

Submitted by the Alaska Department of Fish and Game

December 4, 2012

**SELECTED BRISTOL BAY AREA SALMON MANAGEMENT AND  
ALLOCATION PLANS AND ASSOCIATED REGULATIONS**

**Dual Permit/Permit Stacking**

**5 AAC 06.331. Gillnet specifications and operations.**

... (f) Except as provided in (u) of this section, a person may not operate more than two set gillnets, and the aggregate length of set gillnets operated by that person may not exceed 50 fathoms in length. Notwithstanding 5 AAC 39.240(a), a person may assist in operation or transportation of additional set gillnet gear when the CFEC interim-use or entry permit card holder of the additional gear is present in compliance with 5 AAC 39.107.

... (u) A CFEC permit holder who holds two Bristol Bay set gillnet permits may not operate more than four set gillnets, and the aggregate length of set gillnets operated by the CFEC permit holder may not exceed 100 fathoms. A single set gillnet may not exceed 50 fathoms in length. The buoys must be marked as specified in 5 AAC 06.334 and 5 AAC 39.280 with both of the CFEC permit holder's five digit permit numbers followed by the letter "D". In addition, at least one cork every 10 fathoms along the cork line must be plainly and legibly marked with both CFEC permit numbers. All identifiers must be displayed in a manner that is plainly visible, unobscured, and in a color that contrasts with the background. The provisions of this subsection do not apply after December 31, 2012. (In effect before 1984; am 4/28/84, Register 90; am 5/11/85, Register 94; am 7/14/85, Register 95; am 4/18/86, Register 98; am 4/2/88, Register 105; am 6/10/90, Register 114; am 5/15/91, Register 118; am 6/19/92, Register 122; am 7/12/92, Register 123; am 6/24/93, Register 126; am 6/5/94, Register 130; am 4/9/95, Register 134; am 5/24/96, Register 138; am 6/21/97, Register 142; am 5/14/98, Register 146; am 6/22/2001, Register 158; am 4/9/2004, Register 170; am 6/13/2004, Register 170; am 12/1/2004, Register 172; am 5/26/2006, Register 178; am 3/30/2007, Register 181; am 4/9/2010, Register 194)

**Authority:** AS 16.05.060 AS 16.05.251

**5 AAC 06.333. Requirements and specifications for use of 200 fathoms of drift gillnet in Bristol Bay.** (a) Except in the special harvest areas specified in (e) of this section,

two Bristol Bay drift gillnet CFEC permit holders may concurrently fish from the same vessel and jointly operate up to 200 fathoms of drift gillnet gear under this section.

(b) Before operating drift gillnet gear jointly under this section, both permit holders shall register with the department under 5 AAC 06.370 for the same district indicating the intent to jointly operate gear. The permit holders may not use a vessel for joint operations of drift gillnet gear unless that vessel is registered with the department under 5 AAC 06.370 for the same district as the permit holders. Termination of joint operation of drift gillnet gear under this section is not effective until at least one of the permit holders register the date and time of termination with the department in the manner specified for reregistration in 5 AAC 06.370(b).

(c) When two Bristol Bay drift gillnet CFEC permit holders fish from the same vessel and jointly operate a drift gillnet gear under this section, the vessel must display its ADF&G permanent license plate number followed by the letter "D" to identify the vessel as a dual permit vessel. The letter "D" must be removed or covered when the vessel is operating with only one drift gillnet CFEC permit holder on board the vessel. The identification number and letters must be displayed

- (1) in letters and numerals 12 inches high with lines at least one inch wide;
- (2) in a color that contrasts with the background;
- (3) on both sides of the hull; and
- (4) in a manner that is plainly visible at all times when the vessel is being

operated.

(d) When two permit holders jointly operate gear under this section, each permit holder is responsible for ensuring that the entire unit of gear is operated in a lawful manner.

(e) The joint operation of drift gillnet gear under this section is not allowed in any other area, or during any time when, a single CFEC permit holder is restricted to operating less than 150 fathoms of drift gillnet gear and in the

(1) Ugashik River Special Harvest Area described in 5 AAC 06.357, and as described in 5 AAC 06.366(f)(2);

(2) Wood River Special Harvest Area described in 5 AAC 06.358;

(3) Egegik River Special Harvest Area described in 5 AAC 06.359;

(4) Naknek River Special Harvest Area described in 5 AAC 06.360.

(f) Repealed 2/13/2005.

