, with a high of 17,657 sockeye in 2006 and a low of 4,273 sockeye in 2008. The 5-year average subsistence harvest in Klag Bay is 3,042 sockeye. Prior to this year the highest recorded harvest for Klag Bay was 5,800 sockeye in 2009.

The Falls Lake trap operated by the United States Forest Service (USFS) has passed 338 sockeye salmon, which results in a total escapement of approximately 700 fish, as of August 1. Based on an on-site creel survey conducted by USFS, approximately 600 sockeye have been harvested by subsistence fishermen. The 5-year average escapement in Falls Lake based on Mark-Recapture estimates is 3,334 sockeye, with a high of 7,900 sockeye in 2006 and a low of 700 sockeye in 2008. The 5-year average subsistence harvest in Falls Lake is 985 sockeye.

On-site observations of sockeye abundance in saltwater suggests fewer fish than expected. Based on historic run timing, 25% of the run should be in Klag Lake and 60% of the run should be in Falls Lake by August 1. Due to the combination of run timing, high subsistence harvest and low escapement the department is closing these systems until escapements improve.

The department will continue monitoring the Klag Bay and Falls Lake sockeye salmon escapements. If escapement levels improve sufficiently, the department will issue a subsequent news release announcing harvesting opportunities in these areas.

The Department prohibits the retention of a certain species instead of implementing a closure to fishing for a certain species when terminal gear used and/or fishing techniques for those species with conservation concerns are very similar to that used for other species present that have no conservation issues to ensure the restriction is enforceable. Since the techniques used for sockeye salmon are similar to that used for other species present in these areas (Dolly Varden, cutthroat trout, coho and pink salmon) for which there are no conservation issues, a closure to fishing for sockeye would be unenforceable. Therefore the department is prohibiting the retention of sockeye salmon and requiring that sockeye caught must remain in the water and be released immediately.

**DISTRIBUTION:**

The distribution list for this emergency order is on file at the Region 1 Office of Alaska Department of Fish and Game, Division of Sport Fish, P. O. Box 240020, Douglas, AK 99824, (907) 465-4270.