

PROPOSAL 205

5 AAC 21.366. Northern District King Salmon Management Plan.

Increase waters closed to commercial fishing for salmon in the Northern District King Salmon Management Plan as follows:

Modify the Northern District king salmon management plan to permanently close waters to the directed commercial king salmon fishery instead of being closed annually by emergency order.

5 AAC 21.366. Northern District King Salmon Management Plan.

(a) The purpose of this management plan is to ensure an adequate escapement of king salmon into the Northern District drainages and to provide management guidelines to the department. The department shall manage the Northern District king salmon stocks primarily for sport and guided sport uses in order to provide sport and guided sport fishermen with a reasonable opportunity to harvest these salmon over the entire run as measured by the frequency of inriver restrictions. The department shall manage the Northern District for the commercial harvest of king salmon as follows:

(1) except as specified in (8) of this section, the season will open for commercial fishing periods with the first fishing period beginning on the first Monday on or after May 25, except when May 25 falls within a closed period, in which case the season opens the next following open period and continues through June 24, unless closed earlier by emergency order;

(2) fishing periods are from 7:00 a.m. to 7:00 p.m. on Mondays;

(3) the harvest may not exceed 12,500 king salmon;

(4) set gillnets may not exceed 35 fathoms in length and six inches in mesh size;

(5) no CFEC permit holder may operate more than one set gillnet per permit at a time;

(6) no set gillnet may be set or operated within 1,200 feet of another set gillnet;

(7) no CFEC permit holder may set a gillnet seaward of a set gillnet operated by another CFEC permit holder;

[(8) FROM MAY 25 THROUGH JUNE 24, THE AREA FROM AN ADF&G REGULATORY MARKER LOCATED ONE MILE SOUTH OF THE THEODORE RIVER TO THE SUSITNA RIVER IS OPEN TO FISHING THE SECOND REGULAR MONDAY PERIOD ONLY;]

[(9) IF THE THEODORE, LEWIS, OR IVAN RIVER IS CLOSED TO SPORT FISHING, THE COMMISSIONER SHALL CLOSE, BY EMERGENCY ORDER, THE AREA FROM AN ADF&G REGULATORY MARKER LOCATED ONE MILE SOUTH OF THE THEODORE RIVER TO THE SUSITNA RIVER TO COMMERCIAL KING SALMON FISHING FOR THE REMAINDER OF THE FISHING PERIODS PROVIDED FOR UNDER THIS SECTION;]

(10) if the king salmon sport fishery on the Deshka River as described in 5 AAC 61 is

(A) conducted as a no bait fishery, the commissioner shall, by emergency order, reduce the time allowed per commercial set gillnet fishing period provided for in this section to no more than nine hours in duration, or from 7:00 a.m. until 4:00 p.m.;

(B) conducted as a catch and release fishery, the commissioner shall, by emergency order, reduce the time allowed per fishing period provided for in this section to no more than six hours in duration, or from 7:00 a.m. until 1:00 p.m.;

(C) closed, the commissioner shall close, by emergency order, the commercial king salmon fishery throughout the Northern District;

(11) [IF THE CHUITNA RIVER IS CLOSED TO SPORT FISHING, THE COMMISSIONER SHALL CLOSE, BY EMERGENCY ORDER,] the area from a point at the wood chip dock located approximately at 61° 02.77' N. lat., 151° 10.04' W. long., to the Susitna River **is closed** to commercial king salmon fishing for the [REMAINDER OF THE] directed king salmon fishery;

(12) if the inseason Deshka River run projection is below the sustainable escapement goal, the commissioner may, by emergency order, close the commercial salmon set gillnet fishery throughout the Northern District.

(b) The commissioner may depart from the provisions of the management plan under this section as provided in 5 AAC 21.363(e).

What is the issue you would like the board to address and why? Modify the Northern District King Salmon Management Plan to permanently close waters to the directed commercial king salmon fishery instead of being closed annually by emergency order.

At the 2011 board meeting, Theodore, Lewis, and Chuitna rivers king salmon were found to be a stock of management concern (SOC), resulting in board action to close the sport fishery on these rivers. In addition, the board also adopted a regulation that directed the department to close, by emergency order, the commercial fishery from the wood chip dock to the Susitna River when the sport fishery on the Chuitna River is closed. These marine waters are described by the department as the most productive Northern District waters for the commercial harvest of king salmon.

Because the sport fishery is closed under regulation and cannot be opened, the department is forced to issue an emergency order every year to close these marine waters. Cleaning up the regulatory language by eliminating unnecessary language will benefit the public, the department, and enforcement.

Part of cleaning up the regulation is deleting reference to waters 1 mile south of the Susitna River since that area is a subset of the waters that extend to the wood chip dock. Reference to this area is found under (8) and (9) of the management plan. Those two subsections are no longer necessary because the larger closed water area under (11) takes precedent. Repealing (8) and (9) simplifies the management plan and is just housekeeping.

PROPOSED BY: Tom Vania

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