(g) When the Naknek River Special Harvest Area is open to commercial fishing under 5 AAC 06.360, a vessel operating in the Bristol Bay Area may not have more than 150 fathoms of drift gillnet on board. (Eff. 4/9/2004, Register 170; am 2/13/2005, Register 173; am 4/9/2010, Register 194; am 7/16/2011, Register 199)

**Authority:** AS 16.05.251

**Set and Drift Gillnet Sockeye Salmon Fisheries**  
**Management and Allocation Plans**

**5 AAC 06.355. Bristol Bay Commercial Set and Drift Gillnet Sockeye Salmon Fisheries Management and Allocation Plan.** (a) The purpose of this management and allocation plan is to ensure an adequate escapement, as determined by the department, of sockeye salmon into the river systems of the Nushagak, Naknek-Kvichak, Egegik, and Ugashik Districts and to distribute, to the extent practicable, the harvestable surplus of sockeye salmon to the set and drift gillnet fisheries for the allocation percentages specified in (b) of this section. This plan also provides management guidelines to the department in an effort to preclude allocations conflicts between various users of this resource.

(b) It is the intent of the Board of Fisheries (board) that Bristol Bay sockeye salmon be harvested in the traditional harvest locations and that historical sockeye salmon catches be allocated between drift and set gillnet fisheries by district. To achieve this allocation, the department shall manage, to the extent practicable, the commercial sockeye salmon fisheries to achieve the allocation percentages established in 5 AAC 06.364 (Naknek-Kvichak District), 5 AAC 06.365 (Egegik District), 5 AAC 06.366 (Ugashik District), and 5 AAC 06.367 (Nushagak District).

(c) Repealed 3/30/2007.

(d) The department shall manage, subject to existing management plans, fishery openings, closures, and areas to

- (1) achieve adequate escapement from all segments of the run by spacing openings throughout the run;
- (2) maintain and improve stock specific management through the use of district, subdistrict, and section openings and closures;
- (3) distribute fish within individual districts and subdistricts through the spacing and duration of openings;
- (4) reduce intensive boundary line fishing through the spacing and duration of openings;
- (5) reduce harvest of stocks bound for other districts, subdistricts, or sections in accordance with specific regulatory management plans. (Eff. 5/14/98, Register 146; am 3/30/2007, Register 181)

**Authority:** AS 16.05.060                      AS 16.05.251

**5 AAC 06.364. Naknek-Kvichak District Commercial Set and Drift Gillnet Sockeye Salmon Fisheries Management and Allocation Plan.** (a) The purpose of this management plan is to establish the allocation of sockeye salmon between the commercial set and drift gillnet fisheries within the Naknek-Kvichak District and to establish management measures for the department to achieve the allocation.

(b) Consistent with 5 AAC 06.355 and other applicable provisions of this chapter, the department shall manage the Naknek-Kvichak District set and drift gillnet fisheries during the fishing periods specified in 5 AAC 06.320(c)(1) to achieve biological escapement goals into the Kvichak and Naknek River systems and to distribute the harvestable surplus of sockeye salmon to the drift and set gillnet fisheries as follows:

- (1) drift gillnet - 84 percent; and
- (2) set gillnet - 16 percent as follows:
  - (A) Kvichak Section set gillnet fishery - eight percent; and
  - (B) Naknek Section set gillnet fishery - eight percent;
- (3) repealed 3/30/2007.

(c) For the purpose of calculating the set and drift gillnet allocation percentages specified in (b) of this section, the accounting period is from June 1 through 9:00 a.m. July 17.

(d) To achieve the allocations specified in (b) of this section, consistent with the management principles of 5 AAC 06.355 and other applicable provisions of this chapter, the commissioner

(1) may establish, by emergency order, concurrent set and drift gillnet open fishing periods; set and drift gillnet fishing periods may be established at different times to obtain the set and drift gillnet sockeye salmon allocations specified in (b) of this section or at other times consistent with 5 AAC 06.355;

(2) may commence the concurrent open fishing periods at the seven foot tide level;

(3) may use short open commercial fishing periods so that all user groups have the opportunity to harvest fish;

(4) may address changing conditions using publicized short notice openings.

(e) To ensure adequate Kvichak River sockeye salmon spawning escapement goals, the department shall manage, to the extent practicable, a fishery in the Naknek Section to minimize fishing with set and drift gillnet gear during the ebb tide. (Eff. 5/14/98, Register 146; am 4/9/2004, Register 170; am 3/30/2007, Register 181)

**Authority:** AS 16.05.060 AS 16.05.251

**5 AAC 06.365. Egegik District Commercial Set and Drift Gillnet Sockeye Salmon Fisheries Management and Allocation Plan.** (a) The purpose of this management plan is to establish the allocation of sockeye salmon between the commercial set and drift gillnet fisheries within the Egegik District and to establish management measures for the department to achieve the allocation.

(b) Consistent with 5 AAC 06.355 and other applicable provisions of this chapter, the department shall manage the Egegik District set and drift gillnet fisheries during the fishing periods specified in 5 AAC 06.320(c)(1) to achieve biological escapement goals into the Egegik River and to distribute the harvestable surplus of sockeye salmon to the drift and set gillnet fisheries as follows:

- (1) drift gillnet - 86 percent; and
- (2) set gillnet - 14 percent.

(c) For the purpose of calculating the set and drift gillnet allocation percentages specified in (b) of this section, the accounting period is from June 1 through 9:00 a.m. July 17.

