

SPORT FISHING

Emergency Order

ALASKA DEPARTMENT
OF FISH & GAME

Under Authority of AS 16.05.060

Emergency Order No. 2-KS-7-10-10

Issued at: Homer, Thursday, June 3, 2010

Effective Date: 12:01 a.m., Saturday, June 5, 2010

Expiration Date: 11:59 p.m., Wednesday, June 30, 2010, unless superseded by subsequent emergency order.

EXPLANATION:

This emergency order prohibits the use of bait in the Anchor River, Deep Creek, and Ninilchik River drainages, and increases the closed area in the salt waters of Cook Inlet at the mouth of the Anchor River from one to two miles north and south of the Anchor River mouth and one mile offshore beginning 12:01 a.m., Saturday, June 5, 2010, through 11:59 p.m., Wednesday, June 30, 2010.

REGULATION:

The provisions of 5 AAC 56.122 Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area. (a)(2)(A), (a)(5)(A) and (a)(6)(A) are superceded by this emergency order and the provisions of 5 AAC 58.022 Waters; seasons; bag, possession, and size limits; and special provisions for Cook Inlet – Resurrection Bay Saltwater Area.(b)(1)(C)(iii) and 5 AAC 58.055 Upper Cook Inlet Salt Water Early-run King Salmon Management Plan.(d)(3) are superceded by this emergency order. Under this emergency order, the following provisions are effective, beginning 12:01 a.m., Saturday, June 5, 2010, through 11:59 p.m., Wednesday, June 30, 2010:

5 AAC 56.122 Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits, and methods and means for the Kenai Peninsula Area.

(a)(2) Anchor River drainage, except the Bridge Creek reservoir:
(A) in flowing waters, the use of bait is prohibited;

(a)(5) Deep Creek drainage:
(A) in flowing waters, the use of bait is prohibited;

(a)(6) Ninilchik River drainage:
(A) in flowing waters, the use of bait is prohibited;

5 AAC 58.022 Waters; seasons; bag, possession, and size limits; and special provisions for Cook Inlet – Resurrection Bay Saltwater Area.

(b)(1)(C) the following waters, within one mile of shore, are closed to all sport fishing from April 1 through June 30:

(iii) from the latitude of an ADF&G regulatory marker located two miles north of the Anchor River at 59° 48.92' N. lat. to the latitude of an ADF&G regulatory marker located two miles south of the Anchor River at 59° 45.92' N. lat.

5 AAC 58.055 Upper Cook Inlet Salt Water Early-run King Salmon Management Plan.

(d) The following waters, within one mile of shore, are closed to all sport fishing from April 1 through June 30:

(3) from the latitude of an ADF&G regulatory marker located two miles north of the Anchor River at 59° 48.92' N. lat. to the latitude of an ADF&G regulatory marker located two miles south of the Anchor River at 59° 45.92' N. lat.

Denby S. Lloyd,
Commissioner



By delegation to:

Nicole J. Szarzi
Fisheries Biologist III

JUSTIFICATION:

The Anchor River escapement of king salmon through June 2, 2010 was 975 fish. At this time we are unable to predict with certainty that the Anchor River king salmon escapement will attain the lower bound sustainable escapement goal (SEG) of 5,000 king salmon. The 2010 escapement is below the 2008 escapement of 1,074 king salmon for this date and is well below the 2004-2007 escapement average of 3,621 king salmon for this date. In 2008 the escapement exceeded the lower bound SEG by only 806 king salmon. The lower bound SEG was not achieved in 2009. From 2004-2008, 25 percent to 40 percent of the Anchor River king salmon escapement was upstream of the salmon weir by June 2. The projected escapement for 2010, based on run timing and escapement levels from 2004-2008 and escapement observed through June 2, 2010, is between 2,861 and 5,271 fish.

The king salmon escapements to the Ninilchik River weir of 543 in 2007 and 528 in 2009 were below the SEG of 550-1,300 king salmon and the 2008 escapement of 586 fish was slightly above the lower bound of the escapement goal. King salmon escapements to Deep Creek have been within the SEG of 350-800 king salmon, except in 2008 when the aerial survey count was 205 fish.

Emergency order closures for king salmon fishing on the Kenai River and for naturally-produced king salmon on the Kasilof River will likely result in an increase in the sport fishing effort and harvest of king salmon in the Anchor River, Deep Creek and Ninilchik River, thereby risking overharvest of these king salmon stocks. Prohibiting the use of bait is expected to substantially decrease fishing mortality of these stocks and allow escapement goals to be achieved. Extension of the Anchor River saltwater closure from one to two miles north and south of the Anchor River mouth will increase protection of Anchor River and other king salmon stocks in the mixed-stock marine fishery. Therefore it is justified to eliminate use of bait in the Anchor River, Deep Creek and Ninilchik River and extend the marine closure in the salt waters adjacent to the Anchor River mouth beginning 12:01 a.m., Saturday, June 5, 2010 through 11:59 p.m., Wednesday, June 30, 2010, when a majority of the remaining Anchor River and other king salmon stocks are likely to return.

DISTRIBUTION:

The distribution list for this emergency order is on file at the Region 2 Office of Alaska Department of Fish and Game, Division of Sport Fish, 333 Raspberry Road, Anchorage, AK 99518, (907) 267-2218.