

Submitted by the Alaska Department of Fish and Game at the request of Board Member Fritz Johnson

February 24, 2019

Substitute language for proposal 131:

### **5 AAC 09.360. Southeastern District Mainland Salmon Management Plan**

(a) The purpose of this management plan is to provide guidelines to the department for the management of the interception of Chignik River sockeye salmon caught in the Southeastern District Mainland fishery conducted in the East Stepovak, Stepovak Flats, Northwest Stepovak, Southwest Stepovak, Balboa Bay, [AND] Beaver Bay Sections, **South Central District, and Volcano Bay Section of the Southwestern District**. Except as specified in 5 AAC 09.330(f)(3), before July 11, only set gillnet gear may be used in these sections. For the purpose of the management plan in this section, 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);[.]

**(3) in the East and West Pavlof Bay Sections north of a line extending from Black Point and the Canoe Bay Section of the South Central District beginning July 6;**

**(4) in the Mino Creek-Little Coal Bay Section beginning July 22.**

(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 fish, 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, **South Central District, and Volcano Bay Section of the Southwestern District**, 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., 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 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, **South Central District and Volcano Bay Section**, and before July 1 in the Northwest Stepovak Section, **and before July 6 in the East and West Pavlof Bay Sections north of a line extending from Black Point and the Canoe Bay Section**

**and before July 22 in the Mino Creek-Little Coal Bay Section** approaches as near as possible **12** [7.6] percent of the sockeye salmon harvest in the Chignik Area.

(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 fish 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 fish may not be achieved, the commercial salmon fishery in the East Stepovak, Stepovak Flats, Southwest Stepovak, Balboa Bay, [AND] Beaver Bay Sections, **South Central District, Volcano Bay Section of the Southwestern District**, and 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., 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, **South Central District, Volcano Bay Section of the Southwestern District**, and before July 1 in the Northwest Stepovak Section, **and before July 6 in the East and West Pavlof Bay Sections north of a line extending from Black Point and the Canoe Bay Section of the South Central District and before July 22 in the Mino Creek- Little Coal Bay Section**, approaches as near as possible **12** [7.6] percent of the sockeye salmon harvest in the Chignik Area.

(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 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, **South Central District, Volcano Bay Section of the Southwestern District**, and before July 1 in the Northwest Stepovak Section, **and before July 6 in the East and West Pavlof Bay Sections north of a line extending from Black Point and the Canoe Bay Section of the South Central District and before July 22 in the Mino Creek Little-Coal Bay Section**, approaches as near as possible 12 [7.6] percent of the sockeye salmon harvest in the Chignik Area.

(e) Beginning July 1,

(1) 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., commercial fishing may not be open for more than an aggregate of 96 hours during a seven-day period;

(2) if the Orzinski Bay escapement reaches or exceeds 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:

(A) set gillnet gear will be allowed to operate continuously through 12:00 midnight July 25;

(B) purse seine and hand purse seine gear will be allowed to operate as specified in (1) of this subsection.

(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, **South Central District, Volcano Bay Section of the Southwestern District**, 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. **Beginning July 6 in the East and West Pavlof Bay sections north of a line extending from Black Point and the Canoe Bay Section of the South Central District and beginning July 22 in the Mino Creek-Little Coal Bay Section are considered to be pink and chum salmon terminal harvest areas as described in 5 AAC 09.366 (f)(2)-(3) and (g)(3).**

(g) The percentage of sockeye salmon destined for the Chignik River that are harvested in the Southeastern District Mainland fishery, **specifically East Stepovak, Stepovak Flats, Southwest Stepovak, Balboa Bay, and Beaver Bay Sections, and the South Central District, and the Volcano Bay Section of the Southwestern District** may be permitted to fluctuate above or below **12 [7.6] percent** of sockeye salmon harvest in the Chignik Area at any time before July 25. **The percentage of sockeye salmon destined for the Chignik River that are harvested in East and West Pavlof Bay sections north of a line extending from Black Point and the Canoe Bay Section of the South Central District will not be counted towards the assigned allocation after July 5. The percentage of sockeye salmon destined for the Chignik River that are harvested in the Mino Creek-Little Coal Bay Section after July 21 are will not be counted towards the assigned allocation.**

(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, **South Central District, Volcano Bay Section of the Southwestern District**, 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. **After July 25, the commissioner may open by emergency order commercial salmon fishing in the South Central District and the Volcano Bay Section of the Southwestern District, 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 **from June 26 through July 8 in the South Central District, Volcano Bay Section of the Southwestern District** [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° 04.25' W. long. to fishing with purse seine and hand purse seine gear.

(l) From July 26 through October 31, **within the East Stepovak, Stepovak Flats, Southwest Stepovak, Balboa Bay, and Beaver Bay Sections, and in the South Central District and the Volcano Bay Section of the Southwestern District,**

(1) the department shall manage the fishery based on the abundance of local pink, chum, and coho salmon stocks;

(2) there shall be at least one closed 36-hour period within a seven-day period, **except in the South Central District and Volcano Bay Section of the Southwestern District.**