(d) To achieve the allocations specified in (b) of this section, consistent with the management principles of 5 AAC 06.355 and other applicable provisions of this chapter, the commissioner

(1) may establish, by emergency order, set and drift gillnet open fishing periods; set and drift gillnet fishing periods may be established at different times to obtain the set and drift gillnet sockeye salmon allocations specified in (b) of this section or at other times consistent with 5 AAC 06.355;

(2) may use short open commercial fishing periods so that all user groups have the opportunity to harvest fish;

(3) may adjust fishing periods in order to rotate the fishery between tides;

(4) address changing conditions using publicized short notice openings.

(e) From June 1 through July 1, only gillnets with a mesh size five and one-half inches or less may be used in the Egegik District.

(f) In the drift gillnet fishery, the department shall manage, to the extent practicable, the Egegik District to minimize fishing with drift gillnet gear during the ebb tide.

(g) In the set gillnet fishery, the department shall manage, to the extent practicable, the Egegik District to avoid continuous fishing with set gillnet gear. (Eff. 6/10/90, Register 114; am 3/1/92, Register 122; am 6/19/92, Register 122; am 5/14/98, Register 146; am 6/3/2001, Register 158)

**Authority:** AS 16.05.060 AS 16.05.251

#### **5 AAC 06.366. Ugashik District Set and Drift Gillnet Sockeye Salmon Fisheries**

**Management and Allocation Plan.** (a) The purpose of this management plan is to establish the allocation of sockeye salmon between the commercial set and drift gillnet fisheries within the Ugashik District and to establish management measures for the department to achieve the allocation.

(b) Consistent with 5 AAC 06.355 and other applicable provisions of this chapter, the department shall manage the Ugashik District set and drift gillnet fisheries during the fishing periods specified in 5 AAC 06.320(c)(1) to achieve biological escapement goals into the Ugashik River and to distribute the harvestable surplus of sockeye salmon to the drift and set gillnet fisheries as follows:

- (1) drift gillnet - 90 percent; and
- (2) set gillnet - 10 percent.

(c) For the purpose of calculating the set and drift gillnet allocation percentages specified in (b) of this section, the accounting period is from June 1 through 9:00 a.m. July 17, or at the end of any emergency order period specified in (d)(4) of this section.

(d) To achieve the allocations specified in (b) of this section, consistent with the management principles of 5 AAC 06.355 and other applicable provisions of this chapter, the commissioner

(1) may establish, by emergency order, concurrent set and drift gillnet open fishing periods; set and drift gillnet fishing periods may be established at different times to obtain the set and drift gillnet sockeye salmon allocations specified in (b) of this section or at other times consistent with 5 AAC 06.355;

(2) may use short open commercial fishing periods so that all user groups have the opportunity to harvest fish;

(3) address changing conditions using publicized short notice openings;

(4) after July 17, may establish, by emergency order, fishing periods other than the fishing periods specified in 5 AAC 06.320(c)(2) during which the registration, reregistration, and the 48-hour notification period specified in 5 AAC 06.370 will apply.

(e) If escapement in the Ugashik District is projected to exceed the minimum of the escapement goal range, the fishery may be allowed into the Ugashik River Special Harvest Area described in 5 AAC 06.357.

(f) When the preseason forecast for the Kvichak River sockeye salmon run does not provide for an exploitation rate of greater than 40 percent it is the intent of the Board of Fisheries that

(1) from June 16 through June 23, the department may not allow more than 48-hours of fishing in the Ugashik District; and

(2) when the Naknek River Special Harvest Plan under 5 AAC 06.360 is also in effect, the Ugashik District boundary will consist of all waters south of a line between 57° 43.54' N. lat., 157° 43.25' W. long. and 57° 43.54' N. lat., 157° 41.82' W. long., and east of a line between 57° 43.54' N. lat., 157° 43.25' W. long. and 57° 29.10' N. lat., 157° 53.20' W. long. until June 29; on June 29 the Ugashik boundary will be restored to its original boundary specified in 5 AAC 06.200(d). (Eff. 6/10/90, Register 114; am 3/1/92, Register 122; am 6/19/92, Register 122; am 5/14/98, Register 146; am 6/3/2001, Register 158; am 9/12/2008, Register 187)

**Authority:** AS 16.05.060 AS 16.05.251

**5 AAC 06.367. Nushagak District Commercial Set and Drift Gillnet Sockeye Salmon Fisheries Management and Allocation Plan.** (a) The purpose of this management plan is to establish the allocation of sockeye salmon between the commercial set and drift gillnet fisheries within the Nushagak District and to establish management measures for the department to achieve the allocation.

(b) Consistent with 5 AAC 06.355 and other applicable provisions of this chapter, the department shall manage the Nushagak District set and drift gillnet fisheries during the fishing periods specified in 5 AAC 06.320(b)(1) to achieve biological escapement goals into river systems of the Nushagak District and to distribute the harvestable surplus of sockeye salmon to the drift and set gillnet fisheries as follows:

- (1) drift gillnet - 74 percent; and
- (2) set gillnet - 26 percent as follows:
  - (A) Igushik Section set gillnet fishery - six percent; and
  - (B) Nushagak Section set gillnet fishery - 20 percent;

(3) notwithstanding (2)(A) and (B) of this subsection, the harvestable surplus of sockeye salmon taken from the Wood River Special Harvest Area when it is open and the Nushagak District is closed, or when the Wood River Special Harvest Area and the Nushagak District are open concurrently, will be distributed as follows:

- (A) drift gillnet - 74 percent; and
- (B) set gillnet - 26 percent.

(c) For the purpose of calculating the set and drift gillnet allocation percentages specified in (b) of this section, the accounting period is from June 1 through July 17.

(d) To achieve the allocations specified in (b) of this section, consistent with the management principles of 5 AAC 06.355 and other applicable provisions of this chapter, the commissioner

(1) may open, by emergency order, concurrent fishing periods and set gillnet only fishing periods at approximately two and one-half to three hours before high water, except that when a tide is greater than 18 feet, openings will begin at least three hours before high water; set and drift gillnet fishing periods may be established at different times to obtain the set and drift gillnet sockeye salmon allocations specified in (b) of this section or at other times consistent with 5 AAC 06.355;

(2) may use short open commercial fishing periods so that all user groups have the opportunity to harvest fish;

(3) may address changing conditions using publicized short notice openings. (Eff. 6/10/90, Register 114; am 3/1/92, Register 122; am 6/19/92, Register 122; am 5/14/98, Register 146; am 7/5/2000, Register 155)

**Authority:** AS 16.05.060 AS 16.05.251

### **Sockeye Salmon Special Harvest Area Management Plans**

**5 AAC 06.357. Ugashik River Sockeye Salmon Special Harvest Area Management Plan.** (a) The goal of this plan is to prevent the overescapement of sockeye salmon into the Ugashik River.

(b) The commissioner may open, by emergency order, the Ugashik River Special Harvest Area to fishing by both drift and set gillnet when the commissioner projects that the sockeye salmon escapement into the Ugashik River will exceed the minimum of the escapement goal range. Separate set gillnet and drift gillnet areas in the Ugashik River Special Harvest Area are described in (c) and (d) of this section.

(c) The Ugashik River Special Harvest Set Gillnet Area consists of all waters of the Ugashik River upstream of a line from 57° 29.62' N. lat., 157° 37.63' W. long. to 57° 29.83' N.

lat., 157° 35.22' W. long., and downstream of a line from 57° 28.94' N. lat., 157° 34.56' W. long. to 57° 28.63' N. lat., 157° 35.24' W. long.

(d) The Ugashik River Special Harvest Drift Gillnet Area is all waters upstream of a line from 57° 28.63' N. lat., 157° 35.24' W. long. to 57° 28.94' N. lat., 157° 34.56' W. long., and downstream of a line from 57° 28.76' N. lat., 157° 29.65' W. long. to 57° 29.60' N. lat., 157° 29.75' W. long.

(e) When the Ugashik River Special Harvest Area is open under this section,

(1) set gillnet gear may be operated only as follows:

(A) a set gillnet may not exceed 25 fathoms in length;

(B) a set gillnet may not be set or operated within 150 feet of another set gillnet;

(C) a vessel may not have more than 50 fathoms of set gillnet on board;

(D) no part of a set gillnet may be more than 500 feet from the 18-foot high tide mark;

(E) the shoreward end of a set gillnet must go dry at low tide;

(2) drift gillnets may be operated only as follows:

(A) no more than 50 fathoms of drift gillnet may be used to take salmon;

(B) a vessel may not have more than 150 fathoms of drift gillnet gear on board;

(C) no part of a drift gillnet may be operated within 150 feet from the side of a set gillnet;

(3) a CFEC permit holder may not use more than one gillnet to take salmon at any one time. (Eff. 5/14/98, Register 146; am 6/3/2001, Register 158; am 12/29/2002, Register 164)

Authority: AS 16.05.060 AS 16.05.251

### 5 AAC 06.358. Wood River Sockeye Salmon Special Harvest Area Management

**Plan.** (a) The goal of this plan is to achieve Nushagak River coho salmon spawning escapement, while providing opportunities to harvest Wood River sockeye salmon stocks that are in excess of spawning goals. It is the intent of the Board of Fisheries (board) that salmon in the Nushagak District should be harvested in the fisheries that have historically harvested them, including the methods, means, times, and locations of those fisheries, using the best biological management techniques and practices. This plan has been adopted to provide management alternatives that may be used by the department when differences in salmon run strengths would otherwise preclude the achievement of the goal of this plan.

(b) The Wood River Special Harvest Area consists of the waters of the Wood River from a line between ADF&G regulatory markers located at 59° 06.05' N. lat., 158° 29.30' W. long. (Hansen Point) and 59° 06.29' N. lat., 158° 28.84' W. long. (across from Hansen Point), upstream to a line between ADF&G regulatory markers located at 59° 09.71' N. lat., 158° 32.61' W. long. (on the west shore downstream of the Muklung River) and 59° 09.78' N. lat., 158° 31.99' W.



long. (on the east shore downstream of the Muklung River), and from a line between ADF&G regulatory markers located at 59° 10.44' N. lat., 158° 31.73' W. long. (west shore upstream of the Muklung River) and 59° 10.23' N. lat., 158° 31.43' W. long. (east shore upstream of the Muklung River), upstream to a line between ADF&G regulatory markers located at 59° 12.26' N. lat., 158° 33.34' W. long. (west shore downstream of Silver Salmon Creek) and 59° 12.20' N. lat., 158° 33.12' W. long. (east shore downstream of Silver Salmon Creek).

(c) The commissioner may open, by emergency order, the Wood River Special Harvest Area

(1) when the department projects that the sockeye salmon escapement into the Wood River will exceed 700,000 fish and as follows:

(A) if the preseason forecast for the Nushagak River sockeye salmon run is at least 1,000,000 fish, the department shall manage the Nushagak District to exceed a minimum biological escapement goal of 340,000 sockeye salmon to the Nushagak River, and the commissioner may open the Wood River Special Harvest Area only when department projections indicate the Nushagak River sockeye salmon escapement will not exceed 340,000 fish;

(B) if the preseason forecast for the Nushagak River sockeye salmon run is less than 1,000,000 fish and the ratio of Wood River to Nushagak River sockeye salmon is projected to be greater than three to one, the department shall manage the Nushagak District for an optimal escapement goal of at least 235,000 sockeye salmon to the Nushagak River, and the commissioner may open the Wood River Special Harvest Area only when department projections indicate the Nushagak River sockeye salmon escapement will be less than 235,000 fish;

(C) if the inseason forecast prepared by the department during the first week of July for the Nushagak River sockeye salmon run is at least 1,000,000 fish, the department shall manage the Nushagak District to exceed a minimum biological escapement goal of 340,000 sockeye salmon to the Nushagak River, and the commissioner may open the Wood River Special Harvest Area only when department projections indicate the Nushagak River sockeye salmon escapement will be less than 340,000 fish;

(D) if the inseason forecast prepared by the department during the first week of July for the Nushagak River sockeye salmon run is less than 1,000,000 fish, the department shall manage the Nushagak District for an optimal escapement goal of at least 235,000 sockeye salmon to the Nushagak River, and the commissioner may open the Wood River Special Harvest Area only when department projections indicate the Nushagak River sockeye salmon escapement will be less than 235,000 fish;

(2) when the escapement goal for Wood River sockeye salmon has been achieved and commercial fishing in the Nushagak Section of the Nushagak District is closed to conserve coho salmon in the Nushagak River as specified in 06.368(d);

(3) when the escapement of sockeye salmon into the Wood River exceeds 1,100,000 fish and the escapement is projected to exceed 1,400,000 fish.

(d) When the Wood River Special Harvest Area is open under this section, the following apply within the open waters:

(1) set gillnets may be operated only as follows:

(A) a set gillnet may not exceed 25 fathoms in length;

(B) a set gillnet may not be set or operated within 150 feet of another set gillnet;

(C) a person may not place any part of a set gillnet, anchor, peg, stake, buoy, or other device to set the gillnet, more than 250 feet from the terrestrial vegetation line of a bank of the Wood River, during the operation of the set gillnet; for purposes of this section "a bank of the Wood River" does not include the banks of any island of the Wood River;

(D) a set gillnet must be operated in a substantially straight line perpendicular to the nearest bank of the Wood River;

(E) a person may not have more than 50 fathoms of set gillnet on board a vessel;

(2) drift gillnets may be operated only as follows:

(A) no more than 75 fathoms of drift gillnet may be used to take salmon;

(B) a drift gillnet may not be operated shoreward of the offshore end of a set gillnet;

(C) no part of a drift gillnet may be operated within 150 feet of the side of a set gillnet;

(D) a person may not have more than 150 fathoms of drift gillnet on board a vessel;

(3) a CFEC setnet permit holder may not use more than one site to take salmon at any one time;

(4) notwithstanding 5 AAC 39.240, a person operating a commercial salmon fishing vessel in the Wood River Sockeye Salmon Special Harvest Area may carry additional drift or set gillnet gear on board the fishing vessel if the additional gear is stored in a net bag or in a brailer bag; for the purposes of this paragraph a "brailer bag" means a bag-shaped net on board a drift gillnet vessel used to lift fish from the hold of the vessel into a tender vessel, processing vessel, or processing facility.

(e) The commercial salmon fishery in the Wood River Special Harvest Area may be opened only during closures of the subsistence salmon fisheries within the Wood River Special Harvest Area. (Eff. 5/24/96, Register 138; am 5/14/98, Register 146; am 6/23/99, Register 150; am 6/22/2001, Register 158; am 12/29/2002, Register 164; am 4/9/2010, Register 194)

**Authority:** AS 16.05.060 AS 16.05.251

**5 AAC 06.359. Egegik River Sockeye Salmon Special Harvest Area Management Plan.** (a) The goal of this plan is to minimize the interception of sockeye salmon migrating through the Egegik District and bound for spawning systems within the Naknek-Kvichak and Ugashik Districts, while providing opportunities within the Egegik District to harvest Egegik River sockeye salmon that are in excess of the spawning escapement goal.

(b) The Egegik Special Harvest Area consists of the waters south of a line between 58° 18.05' N. lat., 157° 33.15' W. long. and 58° 17.93' N. lat., 157° 32.67' W. long., east of a line between 58° 18.05' N. lat., 157° 33.15' W. long. and 58° 09.91' N. lat., 157° 34.55' W. long., and north of a line between 58° 09.91' N. lat., 157° 34.55' W. long. and 58° 09.44' N. lat., 157° 32.97' W. long. Unless otherwise specified in this section, the applicable provisions in 5 AAC 06.001 - 5 AAC 06.380 apply to the Egegik Special Harvest Area.

(c) The commissioner may close, by emergency order, that portion of the Egegik District bounded by a line from 58° 19.10' N. lat., 157° 36.65' W. long. to 58° 18.05' N. lat., 157° 33.15' W. long. to 58° 09.91' N. lat., 157° 34.55' W. long. to 58° 11.00' N. lat., 157° 38.10' W. long. to 58° 19.10' N. lat., 157° 36.65' W. long.

(1) the Naknek-Kvichak or Ugashik District is closed to fishing because the total season escapement is projected to be below the lower end of the escapement goal range;

(2) all conservation measures have been taken within the district where the escapement is projected to be below the lower end of the escapement goal range; and

(3) interceptions of Naknek, Kvichak, or Ugashik sockeye stocks within the Egegik District have been documented by past studies and inseason indicators.

(d) If a district closed under (c)(1) of this section is reopened to fishing, the commissioner shall reopen that portion of the Egegik District that was closed under (c) of this section.

(e) The department shall attempt to issue an emergency order under this section at least 48 hours before the effective time of the opening or closing.

(f) If the midpoint of the escapement goal range is achieved in the Egegik District and the district boundary line has been moved into the Egegik Special Harvest Area, the 48-hour transfer notification period remains in effect for the Egegik District. (Eff. 4/9/95, Register 134; am 6/3/2001, Register 158; am 6/22/2001, Register 158; am 4/9/2004, Register 170)

**Authority:** AS 16.05.060 AS 16.05.251

**5 AAC 06.360. Naknek River Sockeye Salmon Special Harvest Area Management Plan.** (a) The goal of this plan is to achieve Kvichak River sockeye salmon spawning escapement goals, while providing opportunities to harvest Naknek River salmon stocks that are in excess of spawning goals. It is the intent of the Board of Fisheries that salmon in the Naknek-Kvichak District should be harvested in the fisheries that have historically harvested them, including the methods, means, times, and locations of those fisheries, using the best biological management techniques and practices. This plan has been adopted to provide management alternatives that can be used by the department when differences in salmon run

strengths would preclude the achievement of the goal of this plan using only the fisheries that have historically harvested those salmon.

(b) The Naknek River Special Harvest Area (NRSHA) consists of the waters of the Naknek River from a line between ADF&G regulatory markers located at 58° 43.37' N. lat., 157° 03.17' W. long. and at 58° 42.67' N. lat., 157° 03.44' W. long. upstream to the power lines across the river.

(c) On or after June 27, when the department projects that the sockeye salmon escapement into the Naknek River will exceed 800,000 fish and the Kvichak River escapement projection is one or more days behind schedule for reaching its escapement goal, the commissioner may open, by emergency order, the NRSHA to the drift gillnet and set gillnet fisheries. The drift gillnet and set gillnet fisheries will open separately, with a seasonal ratio of three drift gillnet gear fishing periods to every one set gillnet fishing period.

(d) Notwithstanding 5 AAC 06.331(u), the following provisions apply to set gillnet fishing in the NRSHA:

- (1) no more than 37.5 fathoms of set gillnet may be used to take salmon;
- (2) a set gillnet may not be set or operated within 150 feet of another set gillnet;
- (3) beyond 500 feet from shore, all gear associated with set gillnet fishing must be removed when it is not being used to fish in the NRSHA;
- (4) a vessel may not have more than 75 fathoms of set gillnet on board the vessel;
- (5) set gillnet running lines may not be in the water during a drift gillnet fishing period;
- (6) repealed 8/14/2006.

(e) The following provisions apply to drift gillnet fishing in the NRSHA:

- (1) no more than 75 fathoms of drift gillnet may be used to take salmon;
- (2) a CFEC permit holder may not use more than one gillnet to take salmon at any time;
- (3) a vessel may not have more than 150 fathoms of drift gillnet or 75 fathoms of set gillnet on board the vessel;
- (4) a drift gillnet may not be operated shoreward of the offshore end of a set gillnet; and
- (5) no part of a drift gillnet may be operated within 150 feet of the side of a set gillnet.

(f) When the NRSHA is open to commercial fishing, the department shall manage the fishery, to the extent practicable, for an optimal escapement goal of 800,000 - 2,000,000 salmon.

(g) After July 17, when the Naknek-Kvichak District is open to commercial fishing in the NRSHA, the commissioner may establish, by emergency order, new fishing periods other than the periods specified in 5 AAC 06.320(c)(2), during which the requirements for reregistration and the 48-hour transfer notification period specified in 5 AAC 06.370 will apply.

(h) If the preseason forecast for the Kvichak River sockeye salmon is less than 30 percent above the minimum biological escapement goal, the commissioner may, by emergency

order, open the NRSHA to the drift gillnet and set gillnet fisheries. (Eff. 4/18/86, Register 98; am 5/21/87, Register 102; am 6/19/92, Register 122; am 4/9/95, Register 134; am 5/14/98, Register 146; am 6/3/2001, Register 158; am 4/9/2004, Register 170; am 4/21/2004, Register 170; am 5/26/2006, Register 178; am 8/14/2006, Register 179; am 3/30/2007, Register 181; am 4/9/2010, Register 194)

**Authority:** AS 16.05.060 AS 16.05.251

**5 AAC 06.373. Alagnak River Sockeye Salmon Special Harvest Area Management Plan.** (a) The goal of this management plan is to allow the harvest of surplus Alagnak River sockeye salmon stocks in the Alagnak River Special Harvest Area when sockeye salmon returns to the Kvichak River prevent the harvest of sockeye salmon within the Kvichak District.

(b) The Alagnak River Special Harvest Area (ARSHA) consists of the waters of the Alagnak River from ADF&G regulatory markers located 1.5 miles upstream of its confluence with the Kvichak River, upstream to ADF&G regulatory markers located downstream of South Slough.

(c) Salmon may be taken in the ARSHA under this section only during fishing periods established by emergency order.

(d) Salmon may be taken in the ARSHA with set gillnet and drift gillnet gear. Salmon harvested in the ARSHA will not count against the allocations of sockeye salmon to the gillnet fisheries specified in 5 AAC 06.364(b). To the extent practicable, drift gillnet and set gillnet fishing will open separately, with openings alternating between the two gear groups. If, after a total of four openings, the harvest from either gear group is less than 50 percent of the other gear group's harvest, alternating openings will not be required, and the department may increase the number of openings for the gear group with the greater harvest.

(e) When the ARSHA is open under this section, a gillnet may only be operated as follows:

- (1) a set gillnet may not exceed 25 fathoms in length;
- (2) a set gillnet may not be set or operated within 150 feet of another set gillnet;
- (3) repealed 5/26/2006;
- (4) a set gillnet must be operated in a substantially straight line perpendicular to the nearest bank of the Alagnak River;
- (5) notwithstanding 5 AAC 39.240(a), a vessel may not have more than 50 fathoms of set gillnet gear for each CFEC permit holder on board the vessel;
- (6) all gear and equipment associated with set gillnet fishing in the ARSHA must be removed from the water when it is not being used to fish in the ARSHA;
- (7) no more than 50 fathoms of drift gillnet may be used to take salmon;
- (8) a CFEC permit holder may not use more than one gillnet to take salmon at any time;
- (9) a drift gillnet vessel may not have more than 150 fathoms of drift gillnet on board the vessel.

(f) Repealed 5/26/2006.

(g) Repealed 5/26/2006. (Eff. 6/15/2005, Register 174; am 5/26/2006, Register 178)

Authority: AS 16.05.060 AS 16.05.251

### Nushagak-Mulchatna King Salmon Management Plan

**5 AAC 06.361. Nushagak-Mulchatna King Salmon Management Plan.** (a) The purpose of this management plan is to ensure biological spawning escapement requirements of king salmon into the Nushagak-Mulchatna river systems. It is the intent of the Alaska Board of Fisheries (board) that Nushagak-Mulchatna king salmon be harvested in the fisheries that have historically harvested them. This management plan provides guidelines to the department in an effort to preclude allocation conflicts between the various users of this resource. The department shall manage Nushagak-Mulchatna king salmon stocks in a conservative manner consistent with sustained yield principles and the subsistence priority.

(b) The department shall manage the commercial and sport fisheries in the Nushagak District as follows:

(1) to achieve an inriver goal of 75,000 king salmon present in the Nushagak River upstream from the department sonar counter; the inriver goal provides for

- (A) a biological escapement requirement of 65,000 fish;
- (B) reasonable opportunity for subsistence harvest of king salmon; and
- (C) a king salmon sport fishery guideline harvest level of 5,000 fish, 20 inches or greater in length;

(2) in order to maintain a natural representation of age classes in the escapement, the department shall attempt to schedule commercial openings to provide pulses of fish into the river that have not been subject to harvest by commercial gear;

(3) the department may close the commercial drift or set gillnet fishery if the harvest in the directed commercial king salmon fishery for either gear group is more than two sockeye salmon for every one king salmon.

(c) If the total inriver king salmon return in the Nushagak River is projected to exceed 75,000 fish, the guideline harvest level described in (b)(1)(C) of this section does not apply.

(d) If the spawning escapement of king salmon in the Nushagak River is projected to be more than 40,000 fish and the projected inriver return is less than 75,000 fish, the commissioner

(1) shall close, by emergency order, the directed king salmon commercial fishery in the Nushagak District; during a closure under this paragraph, the use of a commercial gillnet with webbing larger than five and one-half inches in another commercial salmon fishery is prohibited;

(2) if the projected inriver return of king salmon in the Nushagak River is at least 55,000, but less than 75,000 fish, and to ensure that sport fishery guideline harvest established in (b)(2)(C) of this section is not exceeded, shall establish, by emergency order, a daily bag limit of one fish per day, one in possession for king salmon 20 inches or greater in length;

(3) if the projected inriver return of king salmon in the Nushagak River is less than 55,000 fish, and to ensure that the projected spawning escapement does not fall below 40,000 fish, shall establish, by emergency order, fishing periods to restrict the king salmon sport fishery in the Nushagak River during which any, or a combination of the following restrictions may be applied at the discretion of the commissioner:

(A) reduction of bag and possession limits

(i) from two to one fish 20 inches or greater in length; and

(ii) if necessary, from one fish to non-retention of king salmon; if a non-retention fishery for king salmon is established under this paragraph, the use of bait for fishing for all species of fish will be prohibited until the end of the king salmon season specified in 5 AAC 67.010(b) and 5 AAC 67.022(g);

(B) a seasonal limit of up to four fish 20 inches or greater in length;

(C) prohibition of the use of bait;

(D) reductions in the time or area for fishing;

(E) a closure of the king salmon sport fishery during which the use of bait for fishing for all species of fish will be prohibited until the end of the king salmon season specified in 5 AAC 67.010(b) and 5 AAC 67.022(g).

(e) If the spawning escapement of king salmon in the Nushagak River is projected to be less than 40,000 fish, the commissioner

(1) shall close, by emergency order, the sockeye salmon commercial fishery in the Nushagak District until the projected sockeye salmon escapement into the Wood River exceeds 100,000 fish;

(2) shall close, by emergency order, the sport fishery in the Nushagak River to the taking of salmon and prohibit the use of bait for fishing for all species of fish until the end of the king salmon season specified in 5 AAC 67.010(b) and 5 AAC 67.022(g); and

(3) shall establish, by emergency order, fishing periods during which the time or area is reduced for the inriver king salmon subsistence fishery in the Nushagak River.

(f) Notwithstanding 5 AAC 06.200 in a directed king salmon commercial fishery, the southern boundary of the Nushagak District is a line from an ADF&G regulatory marker located at Etolin Point at 58° 39.37' N. lat., 158° 19.31' W. long., to 58° 33.92' N. lat., 158° 24.94' W. long. to Protection Point at 58° 29.27' N. lat., 158° 41.78' W. long.

(g) During a directed king salmon commercial fishery in the Nushagak District, drift gillnet and set gillnet fishing periods will be of equal length, but do not have to be open concurrently. (Eff. 6/19/92, Register 122; am 4/9/95, Register 134; am 5/14/98, Register 146; am 6/3/2001, Register 158; am 7/8/2001, Register 159; am 4/9/2004, Register 170; am 3/30/2007, Register 181)

**Authority:** AS 16.05.060 AS 16.05.251

## Landing Requirements

**5 AAC 06.375. Landing requirements.** (a) All salmon must be landed in the district in which they were taken. A vessel used to take salmon may not have salmon on board when more than one mile outside the district from which the salmon were taken or when the vessel is more than one-half mile inside the boundary of the Snake River Section of the Nushagak District. When outside a district, a vessel used to take salmon may have on board up to 50 salmon for personal use, if the salmon have been headed and gutted. The commissioner may waive the requirements of this subsection when necessary.

(b) From January 1 through June 30 and from August 1 through December 31, salmon caught in the Cinder River and Port Heiden Sections of the Alaska Peninsula Area can be legally transferred and sold in the Ugashik District. At the time of sale, the salmon permit holder must state the section in which the fish were caught. (Eff. 5/11/85, Register 94; am 4/2/88, Register 105; am 6/10/90, Register 114; am 4/9/2010, Register 194)

**Authority:** AS 16.05.251